

GARY K. NELSON, THE ATTORNEY GENERAL
STATE CAPITOL
PHOENIX, ARIZONA

LAW LIBRARY

July 13, 1972

ARIZONA ATTORNEY GENERAL

DEPARTMENT OF LAW LETTER OPINION NO. 72-22-L (R-54)

REQUESTED BY: JOHN O. GRAHAM
Commissioner
Arizona State Department of Public Welfare

QUESTION: When do the repeal provisions set forth in Chapter 142 (Senate Bill 1068, Thirtieth Legislature, Second Regular Session) become effective?

ANSWER: See body of opinion.

Generally, new legislation becomes effective 90 days after the Legislature adjourns. Article 4, Part 1, Section 1(3), Constitution of Arizona. However, the Legislature may, by express language in an act, extend the effective date of legislation beyond the 90 day period. Such can be the case in Senate Bill 1068. Sec. 97.A of the Act reads:

A. The provisions of this act shall become effective at such time and to the extent that the governor by executive order declares that the department of economic security shall become operative and may be phased into effect, but in no event later than July 1, 1973, except as provided in subsection C. (Emphasis added.)

The Governor may at any time after 90 days from the date of adjournment of the Legislature (August 13, 1972) by executive order breathe life into the act; thus, the repeal provisions at that time become effective. If the Governor does not act by law, the provisions of Chapter 142, Laws of 1972, become effective on July 1, 1973.

Respectfully submitted,



GARY K. NELSON
The Attorney General

GKN:MSF:ell