

By Senator Smith

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1 A bill to be entitled
2 An act relating to states of emergency; amending s.
3 252.36, F.S.; providing that a state of emergency
4 renewed by the Governor expires within a specified
5 timeframe; authorizing the Legislature to extend the
6 state of emergency under specified circumstances;
7 providing that such extension is valid for a specified
8 timeframe; prohibiting such timeframe from exceeding
9 the end of the next regular session; requiring the
10 Governor to immediately issue a certain executive
11 order or proclamation consistent with the
12 Legislature's concurrent resolution terminating a
13 state of emergency; prohibiting the Governor from
14 declaring a substantially similar state of emergency
15 under specified conditions; amending s. 252.3611,
16 F.S.; requiring the Auditor General to update
17 quarterly a specified audit, rather than annually;
18 providing an effective date.
19

20 Be It Enacted by the Legislature of the State of Florida:
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22 Section 1. Subsection (2) and paragraph (a) of subsection
23 (3) of section 252.36, Florida Statutes, are amended to read:

24 252.36 Emergency management powers of the Governor.—

25 (2) A state of emergency must be declared by executive
26 order or proclamation of the Governor if she or he finds an
27 emergency has occurred or that the occurrence or the threat
28 thereof is imminent. The state of emergency must continue until
29 the Governor finds that the threat or danger has been dealt with

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30 to the extent that the emergency conditions no longer exist and
31 she or he terminates the state of emergency by executive order
32 or proclamation, but no state of emergency may continue for
33 longer than 60 days unless renewed by the Governor, subject to
34 the limitations of subsection (3). All executive orders or
35 proclamations issued under this section must indicate the nature
36 of the emergency, the area or areas threatened, and the
37 conditions which brought the emergency about or which make
38 possible its termination. An executive order or proclamation
39 must be promptly disseminated by means calculated to bring its
40 contents to the attention of the general public; and, unless the
41 circumstances attendant upon the emergency prevent or impede
42 such filing, the order or proclamation must be filed promptly
43 with the Department of State, the President of the Senate and
44 the Speaker of the House of Representatives, and the offices of
45 the county commissioners in the counties to which the order or
46 proclamation applies.

47 (3)(a)1. A state of emergency renewed by the Governor
48 expires after 1 year, and any specific order, proclamation, or
49 rule thereunder is terminated, unless the Legislature, by a two-
50 thirds vote of the membership of each house, expressly
51 authorizes the extension of the state of emergency.

52 2. If the Legislature authorizes a continuance of the state
53 of emergency, the Legislature must set the date the state of
54 emergency terminates. Such date may not be later than the
55 scheduled end of the next regular session.

56 3. At any time, the Legislature, by concurrent resolution,
57 may terminate a state of emergency or any specific order,
58 proclamation, or rule thereunder. Upon such concurrent

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59 resolution, the Governor shall immediately issue an executive
60 order or proclamation consistent with the concurrent resolution.

61 4. If the Legislature terminates or allows a state of
62 emergency to expire, the Governor may not declare a
63 substantially similar state of emergency.

64 Section 2. Subsection (3) of section 252.3611, Florida
65 Statutes, is amended to read:

66 252.3611 Transparency; audits.—

67 (3) Once an emergency exceeds 1 year, the Auditor General
68 shall conduct a financial audit of all associated expenditures
69 and a compliance audit of all associated contracts entered into
70 during the declared emergency. The Auditor General shall ~~must~~
71 update the audit quarterly ~~annually~~ until the emergency is
72 declared to be ended.

73 Section 3. This act shall take effect July 1, 2026.