



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: GOV DP 5-4-0-0

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**HCR 2039: governor; state of emergency**  
**Sponsor: Representative Chaplik, LD 3**  
**House Engrossed**

## **Overview**

Amends the Arizona constitution to alter the state of emergency extension process.

## **History**

The Governor may proclaim a state of emergency, which takes effect immediately in an area affected or likely to be affected ([A.R.S. § 26-303](#)).

The Governor may extend the state of emergency for no more than one hundred twenty days, but any extension may not be for a period of more than thirty days. The state of emergency will terminate after one hundred twenty days, unless the state of emergency is extended, in whole or in part, by passage of a concurrent resolution of the Legislature ([A.R.S. § 26-303](#)).

Except for state of emergency for a public health emergency, the powers granted to the Governor terminate when the state of emergency is terminated by the Governor or by a concurrent resolution of the Legislature ([A.R.S. § 26-303](#)).

The Legislature may extend the state of emergency for public health emergency as many times as necessary by concurrent resolution, but any extension may not be for a period of more than thirty days. If a state of emergency for a public health emergency is not extended, the Governor may not proclaim a new state of emergency based on the same conditions without the passage of a concurrent resolution by the Legislature consenting to the new state of emergency ([A.R.S. § 26-303](#)).

## **Provisions**

1. States the Governor may proclaim a state of emergency.
2. Stipulates a state of emergency and the Governor's emergency powers terminate, except for a state of war emergency:
  - a) 30 days after a state of emergency is proclaimed, if not extended by the Legislature; and
  - b) when the Governor or a concurrent resolution of the Legislature declares it has ended.
3. Mandates the Governor call a special session, if the state of emergency was not extended, on or before the 10th day after the start date of the state of emergency, to determine whether to extend the emergency and the emergency powers of the Governor:
  - a) the Legislature may extend the state of emergency and the emergency powers granted to the Governor as many times as necessary;
  - b) any extension cannot exceed 30 days; and
  - c) if there is no extension, then the Governor may not proclaim a new state of emergency arising out of the same conditions one was terminated for.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Stipulates the Secretary of State will submit this proposition to the voters at the next general election.
5. Makes technical changes.