COMMITTEE ON MILITARY AFFAIRS & PUBLIC SAFETY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2309

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 1, chapter 2, article 4, Arizona Revised Statutes,

3 is amended by adding section 1-273, to read:

4 1-273. Sovereign authority; right

5 A. PURSUANT TO THE TENTH AMENDMENT TO THE UNITED STATES CONSTITUTION

6 AND ARTICLE II, SECTION 3, CONSTITUTION OF ARIZONA, IT IS THE PUBLIC POLICY

7 OF THIS STATE TO PROTECT THIS STATE'S SOVEREIGN AUTHORITY AGAINST FEDERAL

8 LAWS, TREATIES, ORDERS, RULES, REGULATIONS, ACTIONS AND PROGRAMS THAT ARE

9 INCONSISTENT WITH THE AUTHORITY OF STATE AND LOCAL LAW ENFORCEMENT

10 AGENCIES.

11 B. PURSUANT TO SECTION 41-193, ON DEMAND BY THE LEGISLATURE, EITHER

12 HOUSE OF THE LEGISLATURE OR ANY MEMBER OF THE LEGISLATURE, THE ATTORNEY

13 GENERAL SHALL RENDER A WRITTEN OPINION TO DETERMINE THE CONSTITUTIONALITY

14 OF ANY FEDERAL LAW, TREATY, ORDER, RULE, REGULATION, ACTION OR PROGRAM THAT

15 IS ALLEGED TO BE INCONSISTENT WITH OR CONTRARY TO THE AUTHORITY OF STATE OR

16 LOCAL LAW ENFORCEMENT AGENCIES.

17 C. THE LAWS OF THIS STATE SHALL BE INTERPRETED AND CONSTRUED TO

18 PROTECT THIS STATE'S SOVEREIGN AUTHORITY AGAINST FEDERAL ACTIONS, INCLUDING

19 IN ANY PROCEEDING IN WHICH THIS STATE OR ITS POLITICAL SUBDIVISIONS ARE

20 EXERCISING THEIR CONSTITUTIONAL AUTHORITY UNDER ARTICLE II, SECTION 3,

21 CONSTITUTION OF ARIZONA.

22 D. ANY LAW, TREATY, EXECUTIVE ORDER, RULE OR REGULATION OF THE

23 UNITED STATES GOVERNMENT THAT HAS BEEN FOUND BY THE SUPREME COURT OF THIS

1   STATE TO VIOLATE ARTICLE II, SECTION 3, CONSTITUTION OF ARIZONA, IS NULL,

2   VOID AND UNENFORCEABLE IN THIS STATE."

3 Amend title to conform

And, as so amended, it do pass

KEVIN PAYNE
CHAIRMAN

2309MILITARY AFFAIRS PUBLIC SAFETY.docx
02/13/2023
06:24 PM
H: ra