

Memorandum

PREPARED FOR: Representative Fahey
DATE: March 1, 2023
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RE: Executive Emergency Authority



This memorandum is in response to your request for information related to executive emergency authorities provided to the Governor related to the declaration of emergencies in Oregon and the roles and responsibilities of the Legislative Assembly. Per the request, information related to selected comparable emergency authorities in neighboring states also is presented. Given the potential breadth of possible statutes related to emergency authorities, this memorandum should be considered representative of such laws rather than a comprehensive analysis of all possible executive emergency authorities.

This memorandum is divided into the following sections:

- [Executive Emergency Authority in Oregon:](#)
 - [Oregon Constitution, Article X-A \(catastrophic disasters\)](#),
 - [ORS chapter 131 \(emergency periods\)](#),
 - [ORS chapter 401 \(states of emergency\)](#),
 - [ORS chapter 433 \(public health emergencies\)](#), and
 - [Recent Judicial Consideration](#).
- [Selected Emergency Authorities in Oregon and Neighboring States](#).

Executive Emergency Authority in Oregon

Oregon's Governor is granted the authority to declare various types of emergency events in Article X-A of the Constitution of the State of Oregon and at least three separate statutes, ORS chapters 131, 401, and 433. This section summarizes how those various emergency authorities function with an emphasis on the role of the Legislative Assembly.

Article X-A, Catastrophic Disasters¹

Article X-A of the Constitution of the State of Oregon allows the Governor to find and declare a catastrophic disaster has occurred and grants the Governor and Legislative Assembly specific emergency authorities once the Governor has made that declaration. Such emergency authorities automatically expire within 30 days, may only be invoked once per event, and may only be extended by a legislative measure passed with a three-fifths majority in each chamber.

¹ [Or. Const. Art. X-A](#).

Declaration

The Governor may invoke the provisions of Article X-A by finding and declaring that a catastrophic disaster has occurred. “Catastrophic disaster” means a natural or human-caused event that:

- results in extraordinary levels of death, injury, property damage, or disruption of daily life in this state; and
- severely affects the population, infrastructure, environment, economy, or government functioning of this state.

Article X-A includes a non-exhaustive list of catastrophic disasters: 1) terrorism; 2) earthquake; 3) flood; 4) public health emergency; 5) tsunami; 6) volcanic eruption; and 7) war. The Governor’s finding must specify the nature of the catastrophic disaster.

Powers

Article X-A requires the Governor, after declaring a catastrophic disaster has occurred, to manage the immediate response to the disaster. The Governor may use moneys appropriated from the General Fund and lottery funds allocated to executive agencies for the current biennium to respond to the catastrophic disaster, regardless of the legislatively expressed purpose of the appropriation. State constitutional limits on the use of lottery funds continue to apply to lottery funds reallocated under Article X-A.

Limitations

At the time the Governor invokes Article X-A, if the Legislative Assembly is not already in session or scheduled to convene a regular session within 30 days, the Governor must issue a proclamation convening the Legislative Assembly. Article X-A powers automatically expire 30 days following the Governor’s declaration of a catastrophic disaster and may only be extended by a measure enacted by the Legislative Assembly.² The Governor may not invoke Article X-A more than once for the same catastrophic disaster.

Legislative Oversight

The Legislative Assembly must be convened within 30 days of the Governor’s declaration of a catastrophic disaster. The body may convene at a location other than the Capitol if the Capitol is determined to be inaccessible, and all quorum and majority requirements are determined using members who are able to attend rather than total membership of the body (e.g., a three-fifths majority in the House is normally 36

² [Article V \(Executive Branch\) Section 15b of the Oregon Constitution](#) requires every bill passed by the Legislative Assembly to be presented to the Governor for signature. If the Governor does not return the signed measure within five days (excluding Saturdays and Sundays) the measure becomes law without the signature of the Governor.



members, but if only 50 members are able to attend session during a catastrophic disaster, then a three-fifths majority would be 30 members). Members participating remotely are considered to be in attendance.

