



CHAPTER 166A
ARTICLE 1A - NORTH CAROLINA EMERGENCY MANAGEMENT ACT

N.C.G.S. § 166A-19.20.

Gubernatorial or legislative declaration of state of emergency.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-180, s. 19E.6(b) — fifteenth act in the lineage	21 September 2026, 03:39 UTC	f129409e225a9772c4132860 - deb99374ac7af968fd11e3c0 - 7a55f116f825b148

- § 166A-19.20(a)

Declaration. - A state of emergency may be declared by the Governor or by a resolution of the General Assembly, if either of these finds that an emergency exists.
- § 166A-19.20(b)

Emergency Area. - An executive order or resolution declaring a state of emergency shall include a definition of the area constituting the emergency area.
- § 166A-19.20(c)

Expiration of States of Emergency. - A state of emergency declared pursuant to this section shall expire as follows:

(1)

If not a statewide emergency area, when it is rescinded by the authority that issued it.

(2)

If a statewide emergency area, 30 calendar days after issuance without a concurrence of the Council of State. A declaration of emergency may not be continued without the concurrence of the Council of State. If the Council of State concurs with the declaration of emergency, the declaration of emergency shall expire 60 calendar days after issuance, unless the General Assembly extends the declaration of emergency by enactment of a general law. If the General Assembly does not extend the declaration of emergency by enactment in accordance with this subdivision, the Governor shall not issue a substantially similar declaration of emergency arising from the same events that formed the basis to issue the initial declaration of emergency that was not extended.

§ 166A-19.20(c1)

Effect of Failure of Concurrence of the Council of State. - If the concurrence of the Council of State fails with the issuance or continuation of a declaration of emergency under subdivision (c)(2) of this section, the Governor shall not issue the same or any other substantially similar declarations of emergency based on the same emergency.

§ 166A-19.20(c2)

Multiple Declarations to Avoid Concurrence of Council of State. - If the Governor declares more than one state of emergency based on the same emergency that would extend the application of the emergency area, when combined, to more than two-thirds of the counties in the State, the Governor shall obtain the concurrence of the Council of State in accordance with subdivision (c)(2) of this section for each declaration of emergency.

§ 166A-19.20(d)

Exercise of Powers Not Contingent on Declaration of Disaster Type. - Once a state of emergency has been declared pursuant to this section, the fact that a declaration of disaster type has not been issued shall not preclude the exercise of powers otherwise conferred during a state of emergency.

§ 166A-19.20(e)

Extra Session; Emergency Transportation Expenditures. - The General Assembly considers a determination by the Secretary of Transportation under G.S. 136-44.2E(f) that anticipated emergency expenses will exceed the funds in the Transportation Emergency Reserve within the meaning of the term "extraordinary occasions," and therefore the Governor is authorized to convene the General Assembly in Extra Session under Section 5(7) of Article III of the North Carolina Constitution. The General Assembly strongly urges the Governor to convene the General Assembly in Extra Session within 14 days of notice by the Secretary under G.S. 136-44.2E(f) for the purpose of appropriating funds from the Savings Reserve to the Emergency Reserve to address the transportation needs of the State necessitated by a major disaster.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
15 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
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01	1951	c. 1016, s. 4	ENACTED
02	1955	c. 387, s. 4	AMENDED
03	1959	c. 284, s. 2	AMENDED
04	1959	c. 337, s. 4	AMENDED
05	1975	c. 734, ss. 11, 14	AMENDED
06	1977	c. 848, s. 2	AMENDED
07	1979	2nd Sess., c. 1310, s. 2	AMENDED
08	1993	c. 321, s. 181(a)	AMENDED
09	1995	c. 509, s. 125	AMENDED
10	2001	S.L. 2001-214, s. 3	AMENDED
11	2011	S.L. 2011-145, s. 19.1(g)	AMENDED
12	2011	S.L. 2011-183, s. 127(c)	AMENDED
13	2012	S.L. 2012-12, s. 1(b)	AMENDED
14	2020	S.L. 2020-91, s. 4.7(c)	AMENDED
15	2021	S.L. 2021-180, s. 19E.6(b)	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 136-44.2E(f)	(e)	<i>"by the Secretary of Transportation under"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 166A-19.20 (2021).

PINPOINT

N.C. Gen. Stat. § 166A-19.20(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1951, c. 1016, s. 4; 1955, c. 387, s. 4; 1959, c. 284, s. 2; c. 337, s. 4; 1975, c. 734, ss. 11, 14; 1977, c. 848, s. 2; 1979, 2nd Sess., c. 1310, s. 2; 1993, c. 321, s. 181(a); 1995, c. 509, s. 125; 2001-214, s. 3; 2011-145, s. 19.1(g); 2011-183, s. 127(c); 2012-12, s. 1(b); 2020-91, s. 4.7(c); 2021-180, s. 19E.6(b).)

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