

PROPOSED

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

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