Article X-A limits the Legislative Assembly during the catastrophic disaster to “actions necessary to implement the Governor’s immediate response to the disaster and to actions necessary to aid recovery from the disaster.” The body may enact measures to:

- extend Article X-A powers beyond the constitutional limit prior to the 30-day expiration of Article X-A powers and with a three-fifths majority in each chamber;
- terminate Article X-A powers and provide any provisions the Legislative Assembly considers necessary to provide an orderly transition to compliance with any Constitutional requirements waived during the catastrophic disaster after a finding and declaration by the Governor that the immediate response to the catastrophic disaster has ended;
- terminate the Governor’s emergency spending power by specifying the purpose for which appropriated General Fund moneys and allocated lottery funds may be used;
- authorize the use of revenues from taxes on motor fuel, excess income tax revenues, and lottery funds for purposes other than those established in the state constitution; or
- notwithstanding constitutional limits on state finance, lend the credit of the state or create debts or liabilities in an amount the Legislative Assembly considers necessary to provide an adequate response to the catastrophic disaster.



Figure 1: Article X-A, Catastrophic Disasters

Invoking Article X-A	Article X-A Powers	Terminating Article X-A
<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • declares catastrophic disaster, invoking Article X-A 	<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • manages response to the catastrophic disaster • may reallocate funds appropriated to the Executive Branch to respond to the catastrophic disaster • may find the immediate response to the catastrophic disaster has ended • Legislative Assembly: <ul style="list-style-type: none"> • must be convened within 30 days • may override executive disaster response spending • notwithstanding certain constitutional limits, may authorize additional spending and borrowing as necessary to respond to the disaster 	<ul style="list-style-type: none"> • Option 1: Expiration <ul style="list-style-type: none"> • 30-day window is exhausted without intervention; Article X-A powers expire • Option 2: Termination <ul style="list-style-type: none"> • The Governor finds the immediate response to the catastrophic disaster has ended and the Legislative Assembly enacts a measure terminating Article X-A powers • Option 3: Extension <ul style="list-style-type: none"> • The Legislative Assembly with a three-fifths majority in each chamber may enact a measure extending Article X-A powers past the 30-day window

Source: Legislative Policy and Research Office (LPRO)

Data: [Oregon Constitution Article X-A](#)

ORS chapter 131, Emergency Period³

ORS chapter 131 allows the Governor, after consultation with a public official who has jurisdiction over any public property and police, to proclaim an emergency period during which the public official may exclude any persons from the public property identified in the proclamation who the official feels are contributing to or aggravating the danger that the Governor has proclaimed to exist.

Declaration

An emergency period is declared by proclamation of the Governor after consultation with the relevant public official and police and with the finding there exists on any public

³ [ORS 131.705-131.735 \(2021\)](#).



property a clear and present danger of injury to persons, damage to property, or denial of or substantial interference with ingress or egress from the property. The proclamation must describe the public property affected by the proclamation. The Governor must proclaim the end of the emergency period when the Governor finds the danger has ended.

Powers

The only emergency powers authorized during a declared emergency period are related to exclusion of persons from public property by a public official with jurisdiction over that property. Neither the Governor nor the Legislative Assembly are granted emergency powers during a proclaimed emergency period.

Limitations

The proclamation of an emergency period must contain certain items, must be publicized by the Governor, and is in effect until the Governor finds the danger has ended and proclaims the end of the emergency period.

Legislative Oversight

The text of ORS 131.705-131.735 makes no mention of the Legislative Assembly.

Figure 2: ORS chapter 131, Emergency Period

Proclaiming an Emergency Period	Emergency Powers	Terminating an Emergency Period
<ul style="list-style-type: none">• Governor:<ul style="list-style-type: none">• declared by proclamation after consultation with a public official and police	<ul style="list-style-type: none">• No executive or legislative emergency powers<ul style="list-style-type: none">• power to exclude individuals from public property is provided to public official	<ul style="list-style-type: none">• Proclamation of the Governor<ul style="list-style-type: none">• the Governor finds the danger has ended and proclaims the end of the emergency period

Source: *Legislative Policy and Research Office (LPRO)*

Data: [ORS 131.705-131.735 \(2021\)](#).



ORS chapter 401, State of Emergency⁴

ORS chapter 401 allows the Governor by proclamation to declare a state of emergency at the request of a county governing body or after determining that an emergency has occurred or is imminent. The statute grants the Governor broad authority to declare and respond to an emergency and allows the Legislative Assembly to terminate a state of emergency by passage of a joint resolution.

