



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: APPROP DPA/SE 6-4-0-0 | 3rd Read 16-14-0-0

House: JUD DP 6-4-0-0

SB 1119: attorney general; federal executive orders

Sponsor: Senator Gowan, LD 14

House Engrossed

Overview

Requires the Department of Law to review an executive order for its constitutionality and whether the state should seek an exemption, upon the request of the Legislature, either house of the Legislature or any member of the Legislature.

History

The Department of Law is directed by the Attorney General and consists of the subdivisions outlined in statute ([A.R.S. § 41-192](#)).

The Department of Law has the following statutory obligations, in addition to other duties prescribed in law:

- 1) Prosecute and defend on behalf of the state at the Arizona Supreme Court or another court in the state at the direction of the Governor or on the decision of the Attorney General;
- 2) Represent the state in any action in federal court;
- 3) Supervise county attorneys and assist them in completing their duties;
- 4) Maintaining a docket of all proceedings in which the Attorney General must appear; and
- 5) Providing a written opinion on any question of law on the demand of the Legislature, either house of the Legislature, any legislator, any public officer of the state or a county attorney ([A.R.S. § 41-193](#)).

Provisions

1. Directs the Department of Law, on the demand of the Legislature, either house of the Legislature or any individual legislator, to review any executive order issued by the President of the United States that has not been affirmed by a vote of Congress and signed into law. (Sec. 1)
2. Requires the review to determine:
 - a) The constitutionality of the executive order; and
 - b) Whether the state should seek an exemption from the executive order or seek to have the order declared to be an unconstitutional legislative authority by the President. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note