



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: GOV DP 4-3-0-0 | 3rd Read 16-13-1-0

House: GE DP 7-6-0-0 | 3rd Read 31-27-2-0

SB 1009: state of emergency; executive powers

Sponsor: Senator Ugenti-Rita, LD 23

Transmitted to the Governor

Overview

Outlines the authorizations, requirements and duties relating to the Governor's issuance of a state of emergency.

History

The Governor is authorized by statute to proclaim a state of emergency which will take effect immediately in an area affected or likely to be affected if the Governor finds that circumstances outlined in statute exist. During a state of emergency, the Governor has complete authority over all agencies of the state government and may direct all agencies of the state government to use and employ state personnel, equipment and facilities to perform any activities designed to prevent or alleviate actual and threatened damage due to the emergency. The powers that are granted to the Governor with respect to a state of emergency are terminated when the state of emergency has been terminated by proclamation of the Governor or by concurrent resolution of the Legislature declaring it at an end ([A.R.S. § 26-303](#)).

Provisions

1. Repeals statute relating to emergency powers of the Governor. (Sec. 1)
2. Authorizes the Governor, beginning January 2, 2023, to issue an initial proclamation with respect to a state of emergency for a public health emergency for a period of no more than 30 days. (Sec. 2)
3. Allows the Governor to extend the state of emergency for no more than 120 days after which the state of emergency will terminate, but any extension is prohibited from being for a period of more than 30 days. (Sec. 2)
4. Asserts that the state of emergency may be extended, in whole or in part as many times as necessary not to exceed a period of more than 30 days, by the passage of a concurrent resolution of the Legislature. (Sec. 2)
5. Prohibits the Governor from proclaiming a new state of emergency based on the same conditions unless by passage of a concurrent resolution of the Legislature consenting to the new state of emergency. (Sec. 2)
6. Directs the Governor, upon extension of the state of emergency, to submit a written report to a joint committee of the health committees of the Senate and House of Representatives who must give a favorable or unfavorable review of the extension based on the briefing provided by the director of the Arizona Department of Health Services and a Governor's office representative after the first 60 days of a public health emergency. (Sec. 2)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

7. Requires the joint committee to provide their recommendation to all members of the Legislature and the Governor and the outcome must be posted conspicuously on the Governor and Arizona Department of Health Service's public websites. (Sec. 2)
8. Makes technical and conforming changes. (Sec. 2)