Declaration

The Governor by proclamation may declare a state of emergency at the request of a county governing body or after determining that an emergency has occurred or is imminent. The declaration must specify the geographical area covered by the proclamation, which may be no larger than necessary to effectively respond to the emergency.

Powers

During a declared state of emergency, the Governor is granted “complete authority over all executive agencies of the state government and the right to exercise, within the area designated by the proclamation, all police powers vested in the state by the Oregon Constitution.”⁵ The Governor may:

- assume complete control of all emergency operations, police and law enforcement activities, and roads and highways in the designated emergency area;
- direct any agencies in state government to utilize and employ state personnel, equipment, and facilities for emergency response, including the removal of disaster debris or wreckage;
- suspend provisions of any order or rule of any state agency when strict compliance would in any way prevent, hinder, or delay mitigation of the effects of the emergency;
- designate persons to coordinate the work of public and private relief agencies operating in the designated emergency area and exclude any person or agency refusing to cooperate;

⁴ [ORS 401.165-401.236 \(2021\)](#).

⁵ [ORS 401.168\(1\) \(2021\)](#).



- acquire or assist local government in acquiring temporary housing units for disaster victims with the concurrence of either the Joint Committee on Ways and Means or the Emergency Board;⁶
- waive the mandatory one-week waiting period for unemployment benefits for residents of the designated emergency area;
- manage the distribution of food, feed, fuel, clothing, and other commodities, materials, goods, and services, and the use, conservation, salvage, and waste of materials, services, and facilities;
- apply for, receive, and distribute federal financial assistance; and
- implement any action authorized during a declared public health emergency under ORS chapter 433.

The Governor is granted rulemaking authority to carry out the purposes of ORS chapter 401. Rules and orders issued under the Governor’s emergency authorities have the full force and effect of law during and after the state of emergency. The Governor’s emergency authorities “may be exercised with respect to the entire territory over which the Governor has jurisdiction, or to any specified part thereof.”⁷

Limitations

Emergency powers continue until the state of emergency is terminated by proclamation of the Governor or by joint resolution of the Legislative Assembly. The owner of real property taken under the Governor’s emergency powers is entitled to reasonable compensation from the state. No unit of government may seize a lawfully possessed firearm during a state of emergency. The power to provide temporary emergency housing may continue beyond the termination of the state of emergency.

The Governor must terminate the state of emergency by proclamation either when the emergency no longer exists or when the threat of an emergency has passed. The Legislative Assembly may terminate a state of emergency at any time by passage of a joint resolution. A state of emergency is not limited to a specific number of days and continues until terminated by either the Governor or the Legislative Assembly.⁸

Legislative Oversight

The Legislative Assembly may at any time enact a joint resolution terminating a state of emergency declared by the Governor. Concurrence of the Joint Committee on Ways

⁶ The [Emergency Board](#) operates during the interim when the Legislative Assembly is not in session to allocate emergency funds, increase expenditure limitations, authorize transfers, receive reports, and approve submissions of federal grant applications.

⁷ [ORS 401.192\(2\) \(2021\)](#).

⁸ [Elkhorn Baptist Church v. Brown, 466 P.3d 30, 36 \(2020\)](#).



and Means or the Emergency Board is required before the Governor may obtain or assist local government in obtaining temporary housing units for disaster victims.

Figure 3: ORS chapter 401, State of Emergency

Declaring a State of Emergency	Emergency Powers	Terminating a State of Emergency
<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • declared by proclamation at the request of a county governing body or after Governor determines that an emergency has occurred or is imminent 	<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • complete authority over all executive agencies of the state government • the right to exercise, within the area designated by the proclamation, all police powers vested in the state by the Oregon Constitution 	<ul style="list-style-type: none"> • Option 1: Executive <ul style="list-style-type: none"> • Governor must terminate a state of emergency by proclamation either when the emergency no longer exists or when the threat of an emergency has passed • Option 2: Legislative <ul style="list-style-type: none"> • Legislative Assembly may terminate a state of emergency at any time by passage of a joint resolution

Source: Legislative Policy and Research Office (LPRO)

Data: [ORS 401.165-401.236 \(2021\)](#)

ORS chapter 433, Public Health Emergency⁹

ORS chapter 433 allows the Governor to declare a state of public health emergency when bioterrorism, contagion, epidemic, natural disaster, or a chemical or nuclear accident or attack poses a high probability of death, long-term disability, or exposure to an infectious or toxic agent. The Governor and certain public health officials are granted emergency powers during a declared public health emergency. The proclamation of a state of public health emergency may last no more than 14 days and may be extended once for an additional 14-day period unilaterally by the Governor.

