

REFERENCE TITLE: emergency use products; employers; prohibition

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## HB 2012

Introduced by  
Representative Kupper

### AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-207; AMENDING TITLE 36, CHAPTER 6, ARTICLE 4.3, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-686; AMENDING TITLE 36, CHAPTER 11, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-1302; RELATING TO HEALTH CARE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 23, chapter 2, article 1, Arizona Revised  
3 Statutes, is amended by adding section 23-207, to read:

4 23-207. Employers; emergency use products; prohibition

5 AN EMPLOYER MAY NOT REQUIRE THE ADMINISTRATION OF AN EMERGENCY USE  
6 PRODUCT AS DEFINED IN SECTION 564 OF THE FEDERAL FOOD, DRUG, AND COSMETIC  
7 ACT (21 UNITED STATES CODE SECTION 360bbb-3) TO THE EMPLOYER'S EMPLOYEES  
8 OR AS A CONDITION OF EMPLOYMENT.

9 Sec. 2. Title 36, chapter 6, article 4.3, Arizona Revised Statutes,  
10 is amended by adding section 36-686, to read:

11 36-686. Government entities; emergency use products;  
12 prohibition; definition

13 A. A GOVERNMENT ENTITY MAY NOT REQUIRE THE ADMINISTRATION OF AN  
14 EMERGENCY USE PRODUCT AS DEFINED IN SECTION 564 OF THE FEDERAL FOOD, DRUG,  
15 AND COSMETIC ACT (21 UNITED STATES CODE SECTION 360bbb-3).

16 B. FOR THE PURPOSES OF THIS SECTION, "GOVERNMENT ENTITY" MEANS THIS  
17 STATE AND ANY POLITICAL SUBDIVISION OF THIS STATE THAT RECEIVES AND USES  
18 TAX REVENUES.

19 Sec. 3. Title 36, chapter 11, article 1, Arizona Revised Statutes,  
20 is amended by adding section 36-1302, to read:

21 36-1302. Health care entities; emergency use products;  
22 prohibition; definition

23 A. A HEALTH CARE ENTITY MAY NOT REQUIRE THE ADMINISTRATION OF AN  
24 EMERGENCY USE PRODUCT AS DEFINED IN SECTION 564 OF THE FEDERAL FOOD, DRUG,  
25 AND COSMETIC ACT (21 UNITED STATES CODE SECTION 360bbb-3).

26 B. FOR THE PURPOSES OF THIS SECTION, "HEALTH CARE ENTITY" HAS THE  
27 SAME MEANING PRESCRIBED IN SECTION 36-2401.