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<p>BILL NO. _____</p> <p>Date of Intro. _____</p> <p>Ref. _____</p>

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AN ACT concerning the termination of the public health emergency declared by the Governor to address the COVID-19 pandemic and supplementing Title 26 of the Revised Statutes.

Provides for termination of public health emergency declared by Governor to address COVID-19 pandemic.

PRIME Sponsor _____ / _____

<u>CO-Sponsor</u>	<u>District</u>	<u>CO-Sponsor</u>	<u>District</u>
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Same as _____ 18/19 Same as _____ 20/21

Suggested allocation: sec. 1-4: 26:13-32

AN ACT concerning the termination of the public health emergency declared by the Governor to address the COVID-19 pandemic and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. All executive orders issued by the Governor prior to the effective date of this act that relied on the existence of the public health emergency declared by the Governor in Executive Order No. 103 of 2020 shall expire 30 days following the effective date of this act, with the exception of the executive orders listed in this section that shall remain in effect until January 1, 2022. The Governor shall have the ability to revoke or modify the executive orders listed in this section prior to January 1, 2022.

- (1) Executive Order No. 106 (2020)
- (2) Executive Order No. 111 (2020)
- (3) Executive Order No. 112 (2020)
- (4) Executive Order No. 123 (2020)
- (5) Executive Order No. 127 (2020)
- (6) Executive Order No. 150 (2020)
- (7) Executive Order No. 159 (2020)
- (8) Executive Order No. 170 (2020)
- (9) Executive Order No. 178 (2020)
- (10) Executive Order No. 192 (2020)
- (11) Executive Order No. 207 (2020)
- (12) Executive Order No. 229 (2021)
- (13) Executive Order No. 233 (2021)
- (14) Executive Order No. 237 (2021)

(15) The most recent executive order containing general COVID-19 mitigation measures regarding masking, social distancing, and gatherings prior to the effective date of this act and this executive order shall only be modified in a manner to provide less restrictive measures, unless an increase in hospitalizations, increased spot positivity, or rate of transmission above 1 necessitates a modification that would be more restrictive.

2. Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the force and effect of any administrative order, directive, or waiver issued by the head of a State agency while the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, was in effect shall be continued and may be modified by the head of a State agency until such administrative order, directive, or waiver is explicitly revoked.

3. The termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, shall in no way diminish, limit, or impair the powers of the Governor or the head of a State agency pursuant to the provisions of the civilian

defense and disaster control act P.L.1942, c.251 (C.App.A:9-33 et seq.). The state of emergency declared in Executive Order No. 103 of 2020 pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.) shall remain in effect until terminated by the Governor.

4. Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the Governor, Commissioner of Health, and the head of any other State agency may issue orders, directives, and waivers pursuant to P.L.2005, c.222 (C.26:13-1 et seq.) related to (1) vaccination distribution, administration, and management, (2) COVID-19 testing, (3) health resource and personnel allocation, (4) data collection, retention, sharing, and access, (5) coordination of local health departments, and (6) implementation of any applicable recommendations of the Centers for Disease Control and Prevention to prevent or limit the transmission of COVID-19, including in specific settings.

5. This act shall take effect immediately.

STATEMENT

Under this bill, all executive orders issued by the Governor prior to the effective date of this bill that relied on the existence of the public health emergency declared by the Governor in Executive Order No. 103 of 2020 will expire 30 days following the effective date of this bill, with the exception of the executive orders listed below that will remain in effect until January 1, 2022. The Governor will have the ability to revoke or modify the executive orders listed prior to January 1, 2022.

Executive Order No. 106 (2020)

Executive Order No. 111 (2020)

Executive Order No. 112 (2020)

Executive Order No. 123 (2020)

Executive Order No. 127 (2020)

Executive Order No. 150 (2020)

Executive Order No. 159 (2020)

Executive Order No. 170 (2020)

Executive Order No. 178 (2020)

Executive Order No. 192 (2020)

Executive Order No. 207 (2020)

Executive Order No. 229 (2021)

Executive Order No. 233 (2021)

Executive Order No. 237 (2021)

The most recent executive order containing general COVID-19 mitigation measures regarding masking, social distancing, and gatherings prior to the effective date of this bill and this executive order will only be modified in a manner to provide less restrictive measures, unless an increase in hospitalizations, increased spot

positivity, or rate of transmission above 1 necessitates a modification that would be more restrictive.

Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the force and effect of any administrative order, directive, or waiver issued by the head of a State agency while the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, was in effect will be continued and may be modified by the head of a State agency until such administrative order, directive, or waiver is explicitly revoked.

The bill specifies that the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, will in no way diminish, limit, or impair the powers of the Governor or the head of a State agency pursuant to the provisions of the civilian defense and disaster control act P.L.1942, c.251 (C.App.A:9-33 et seq.). The state of emergency declared in Executive Order No. 103 of 2020 pursuant to that law will remain in effect until terminated by the Governor.

Following the termination of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended, the Governor, Commissioner of Health, and the head of any other State agency may issue orders, directives, and waivers pursuant to the emergency health powers law, P.L.2005, c.222 (C.26:13-1 et seq.), related to (1) vaccination distribution, administration, and management, (2) COVID-19 testing, (3) health resource and personnel allocation, (4) data collection, retention, sharing, and access, (5) coordination of local health departments, and (6) implementation of any applicable recommendations of the Centers for Disease Control and Prevention to prevent or limit the transmission of COVID-19, including in specific settings.

Provides for termination of public health emergency declared by Governor to address COVID-19 pandemic.