Declaration

The Governor’s declaration of public health emergency must specify (1) the nature of the public health emergency; (2) the political subdivision or geographic area subject to the declaration; (3) the conditions that brought about the public health emergency; and (4) the duration of the public health emergency, if less than 14 days. The declaration of

⁹ [ORS 433.441-433.466 \(2021\)](#).



a public health emergency may last no more than 14 days and may be extended for an additional 14-day period by the express action of the Governor.

Powers

During a public health emergency, the Governor may:

- close, order the evacuation of, or the decontamination of any facility that may endanger the public health;
- regulate or restrict the use, sale, or distribution of food, fuel, medical supplies, medicines, or other goods and services;
- prescribe routes, destinations, and modes of transportation for the evacuation of individuals or the provision of emergency services;
- control movement within and the occupancy of premises in any public area subject to or threatened by a public health emergency;
- authorize licensed pharmacists to administer vaccines to persons who are three years of age or older;
- seek assistance under the Emergency Management Assistance Compact;¹⁰ and
- take any other action that may be necessary for the management of resources, or to protect the public during a public health emergency.

Other duties and authorities are established for the Public Health Director during a public health emergency.¹¹ The text of ORS 433.441-433.466 makes no mention of the Legislative Assembly.

Limitations

The declaration of a public health emergency may last no more than 14 days and may be extended for an additional 14-day period by the express action of the Governor. The text does not expressly consider whether or not a new emergency can be declared after the expiration of the 28-day public health emergency.

Legislative Oversight

The text of ORS 433.441-433.466 makes no mention of the Legislative Assembly.

¹⁰ The [Emergency Management Assistance Compact](#) (EMAC) is a national interstate mutual aid agreement ratified by Congress and enacted in each U.S. state, territory, and the District of Columbia that enables members to share resources during times of disaster.

¹¹ [ORS 431.035 \(2021\)](#) mandates “The Director of the Oregon Health Authority shall appoint a Public Health Director to perform the duties and exercise authority over public health emergency matters in the state and other duties as assigned by the director. The director may appoint the same person to serve as both the Public Health Director and the Public Health Officer appointed under ORS 431.045.”



Figure 4: ORS chapter 433, Public Health Emergency

Declaring a State of Public Health Emergency	Public Health Emergency Powers	Terminating a State of Public Health Emergency
<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • declared when bioterrorism, contagion, epidemic, natural disaster, or a chemical or nuclear accident or attack poses a high probability of death, long-term disability, or exposure to an infectious or toxic agent • must specify (1) the nature of the emergency; (2) the area subject to the declaration; (3) the conditions that brought about the emergency; and (4) the duration of the emergency if less than 14 days 	<ul style="list-style-type: none"> • Governor: <ul style="list-style-type: none"> • emergency response including evacuation, delivery of emergency services, and regulation of goods and services • complete authority over all executive agencies of the state government and right to exercise, within the area designated by the proclamation, all police powers vested in the state by the Oregon Constitution 	<ul style="list-style-type: none"> • No longer than 28 days <ul style="list-style-type: none"> • declaration may be for no more than 14 days and extended for an additional 14-day period by the Governor

Source: Legislative Policy and Research Office (LPRO)

Data: [ORS 433.441-433.466 \(2021\)](#)

Recent Judicial Consideration

In a 2020 decision stemming from a challenge to [Executive Order 2020-03](#) declaring an emergency due to the Coronavirus outbreak in Oregon, the Supreme Court of Oregon found:¹²

- a state of emergency declared under ORS chapter 401 is not limited to a specific number of days and continues until terminated by either the Governor or the Legislative Assembly;
- when faced with a public health emergency, the Governor may declare a state of emergency under ORS chapter 401 or a public health emergency under ORS chapter 433; and
- Article X-A has no bearing on the Governor’s authority to exercise emergency powers under ORS chapter 401.

