

Senate Engrossed House Bill

proper venue; challenges; policy statements

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2490

AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-1010.01; RELATING TO ADMINISTRATIVE PROCEDURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 6, article 1, Arizona Revised
3 Statutes, is amended by adding section 41-1010.01, to read:

4 41-1010.01. Proper venue; appeals of final administrative
5 decisions

6 A. A PARTY THAT APPEALS A FINAL ADMINISTRATIVE DECISION TO THE
7 SUPERIOR COURT MAY BRING THE ACTION IN ANY PROPER VENUE.

8 B. UNLESS OTHERWISE PROVIDED BY STATUTE, THE PROPER VENUE MAY
9 INCLUDE ANY OF THE FOLLOWING:

10 1. THE COUNTY WHERE THE PLAINTIFF, CLAIMANT OR APPELLANT RESIDES.

11 2. THE COUNTY WHERE THE PLAINTIFF'S, CLAIMANT'S OR APPELLANT'S
12 PRINCIPAL PLACE OF BUSINESS IS LOCATED.

13 3. THE COUNTY WHERE THE AGENCY IS HEADQUARTERED.

14 4. MARICOPA COUNTY.

15 C. UNLESS OTHERWISE PROVIDED BY STATUTE, AN AGENCY MAY NOT DO
16 EITHER OF THE FOLLOWING:

17 1. RESTRICT THE PROPER VENUE FOR ANY APPEAL OF A FINAL
18 ADMINISTRATIVE DECISION.

19 2. REQUIRE A PARTY TO TRAVEL TO THE AGENCY'S COUNTY, VENUE OR
20 HEADQUARTERS TO SUBMIT OR RECEIVE DOCUMENTATION THAT SUPPORTS THE ANALYSIS
21 USED TO PROPOSE OR FINALIZE A FINAL ADMINISTRATIVE DECISION.

22 D. PURSUANT TO SECTION 12-905, IF THE PROPER VENUE FOR AN ACTION TO
23 REVIEW A FINAL ADMINISTRATIVE DECISION IS EXPRESSLY PRESCRIBED BY STATUTE,
24 SUCH VENUE SHALL CONTROL.