



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: GE DP 7-6-0-0

HB 2570: licenses; pandemics; revocation prohibition

Sponsor: Representative Hoffman, LD 12

Caucus & COW

Overview

Prohibits a state agency, municipality or county from revoking any license that is required to operate a business for not complying with a state of emergency order that is issued.

History

During a state of emergency, the Governor has several statutorily prescribed powers and duties. The Governor has complete authority over all agencies of state government and the right to exercise all police power vested in the state by the constitution and laws of this state. Additionally, the Governor is authorized to direct all agencies of state government to use and employ state personnel, facilities and equipment to perform any activities designed to alleviate or prevent damage due to the emergency ([A.R.S. § 26-303](#)).

The Arizona Department of Health Services (DHS) additionally has powers and duties during a state of emergency that is declared by the Governor. DHS has primary jurisdiction, responsibility and authority for planning and executing public health emergency assessment, mitigation, response and recovery for the state. Additionally, DHS is tasked with establishing a process to grant a temporary waiver of professional licensure requirements necessary to implement any measures required to address the state of emergency ([A.R.S. § 36-787](#)).

Provisions

1. Stipulates that a state agency, DHS, a city, town or county may not revoke a license that is required to operate a business for not complying with an order issued with respect to a state of emergency proclaimed by the Governor. (Sec. 1, 2)
2. Allows a state agency, DHS, a city, town or county to revoke a license required to operate a business if there is clear and convincing evidence that the business was the actual cause of transmission of the disease that is the subject of the order. (Sec. 1, 2)
3. Makes technical and conforming changes. (Sec. 1, 2)

<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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