

REFERENCE TITLE: emergency powers; business closure; repeal.

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **HB 2107**

Introduced by  
Representatives Biasiucci: Blackman, Bolick, Carroll, Chaplik, Finchem,  
Hoffman

**AN ACT**

**AMENDING SECTION 26-311, ARIZONA REVISED STATUTES; RELATING TO EMERGENCY  
MANAGEMENT.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 26-311, Arizona Revised Statutes, is amended to  
3 read:  
4 26-311. Local emergencies; declaration by mayor or chairman  
5 of the board; power of political subdivisions;  
6 state agency assistance  
7 A. In addition to the powers granted by other provisions of the law  
8 or charter, ~~whenever~~ IF the mayor of an incorporated city or town or the  
9 chairman of the board of supervisors for the unincorporated ~~portion~~ AREAS  
10 of the county, ~~shall deem~~ DEEMS that an emergency exists due to fire,  
11 conflagration, flood, earthquake, explosion, war, bombing, acts of the  
12 enemy or any other natural or man-made calamity or disaster or by reason  
13 of threats or occurrences of riots, routs, affrays or other acts of civil  
14 disobedience ~~which~~ THAT endanger life or property within the city, TOWN or  
15 ~~the~~ unincorporated areas of the county, or portion thereof, the mayor or  
16 chairman of the board of supervisors, if authorized by ordinance or  
17 resolution, may DECLARE, by proclamation, ~~declare~~ an emergency or a local  
18 emergency to exist.  
19 B. If an emergency is declared pursuant to subsection A OF THIS  
20 SECTION, the mayor or the chairman of the board of supervisors  
21 shall, ~~GOVERN~~ during such AN emergency, ~~govern~~ by proclamation and shall  
22 have the authority to impose all necessary regulations to preserve the  
23 peace and order of the city, town, or unincorporated areas of the county,  
24 including ~~but not limited to~~ THE FOLLOWING:  
25 1. ~~Imposition of~~ IMPOSING curfews in all or portions of the  
26 political subdivision.  
27 ~~2. Ordering the closing of any business.~~  
28 ~~3.~~ 2. Closing to public access any public building, street, ~~or~~  
29 other public place.  
30 ~~4.~~ 3. Calling ~~upon~~ ON regular or auxiliary law enforcement  
31 agencies and organizations within or without the political subdivision for  
32 assistance.  
33 ~~5.~~ 4. Notifying the constitutional officers that the county office  
34 for which they are responsible may remain open or may close for the  
35 emergency.  
36 C. In periods of A local emergency, including an emergency declared  
37 pursuant to subsection A of this section, political subdivisions have full  
38 power to provide mutual aid to any affected area in accordance with local  
39 ordinances, resolutions, emergency plans or agreements therefor.  
40 D. State agencies may provide mutual aid, including personnel,  
41 equipment and other available resources, to assist political subdivisions  
42 during a local emergency in accordance with emergency plans or at the  
43 direction of the governor.