

Senate Engrossed

critical infrastructure; prohibited agreements

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1658

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 41;
RELATING TO CRITICAL INFRASTRUCTURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 41, to read:

4 CHAPTER 41

5 CRITICAL INFRASTRUCTURE

6 ARTICLE 1. PROHIBITED AGREEMENTS IN CONNECTION
7 WITH CRITICAL INFRASTRUCTURE

8 44-8031. Critical infrastructure; prohibited agreements;
9 definitions

10 A. A BUSINESS IN THIS STATE OR GOVERNMENTAL ENTITY IN THIS STATE
11 MAY NOT ENTER INTO AN AGREEMENT INVOLVING CRITICAL INFRASTRUCTURE IN THIS
12 STATE WITH A COMPANY IF ALL OF THE FOLLOWING APPLY:

13 1. UNDER THE AGREEMENT, THE COMPANY, DIRECTLY OR REMOTELY, WOULD BE
14 ABLE TO ACCESS OR CONTROL CRITICAL INFRASTRUCTURE IN THIS STATE, EXCEPT
15 FOR ACCESS THAT IS SPECIFICALLY ALLOWED FOR PRODUCT WARRANTY AND SUPPORT
16 PURPOSES.

17 2. THE COMPANY IS OWNED BY OR CONTROLLED BY ANY OF THE FOLLOWING:

18 (a) CITIZENS OF CHINA, IRAN, NORTH KOREA OR RUSSIA.

19 (b) A COMPANY OR OTHER ENTITY, INCLUDING A GOVERNMENTAL ENTITY,
20 THAT IS OWNED OR CONTROLLED BY CITIZENS OF OR IS DIRECTLY CONTROLLED BY
21 THE GOVERNMENT OF CHINA, IRAN, NORTH KOREA OR RUSSIA OR THAT IS
22 HEADQUARTERED IN CHINA, IRAN, NORTH KOREA OR RUSSIA.

23 B. THE GOVERNOR, IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC
24 SAFETY, MAY DESIGNATE A COUNTRY AS A THREAT TO CRITICAL INFRASTRUCTURE IN
25 THIS STATE.

26 C. FOR THE PURPOSES OF THIS SECTION:

27 1. "COMPANY" MEANS A SOLE PROPRIETORSHIP, ORGANIZATION,
28 ASSOCIATION, CORPORATION, PARTNERSHIP, JOINT VENTURE, LIMITED PARTNERSHIP,
29 LIMITED LIABILITY PARTNERSHIP OR LIMITED LIABILITY COMPANY, INCLUDING A
30 WHOLLY OWNED SUBSIDIARY, MAJORITY-OWNED SUBSIDIARY, PARENT COMPANY OR
31 AFFILIATE OF THOSE ENTITIES OR BUSINESS ASSOCIATIONS, THAT EXISTS TO MAKE
32 A PROFIT.

33 2. "CRITICAL INFRASTRUCTURE" HAS THE SAME MEANING PRESCRIBED IN
34 SECTION 41-1801.