



ARIZONA STATE SENATE

Fifty-Fifth Legislature, First Regular Session

AMENDED FACT SHEET FOR S.B. 1719

state emergency council; membership; procedures

Purpose

Requires, for any statewide state of emergency proclaimed after April 30, 2020, the Governor to convene the State Emergency Council (Council) every 14 days during a statewide state of emergency and terminates a statewide state of emergency proclamation if the Governor does not convene the Council. Adds the Minority Leaders of the Arizona Senate and House of Representatives as advisory members.

Background

The Governor may declare a state of emergency if the Governor finds that there exists conditions of disaster or extreme peril to the safety of persons or property within the state caused by air pollution, fire, flood, epidemic, riot, earthquake or other causes that are likely to be beyond the control of any single county or municipality ([A.R.S. § 26-301](#)). During a state of emergency, the Governor has complete authority over all agencies of the state government and the right to exercise all police power vested in the state by the Constitution. Additionally, the Governor may direct all agencies to utilize and employ personnel, equipment and facilities for the performance of activities designed to prevent or alleviate actual or threatened damage due to the emergency. The Governor's state of emergency powers end when the state of emergency proclamation has been terminated by proclamation of the Governor or Concurrent Resolution of the Legislature ([A.R.S. § 26-303](#)).

The Council consists of 12 members and the President of the Senate and Speaker of the House of Representatives as non-voting, advisory members. The Council is charged with making recommendations for orders, rules, policies and procedures to the Governor and recommending the assignment of any responsibility, service or activity to a state agency relative to emergencies or planning for emergencies. The Council is required to monitor each emergency declared by the Governor and recommend to the Governor or Legislature if the emergency conditions have stabilized and if the emergency is substantially contained ([A.R.S. § 26-304](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires, for any statewide state of emergency proclaimed after April 30, 2020, the Governor to convene the Council within 14 days of proclaiming a statewide state of emergency and at least every 14 days for the duration of the statewide state of emergency.

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2. Terminates a statewide state of emergency proclaimed by the Governor if the Governor does not convene the Council.
3. Adds the Minority Leaders of the Senate and House of Representatives as advisory members of the Council.
4. Requires the Governor, for any statewide state of emergency proclaimed between April 30, 2020 and the general effective date, to convene the Council within 14 days of the general effective date and at least every 14 days for the duration of the state of emergency.
5. Contains an applicability clause.
6. Makes technical and conforming changes.
7. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Exempts a non-statewide state of emergency proclaimed by the Governor from the requirement that:
 - a) the Governor convene the State Emergency Council (Council) every 14 days for the duration of the state of emergency; and
 - b) the state of emergency automatically terminate if the Council is not convened every 14 days.
2. Applies the requirement that the Governor convene the State Emergency Council to any statewide state of emergency proclaimed after April 30, 2020.
3. Requires the Governor, for any statewide state of emergency proclaimed after April 30, 2020, to convene the Council within 14 days of the general effective date and continue to convene the Council every 14 days for the duration of the statewide state of emergency.
4. Adds an applicability clause.

Senate Action

GOV 02/15/21 DP 7-0-1

Prepared by Senate Research

February 25, 2021

MH/gs