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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETY-FOURTH SESSION

H. F. No. 21

01/22/2025

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The bill was read for the first time and referred to the Committee on State Government Finance and Policy

- 1.1A bill for an act
- 1.2relating to state government; requiring supermajority approval by each house of
- 1.3the legislature to extend a peacetime emergency beyond 14 days; amending
- 1.4Minnesota Statutes 2024, section 12.31, subdivision 2.
- 1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6Section 1. Minnesota Statutes 2024, section 12.31, subdivision 2, is amended to read:
- 1.7Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a
- 1.8peacetime emergency. A peacetime declaration of emergency may be declared only when
- 1.9any of the following endangers life and property and local government resources are
- 1.10inadequate to handle the situation:
- 1.11(1) an act of nature;
- 1.12(2) a technological failure or malfunction;
- 1.13(3) a terrorist incident;
- 1.14(4) a cyber attack, including a physical or electronic attack on the state's information
- 1.15and telecommunications technology infrastructure, systems, or services;
- 1.16(5) an industrial accident;
- 1.17(6) a hazardous materials accident; or
- 1.18(7) a civil disturbance.
- 1.19If the peacetime emergency occurs on Indian lands, the governor or state director of
- 1.20emergency management shall consult with tribal authorities before the governor makes such
- 1.21a declaration. Nothing in this section shall be construed to limit the governor's authority to

2.1 act without such consultation when the situation calls for prompt and timely action. When
2.2 the governor declares a peacetime emergency, the governor must immediately notify the
2.3 majority and minority leaders of the senate and the speaker and majority and minority leaders
2.4 of the house of representatives. A peacetime emergency must not be continued for more
2.5 than ~~five~~ 14 days unless ~~extended by resolution of the Executive Council up to 30 days~~ an
2.6 extension is requested by the governor and approved by the legislature under paragraph (b).
2.7 An order, or proclamation declaring, ~~continuing~~, or terminating an emergency must be given
2.8 prompt and general publicity and filed with the secretary of state.

2.9 (b) By a three-fifths majority vote of each house of the legislature, the legislature may
2.10 ~~terminate~~ extend a peacetime emergency ~~extending beyond 30~~ 14 days. If the governor
2.11 ~~determines a need to extend the~~ requests the extension of a peacetime emergency ~~declaration~~
2.12 ~~beyond 30 days~~ and the legislature is not sitting in session, the governor must issue a call
2.13 immediately convening both houses of the legislature. If the governor requests further
2.14 extension of a peacetime emergency beyond the time approved by the legislature, the
2.15 governor must submit a new request and the legislature may only extend the emergency
2.16 further by a three-fifths majority vote of each house. Nothing in this section limits the
2.17 governor's authority over or command of the National Guard as described in the Military
2.18 Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section
2.19 3.