



NEW YORK STATE SENATOR

Anna M. Kaplan

Senate Passes Legislation Addressing Governor's Emergency Powers

SENATOR ANNA M. KAPLAN March 5, 2021

| ISSUE: **EMERGENCY POWERS**



(Albany, NY) Today, **Senator Anna M. Kaplan** (D-Great Neck) and the Senate Democratic Majority advanced legislation repealing the temporary emergency powers that the legislature granted to the Governor last year at the start of the COVID-19 pandemic. The legislation revokes the Governor's authority to issue new directives while allowing those that are now enforced and that pertain to preserving public health to continue under

significantly greater legislative oversight. This system restores the pre-existing balance of power, ensures genuine checks and balances even during a state of emergency, and mandates a better flow of information between the Governor, the Legislature, and the State's localities for the remainder of the pandemic.

Senator Anna M. Kaplan said "We've come a long way from those dark days last spring when the COVID-19 pandemic shut down our state and created new challenges that impeded the ability of the Legislature to respond quickly to the rapidly evolving emergency situation. It's critical that we continue to have the tools necessary to respond quickly and effectively as we battle COVID in our community, but moving forward, we can and should have better oversight of the process."

This legislation, [S.5357](#), passed by the Senate Majority will establish new checks by the Legislature on the authority of the Governor during the pandemic by:

- Revoking the Governor's authority to issue any new directives.
- Authorizing the Governor to extend or modify directives that are currently in effect to respond to the ongoing pandemic but requires five days' notice to the Legislature or to local elected officials before that extension or modification goes into effect.
- Requiring the Governor to respond publicly to any comments they received from the Legislature or from local leaders if a directive is extended.
- Requiring the Governor to create a searchable database of all executive actions that remain in force to inform lawmakers and the public with the current state of the law.
- Allowing the Legislature to terminate a state disaster emergency by concurrent resolution.

2021-S5357

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the termination of certain executive powers by the legislature

March 02, 2021

Signed by Governor

Sponsored by [Andrea Stewart-Cousins](#)

Do you support this bill?