¹² [Elkhorn Baptist Church v. Brown, 466 P.3d at 36, 45, 51.](#)



Selected Emergency Authorities in Oregon and Neighboring States

This section summarizes executive emergency authorities in California, Idaho, Nevada, Oregon, and Washington with an emphasis on the legislative roles and responsibilities during a declared emergency (Table 1). As noted, given the possibility that emergency authorities are provided through numerous disparate statutes within a given state, Table 1 should be considered a representative selection rather than a comprehensive description of all emergency authorities in each state.

Table 1: Summary of Selected Executive Emergency Authorities in California, Idaho, Nevada, Oregon, and Washington^a

State	Declaration	Executive Emergency Powers	Duration/Termination	Legislative Roles and Responsibilities
California	<p>Governor: The Governor may declare by proclamation a "state of war emergency" when the state or nation is attacked or an attack is imminent or a "state of emergency" for conditions of disaster or extreme peril such as fire, flood, storm, epidemic, or drought.</p> <p>Legislative Assembly: No authority to declare an emergency.</p>	Under either a declared state of war emergency or state of emergency, the Governor has complete authority over state government and the right to exercise, within the area or regions designated, all police power vested in the state.	<p>State of war emergency: Automatically expires within 30 days of proclamation unless the Governor convenes a special session of the Legislature, or if the Legislature is already in session.</p> <p>Governor: May terminate a state of war emergency or state of emergency by proclamation.</p> <p>Legislature: May terminate a state of war emergency or state of emergency by concurrent resolution.</p>	May by concurrent resolution terminate a declared state of war emergency or state of emergency.



State	Declaration	Executive Emergency Powers	Duration/Termination	Legislative Roles and Responsibilities
Idaho	<p>Governor: May declare by proclamation a "state of extreme emergency" due to threat of enemy attack, natural disaster, violent insurrection, or other conditions likely to overwhelm control of local government. May declare by executive order or proclamation a "state of disaster emergency" due to threat of natural disaster, civil unrest, hostile military action, or terrorism.</p>	<p>State of extreme emergency: The Governor has complete authority over state government and the right to exercise within the area or regions designated all police power vested in the state. Emergency powers must be limited by written rules and orders "narrowly focused without placing unnecessary restrictions on the ability for a person...to work, provide for their families, or otherwise contribute to the economy of the state of Idaho."</p> <p>State of disaster emergency: The Governor may issue executive orders and proclamations, which have the force and effect of law. Orders and proclamations "must be narrowly tailored to effectively protect life or property without placing unnecessary restrictions on...a person...to work, provide for their families, or otherwise contribute to the economy of the state of Idaho."</p>	<p>State of extreme emergency: Must terminate by either the expiration of the period for which it was proclaimed or the need for the emergency has ceased. Emergency executive powers under a state of extreme emergency declared for 12 or more counties automatically expire on the 90th day unless the Legislature is in regular session or the Governor convenes the Legislature for the purpose of voting on whether to revoke any and all emergency executive powers.</p> <p>State of disaster emergency: Continues until terminated by either the Governor or the Legislature.</p> <p>Governor: May terminate a state of disaster emergency by executive order or proclamation.</p> <p>Legislature: May terminate a state of disaster emergency by concurrent resolution at any time.</p>	<p>May by concurrent resolution terminate a declared state of disaster emergency at any time.</p>



State	Declaration	Executive Emergency Powers	Duration/Termination	Legislative Roles and Responsibilities
Nevada	<p>Governor: May declare by proclamation a state of emergency or declaration of disaster with the finding that enemy attack or natural, technological, or man-made emergency or disaster threatens the welfare of the inhabitants of the state. May declare by executive order that a public health emergency or other health event exists which requires coordinated response.</p> <p>Legislature: May declare by resolution a state of emergency or declaration of disaster with the finding that enemy attack or natural, technological, or man-made emergency or disaster threatens the welfare of the inhabitants of the state.</p>	<p>State of emergency or declaration of disaster: The Governor is granted broad authority over emergency response in the state including the power to compel evacuation, remove a public officer for failing to obey an order, and to authorize providers of emergency medical services and providers of mental health services licensed in other states to practice in the state as necessary to assist in responding to the emergency or disaster.</p> <p>Public health emergency or health event: The Governor designates an emergency team with powers and duties related to the public health emergency or health event.</p>	<p>State of emergency or declaration of disaster: Terminates upon proclamation of the Governor or resolution of the Legislature.</p> <p>Public health emergency or health event: Terminates after the estimated duration stated in the executive order declaring the emergency or event or before that time upon declaration of the Governor that the emergency or event no longer poses an immediate threat to the health and safety of the public. The Governor may extend the emergency or event beyond the estimated duration but must provide written notice to the Legislature.</p>	<p>May declare or terminate by resolution a state of emergency or declaration of disaster.</p>



