

SENATE RESOLUTION No. 1717

**A RESOLUTION urging the legislative coordinating council
to revoke any executive order issued by the governor mandating face coverings
if such an executive order is issued while the legislature is adjourned.**

WHEREAS, 2021 Senate Bill No. 40 was signed into law on March 24, 2021, and became effective on March 31, 2021. This legislation revokes all executive orders currently in effect issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, in response to the current state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency; and

WHEREAS, Governor Kelly issued a statement on March 24, 2021, indicating that she intends to issue an executive order similar to Executive Order 20-68, establishing a face coverings protocol on April 1, 2021; and

WHEREAS, 2021 Senate Bill No. 40 authorizes the legislature to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto, by concurrent resolution of the legislature, and, if the legislature is not in session or is adjourned for three or more days during the legislative session, the legislative coordinating council is authorized to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto; and

WHEREAS, Pursuant to the 2021 session planner, the legislature is scheduled to adjourn on March 31, 2021, for a period of time that is longer than three days; and

WHEREAS, Local units of government, including counties and cities, maintain the legal authority to take any action related to face coverings that such local unit of government determines is necessary for the safety of the people in their community: Now, therefore,

***Be it resolved by the Senate of the State of Kansas:* That the Kansas Senate urges the legislative coordinating council to revoke any executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, establishing a face coverings protocol if such an executive order is issued by the governor during a time when the legislature is not in session or is adjourned for three or more days during the legislative session; and**

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the chairperson of the legislative coordinating council.

Senate Resolution No. 1717 was sponsored by Senators Masterson, Wilborn and Alley.

I hereby certify that the above RESOLUTION originated in the SENATE, and was adopted by that body

President of the Senate.

Secretary of the Senate.