

REFERENCE TITLE: governor; state of emergency

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HCR 2039

Introduced by
Representatives Chaplik: Kolodin

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE V,
SECTION 4, CONSTITUTION OF ARIZONA; RELATING TO THE GOVERNOR.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

3 1. Article V, section 4, Constitution of Arizona, is proposed to be
4 amended as follows if approved by the voters and on proclamation of the
5 Governor:

6 4. Governor; powers and duties; special sessions of
7 legislature; message and recommendations;
8 state of emergency

9 Section 4. A. The governor shall transact all
10 executive business with the officers of the government, civil
11 and military, and may require information in writing from the
12 officers in the executive department ~~upon~~ ON any subject
13 relating to the duties of their respective offices. ~~He~~ THE
14 GOVERNOR shall take care that the laws ~~be~~ ARE faithfully
15 executed. ~~He~~ THE GOVERNOR may convene the legislature in
16 extraordinary session. ~~He~~ THE GOVERNOR shall communicate, by
17 message, to the legislature at every session the condition of
18 the state, ~~and~~ and recommend such matters as ~~he shall deem~~ THE
19 GOVERNOR DEEMS expedient.

20 B. THE GOVERNOR MAY PROCLAIM A STATE OF EMERGENCY AS
21 PROVIDED BY LAW. EXCEPT FOR A STATE OF WAR EMERGENCY, THE
22 STATE OF EMERGENCY AND ANY EMERGENCY POWERS GRANTED TO THE
23 GOVERNOR DURING THE STATE OF EMERGENCY TERMINATE EITHER:

24 1. THIRTY DAYS AFTER THE DATE ON WHICH THE STATE OF
25 EMERGENCY IS PROCLAIMED, UNLESS THE LEGISLATURE EXTENDS THE
26 STATE OF EMERGENCY BY CONCURRENT RESOLUTION. IF THE STATE OF
27 EMERGENCY IS NOT TERMINATED PURSUANT TO PARAGRAPH 2 OF THIS
28 SUBSECTION, THE GOVERNOR SHALL CALL A SPECIAL SESSION TO
29 ASSEMBLE THE LEGISLATURE ON OR BEFORE THE TENTH DAY AFTER THE
30 DATE ON WHICH THE STATE OF EMERGENCY WAS PROCLAIMED IN ORDER
31 FOR THE LEGISLATURE TO DETERMINE WHETHER TO EXTEND THE STATE
32 OF EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE GOVERNOR
33 DURING THE STATE OF EMERGENCY. THE LEGISLATURE MAY EXTEND THE
34 STATE OF EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE
35 GOVERNOR DURING THE STATE OF EMERGENCY AS MANY TIMES AS
36 NECESSARY, BUT ANY EXTENSION MAY NOT BE FOR A PERIOD OF MORE
37 THAN THIRTY DAYS. IF THE LEGISLATURE DOES NOT EXTEND THE
38 STATE OF EMERGENCY AND THE EMERGENCY POWERS GRANTED TO THE
39 GOVERNOR DURING THE STATE OF EMERGENCY, THE GOVERNOR MAY NOT
40 PROCLAIM A NEW STATE OF EMERGENCY ARISING OUT OF THE SAME
41 CONDITIONS FOR WHICH THE TERMINATED STATE OF EMERGENCY WAS
42 PROCLAIMED.

1 2. BEFORE THE THIRTY-DAY PERIOD PRESCRIBED IN PARAGRAPH
2 1 OF THIS SUBSECTION, BY PROCLAMATION OF THE GOVERNOR OR BY
3 CONCURRENT RESOLUTION OF THE LEGISLATURE DECLARING THE STATE
4 OF EMERGENCY TO BE AT AN END.

5 2. The Secretary of State shall submit this proposition to the
6 voters at the next general election as provided by article XXI,
7 Constitution of Arizona.