State	Declaration	Executive Emergency Powers	Duration/Termination	Legislative Roles and Responsibilities
Oregon	<p>Governor: May declare: a “catastrophic disaster” due to natural or human-caused event with “extraordinary” and “severe” effects; by proclamation an “emergency period” due to clear and present danger on public property; by proclamation a “state of emergency” at the request of a county or after determining an emergency is imminent; and a “state of public health emergency” due to threat of bioterrorism, contagion, epidemic, natural disaster, or a chemical or nuclear accident or attack.</p>	<p>Catastrophic disaster: The Governor is granted broad authority to respond to the disaster including authority to reallocate certain funds.</p> <p>Emergency period: Power to exclude individuals from public property is provided to another public official.</p> <p>State of emergency: The Governor is granted complete authority over all executive agencies of the state government and the right to exercise, within the area designated by the proclamation, all police powers vested in the state.</p> <p>Public health emergency: The Governor is granted emergency response powers including evacuation, delivery of emergency services, and regulation of goods and services, as well as complete authority over all executive agencies of the state government and the right to exercise, within the area designated by the proclamation, all police powers vested in the state.</p>	<p>Catastrophic disaster: Emergency powers expire after 30 days unless extended by a measure approved by a three-fifths majority of each chamber of the Legislative Assembly.</p> <p>Emergency period: Terminated by proclamation of the Governor.</p> <p>State of emergency: Terminated by proclamation of the Governor or passage of a joint resolution by the Legislative Assembly.</p> <p>Public health emergency: May not extend more than 28 days.</p>	<p>Catastrophic disaster: The Legislative Assembly must be convened within 30 days of declaration. During a declared disaster, the Legislative Assembly may: override executive disaster response spending; authorize additional spending and borrowing; and, in coordination with the Governor, enact a measure either terminating or extending emergency powers past the 30-day expiration.</p> <p>Emergency period: None.</p> <p>State of emergency: The Legislative Assembly may by joint resolution terminate a state of emergency at any time. Via concurrence of either the Joint Committee on Ways and Means or the Emergency Board, the Legislative Assembly may approve the Governor’s plan for acquiring temporary housing units for disaster victims.</p> <p>Public health emergency: None.</p>



State	Declaration	Executive Emergency Powers	Duration/Termination	Legislative Roles and Responsibilities
Washington	Governor: May declare by proclamation a “state of emergency” after finding public disorder, disaster, energy emergency, or riot exists in the state which affects life, health, property, or the public peace.	During a declared state of emergency and in the area described by the proclamation, the Governor is granted broad authority to waive or suspend state statutory and regulatory obligations and may issue orders prohibiting activity as the Governor reasonably believes is necessary to preserve and maintain life, health, property, or the public peace.	A state of emergency is terminated upon proclamation of the Governor. Emergency executive actions waiving or suspending state statutory and regulatory obligations may continue for no longer than 30 days unless extended by the Legislature through concurrent resolution if the Legislature is in session or in writing by the leadership of the Senate and House of Representatives until the Legislature can approve the waiver or suspension by concurrent resolution.	Must approve extension past 30 days of emergency executive actions waiving or suspending state statutory or regulatory obligations.

Source: Legislative Policy and Research Office

Data: [Cal. Gov. Code title 2 chapter 7](#), [Idaho Code title 46 chapters 6 and 10](#), [Nev. Rev. Stat. chapters 414 and 439](#), [Oregon Constitution Article X-A](#), [ORS chapters 131, 401, and 433 \(2021\)](#), [Wash. Rev. Code chapter 43.06](#).

Notes: a. Given the possibility that emergency authorities are provided through numerous disparate statutes within a given state, this table should be considered a representative selection rather than a comprehensive description of all emergency authorities in each state.

