

House Resolution No. 5502

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOON.

5773H.011

DANA RADEMAN MILLER, Chief Clerk

2 **WHEREAS**, on March 13, 2020, Governor Michael L. Parson signed Executive Order
3 20-02 declaring a state of emergency in Missouri in response to the novel corona virus (COVID-
4 19); and

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5 **WHEREAS**, in the order, the Governor stated that he was invoking the provisions of
6 Sections 44.100 and 44.110, RSMo, and declaring a state of emergency to "ensure the protection
7 of the safety and welfare of the citizens of Missouri"; and

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9 **WHEREAS**, under subdivision (1) of subsection 1 of Section 44.100, RSMo, "[t]he
10 existence of an emergency may be proclaimed by the governor or by resolution of the legislature,
11 if the governor in his proclamation, or the legislature in its resolution, finds that a natural or man-
12 made disaster of major proportions has actually occurred within this state, and that the safety and
13 welfare of the inhabitants of this state require an invocation of the provisions of this section";
14 and

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16 **WHEREAS**, the Governor's declaration of state of emergency was improper on the
17 grounds that no natural or man-made disaster of major proportions has actually occurred within
18 the state of Missouri as required under section 44.100, RSMo; and

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20 **WHEREAS**, the Governor's declaration of a state of emergency unquestionably infringes
21 upon Missouri citizens' rights under the Bill of Rights of the Missouri Constitution, in particular
22 those granted under Article I, Sections II, V, and IX; and

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24 **WHEREAS**, Missouri citizens are free to personally take precautions aimed at mitigating
25 the spread of COVID-19 and there is no need for overreaching governmental involvement; and

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27 **WHEREAS**, under Section 44.100, RSMo, "[a]ny emergency, whether proclaimed by
28 the governor or by the legislature, shall terminate upon the proclamation thereof by the governor,
29 or the passage by the legislature, of a resolution terminating such emergency":

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31 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
32 Representatives of the One Hundredth General Assembly, Second Regular Session, under the
33 authority granted under subdivision (2) of subsection 1 of section 44.100, RSMo, hereby call for
34 the immediate termination of Executive Order 20-02 and urge the Senate to call for the same;
35 and

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37 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
38 Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor
39 Michael L. Parson.

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