

REFERENCE TITLE: executive orders; emergencies; reauthorization;
termination

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SCR 1003

Introduced by

Senators Petersen: Barto, Borrelli, Boyer, Fann, Gowan, Gray, Leach,
Livingston, Mesnard, Pace, Rogers, Ugenti-Rita; Representatives Biasiucci,
Blackman, Bowers, Carroll, Cobb, Fillmore, Finchem, Grantham, Hoffman,
John, Nutt, Parker, Payne, Roberts, Udall

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE V,
SECTION 4, CONSTITUTION OF ARIZONA; RELATING TO THE POWERS AND DUTIES OF
THE GOVERNOR.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Article V, section 4, Constitution of Arizona, is proposed to be
4 amended as follows if approved by the voters and on proclamation of the
5 Governor:

6 4. Governor; powers and duties; special sessions of
7 legislature; message and recommendations;
8 proclamations of emergency

9 Section 4. The governor shall transact all executive
10 business with the officers of the government, civil and
11 military, and may require information in writing from the
12 officers in the executive department ~~upon~~ ON any subject
13 relating to the duties of their respective offices. ~~He~~ THE
14 GOVERNOR shall take care that the laws ~~be~~ ARE faithfully
15 executed. ~~He~~ THE GOVERNOR may convene the legislature in
16 extraordinary session. ~~He~~ THE GOVERNOR shall communicate, by
17 message, to the legislature at every session the condition of
18 the state, ~~and~~ and recommend such matters as ~~he shall deem~~ THE
19 GOVERNOR DEEMS expedient. THE GOVERNOR MAY PROCLAIM A STATE
20 OF EMERGENCY AS PROVIDED BY LAW. EXCEPT FOR A STATE OF WAR
21 EMERGENCY, THE STATE OF EMERGENCY AND ANY EMERGENCY POWERS
22 GRANTED TO THE GOVERNOR DURING THE STATE OF EMERGENCY
23 TERMINATE EITHER:

24 1. FOURTEEN DAYS AFTER THE DATE ON WHICH THE STATE OF
25 EMERGENCY IS PROCLAIMED, UNLESS THE LEGISLATURE EXTENDS THE
26 STATE OF EMERGENCY BY CONCURRENT RESOLUTION. IF THE STATE OF
27 EMERGENCY IS NOT TERMINATED PURSUANT TO PARAGRAPH 2 OF THIS
28 SECTION, THE GOVERNOR SHALL CALL A SPECIAL SESSION TO ASSEMBLE
29 THE LEGISLATURE ON OR BEFORE THE TENTH DAY AFTER THE DATE ON
30 WHICH THE STATE OF EMERGENCY WAS PROCLAIMED IN ORDER FOR THE
31 LEGISLATURE TO DETERMINE WHETHER TO EXTEND THE STATE OF
32 EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE GOVERNOR
33 DURING THE STATE OF EMERGENCY. THE LEGISLATURE MAY EXTEND THE
34 STATE OF EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE
35 GOVERNOR DURING THE STATE OF EMERGENCY AS MANY TIMES AS
36 NECESSARY, BUT ANY EXTENSION MAY NOT BE FOR A PERIOD OF MORE
37 THAN THIRTY DAYS. IF THE LEGISLATURE DOES NOT EXTEND THE
38 STATE OF EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE
39 GOVERNOR DURING THE STATE OF EMERGENCY, THE GOVERNOR MAY NOT
40 PROCLAIM A NEW STATE OF EMERGENCY ARISING OUT OF THE SAME
41 CONDITIONS FOR WHICH THE TERMINATED STATE OF EMERGENCY WAS
42 PROCLAIMED.

1 2. EARLIER THAN THE FOURTEEN-DAY PERIOD PRESCRIBED IN
2 PARAGRAPH 1 OF THIS SECTION IF THE STATE OF EMERGENCY IS
3 TERMINATED BY PROCLAMATION OF THE GOVERNOR OR BY CONCURRENT
4 RESOLUTION OF THE LEGISLATURE DECLARING THE STATE OF EMERGENCY
5 TO BE AT AN END.

6 2. The Secretary of State shall submit this proposition to the
7 voters at the next general election as provided by article XXI,
8 Constitution of Arizona.