



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HOUSE: MAPS DP 8-7-0-0

HB 2107: emergency powers; business closure; repeal.

Sponsor: Representative Biasiucci, LD 5

Caucus & COW

Overview

Prohibits the mayor of an incorporated city or town, and the chairman of the board of supervisors (BOS) for the unincorporated areas of the county, from ordering the closure of businesses during a declared emergency.

History

A mayor or chairman of the BOS may declare an emergency, if authorized by ordinance or resolution, due to fire, conflagration, flood, earthquake, explosion, war, bombing, acts of the enemy or any other natural or man-made calamity or disaster or by reason of threats or occurrences of riots, routs, affrays or other acts of civil disobedience which endanger life or property within the city, or unincorporated areas of the county, or any portion thereof ([A.R.S. § 26-311](#)).

The mayor or the chairman of the BOS has the authority to impose all necessary regulations to preserve the peace and order of the city, town or unincorporated areas of the county, including but not limited to:

- 1) Imposing curfews in all or portions of the political subdivision;
- 2) Ordering a business to close;
- 3) Closing public access to any public building, street, or other public place;
- 4) Calling on regular or auxiliary law enforcement agencies and organizations for assistance; and
- 5) Notifying the constitutional officers that the county office for which they are responsible may remain open or may close for the emergency ([A.R.S § 26-311](#)).

Provisions

1. Prohibits the mayor of an incorporated city or town from ordering the closure of businesses during a declared emergency. (Sec. 1)
2. Prohibits the chairman of the BOS for an unincorporated area of a county from ordering the closing of businesses during a declared emergency. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note