

REFERENCE TITLE: trial by jury; administrative proceedings

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

## **HCR 2019**

Introduced by  
Representatives Kolodin, Carter, Chaplik: Heap, Jones, Marshall, McGarr,  
Montenegro, Parker B, Parker J, Wilmeth, Senator Wadsack

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING  
TO JURIES.

(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. Under the power of the referendum, as vested in the Legislature,  
4 the following measure, relating to juries, is enacted to become valid as a  
5 law if approved by the voters and on proclamation of the Governor:

6 AN ACT

7 AMENDING TITLE 21, CHAPTER 1, ARTICLE 1, ARIZONA REVISED  
8 STATUTES, BY ADDING SECTION 21-103; RELATING TO JURIES.

9 Be it enacted by the Legislature of the State of Arizona:

10 Section 1. Title 21, chapter 1, article 1, Arizona Revised  
11 Statutes, is amended by adding section 21-103, to read:

12 21-103. Right to jury trial in administrative  
13 proceedings; definition

14 A. NOTWITHSTANDING ANY OTHER LAW, ALL PERSONS SHALL BE  
15 PERMITTED TO EXERCISE THEIR FUNDAMENTAL RIGHT TO TRIAL BY JURY IN  
16 ANY ADMINISTRATIVE PROCEEDING.

17 B. THE RIGHT TO TRIAL BY JURY IN ANY ADMINISTRATIVE  
18 PROCEEDING DOES NOT LIMIT, ABROGATE OR DISPARAGE THE RIGHT TO TRIAL  
19 BY JURY IN ANY OTHER MATTER.

20 C. FOR THE PURPOSES OF THIS SECTION, "ADMINISTRATIVE  
21 PROCEEDING" MEANS ANY OF THE FOLLOWING:

22 1. A PROCEEDING IN WHICH THE AMOUNT IN CONTROVERSY EXCEEDS  
23 \$20 OR A SIGNIFICANT LIBERTY INTEREST IS AT STAKE.

24 2. A PROCEEDING THAT IS INITIATED BY THE GOVERNMENT AGAINST  
25 A PERSON.

26 3. A PROCEEDING THAT IS NOT COMMENCED IN THE ARIZONA SUPREME  
27 COURT, THE ARIZONA COURT OF APPEALS, THE SUPERIOR COURT, A JUSTICE  
28 COURT OR A MUNICIPAL COURT. A PROCEEDING THAT MAY BE APPEALED TO A  
29 COURT LISTED IN THIS PARAGRAPH DOES NOT EXCLUDE THE PROCEEDING FROM  
30 BEING AN ADMINISTRATIVE PROCEEDING.

31 2. The Secretary of State shall submit this proposition to the  
32 voters at the next general election as provided by article IV, part 1,  
33 section 1, Constitution of Arizona.