

Senate Engrossed

public monies; ideology training; prohibition

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1005

AN ACT

AMENDING TITLE 35, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4; RELATING TO PUBLIC MONIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 35, chapter 2, Arizona Revised Statutes, is  
3 amended by adding article 4, to read:

4 ARTICLE 4. PROHIBITED EXPENDITURE OF PUBLIC MONIES

5 35-351. Prohibited expenditure of public monies; diversity;  
6 equity; inclusion; cause of action; definitions

7 A. A PUBLIC ENTITY SHALL NOT:

8 1. REQUIRE AN EMPLOYEE TO ENGAGE IN A DIVERSITY, EQUITY AND  
9 INCLUSION PROGRAM.

10 2. SPEND PUBLIC MONIES ON A DIVERSITY, EQUITY AND INCLUSION  
11 PROGRAM.

12 3. ENTER INTO OR RENEW A CONTRACT WITH A COMPANY THAT PARTICIPATES  
13 IN A DIVERSITY, EQUITY AND INCLUSION PROGRAM.

14 4. SPEND PUBLIC MONIES TO ACQUIRE SERVICES, SUPPLIES, INFORMATION  
15 TECHNOLOGY OR GOODS FOR A DIVERSITY, EQUITY AND INCLUSION PROGRAM.

16 5. ESTABLISH, SUPPORT, SUSTAIN OR EMPLOY AN OFFICE OR INDIVIDUAL  
17 WHOSE DUTIES INCLUDE COORDINATING, CREATING, DEVELOPING, DESIGNING,  
18 IMPLEMENTING, ORGANIZING, PLANNING OR PROMOTING DIVERSITY, EQUITY AND  
19 INCLUSION PROGRAMS.

20 6. EXCEPT AS REQUIRED BY FEDERAL LAW:

21 (a) ADVANCE OR ADOPT ANY POLICY OR PROCEDURE DESIGNED TO INFLUENCE  
22 THE COMPOSITION OF ITS WORKFORCE ON THE BASIS OF RACE, SEX OR COLOR.

23 (b) ADVANCE OR ADOPT ANY POLICY OR PROCEDURE DESIGNED OR  
24 IMPLEMENTED ON THE BASIS OF RACE, SEX OR COLOR.

25 7. PROMOTE OR ADOPT ANY THEORY OF UNCONSCIOUS OR IMPLICIT BIAS,  
26 CULTURAL APPROPRIATION, ALLYSHIP, TRANSGENDERISM, MICROAGGRESSIONS,  
27 MICROINVALIDATION, GROUP MARGINALIZATION, ANTI-RACISM, SYSTEMIC  
28 OPPRESSION, ETHNOCENTRISM, STRUCTURAL RACISM OR INEQUITY, SOCIAL JUSTICE,  
29 INTERSECTIONALITY, NEOPRONOUNS, INCLUSIVE LANGUAGE, HETERONORMATIVITY,  
30 DISPARATE IMPACT, GENDER IDENTITY OR THEORY, RACIAL OR SEXUAL PRIVILEGE OR  
31 ANY RELATED THEORY AS THE OFFICIAL POSITION OF THE PUBLIC ENTITY.

32 B. AN EMPLOYEE OF A PUBLIC ENTITY WHO IS REQUIRED TO PARTICIPATE IN  
33 A DIVERSITY, EQUITY AND INCLUSION PROGRAM MAY BRING AN ACTION AGAINST THE  
34 PUBLIC ENTITY. IF THE EMPLOYEE DEMONSTRATES THAT THE PUBLIC ENTITY  
35 VIOLATED THIS SECTION, THE EMPLOYEE IS ENTITLED TO INJUNCTIVE RELIEF.

36 C. THIS SECTION DOES NOT PRECLUDE A PUBLIC ENTITY FROM:

37 1. OFFERING TRAINING ON SEXUAL HARASSMENT.

38 2. OPERATING AN OFFICE STAFFED BY, OR EMPLOYING, LICENSED ATTORNEYS  
39 AND LEGAL SUPPORT STAFF WHOSE SOLE PURPOSE IS ENSURING COMPLIANCE WITH  
40 FEDERAL LAW OR AN APPLICABLE COURT ORDER.

41 D. FOR THE PURPOSES OF THIS SECTION:

42 1. "DIVERSITY, EQUITY AND INCLUSION PROGRAM" MEANS A PROGRAM THAT  
43 REQUIRES AN EMPLOYEE OF A PUBLIC ENTITY TO PARTICIPATE IN OR ATTEND A  
44 TRAINING, ORIENTATION, WORKSHOP, THERAPY OR SIMILAR ACTIVITY THAT FOCUSES  
45 ON ANY OF THE FOLLOWING:

- 1 (a) DESCRIBING OR EXPOSING STRUCTURES, SYSTEMS, RELATIONS OF POWER,  
2 PRIVILEGE OR SUBORDINATION ON THE BASIS OF RACE, SEX, COLOR, GENDER,  
3 ETHNICITY, GENDER IDENTITY OR SEXUAL ORIENTATION.
- 4 (b) DESCRIBING METHODS TO IDENTIFY, DISMANTLE OR OPPOSE STRUCTURES,  
5 SYSTEMS, RELATIONS OF POWER, PRIVILEGE OR SUBORDINATION ON THE BASIS OF  
6 RACE, SEX, COLOR, GENDER, ETHNICITY, GENDER IDENTITY OR SEXUAL  
7 ORIENTATION.
- 8 (c) JUSTIFYING DIFFERENTIAL TREATMENT OR BENEFIT ON THE BASIS OF  
9 SEX, COLOR, GENDER, ETHNICITY, GENDER IDENTITY OR SEXUAL ORIENTATION.
- 10 (d) ADVANCING THEORIES OF UNCONSCIOUS OR IMPLICIT BIAS, CULTURAL  
11 APPROPRIATION, ALLYSHIP, TRANSGENDERISM, MICROAGGRESSIONS,  
12 MICROINVALIDATION, GROUP MARGINALIZATION, ANTI-RACISM, SYSTEMIC  
13 OPPRESSION, ETHNOCENTRISM, STRUCTURAL RACISM OR INEQUITY, SOCIAL JUSTICE,  
14 INTERSECTIONALITY, NEOPRONOUNS, INCLUSIVE LANGUAGE, HETERONORMATIVITY,  
15 DISPARATE IMPACT, GENDER IDENTITY OR THEORY, RACIAL OR SEXUAL PRIVILEGE OR  
16 ANY CONCEPT SUBSTANTIALLY RELATED TO ANY OF THESE THEORIES.
- 17 2. "PUBLIC ENTITY":
- 18 (a) MEANS THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE OR AN  
19 AGENCY, BOARD, COMMISSION OR DEPARTMENT OF THIS STATE OR A POLITICAL  
20 SUBDIVISION OF THIS STATE.
- 21 (b) INCLUDES THE UNIVERSITIES UNDER THE JURISDICTION OF THE ARIZONA  
22 BOARD OF REGENTS AND COMMUNITY COLLEGE DISTRICTS AS DEFINED IN SECTION  
23 15-1401.