State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

HB 2337

Introduced by  
Representatives Antenori, Biggs, Gowan, Seel, Stevens, Senator Pearce R:  
Representatives Burges, Court, Goodale, Hendrix, Jones, Kavanagh,  
Montenegro, Senator Harper

AN ACT

AMENDING TITLE 44, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 22;  
RELATING TO INCANDESCENT LIGHTBULBS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 44, chapter 9, Arizona Revised Statutes, is amended by adding article 22, to read:

ARTICLE 22. INCANDESCENT LIGHTBULBS

44-1378. Arizona manufactured incandescent lightbulbs; regulation

A. AN INCANDESCENT LIGHTBULB THAT IS MANUFACTURED COMMERCIAL OR PRIVATELY IN THIS STATE AND THAT IS NOT EXPORTED TO ANOTHER STATE IS NOT SUBJECT TO FEDERAL LAW OR FEDERAL REGULATION UNDER THE AUTHORITY OF CONGRESS TO REGULATE INTERSTATE COMMERCE AND IS NOT CONSIDERED TO HAVE TRAVELED IN INTERSTATE COMMERCE.

B. NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY POSSESS, USE, MANUFACTURE, PURCHASE, INSTALL, TRANSPORT, SELL OR INTERNATIONALLY EXPORT AN INCANDESCENT LIGHTBULB THAT IS MANUFACTURED COMMERCIAL OR PRIVATELY IN THIS STATE IF THE LIGHTBULB IS NOT EXPORTED TO ANOTHER STATE.

C. THIS SECTION APPLIES TO AN INCANDESCENT LIGHTBULB THAT IS MANUFACTURED IN THIS STATE FROM BASIC MATERIALS AND THAT CAN BE MANUFACTURED WITHOUT THE INCLUSION OF ANY SIGNIFICANT PARTS IMPORTED FROM ANOTHER STATE.

D. THE IMPORTATION INTO THIS STATE OF ANY GENERIC OR INSIGNIFICANT PART THAT HAS OTHER MANUFACTURING OR CONSUMER PRODUCT APPLICATIONS OR ANY BASIC MATERIALS DOES NOT SUBJECT THE INCANDESCENT LIGHTBULB TO FEDERAL REGULATION.

Sec. 2. Legislative findings

The Legislature finds that:

1. The tenth amendment to the Constitution of the United States guarantees to the states and their citizens all powers not granted to the federal government elsewhere in the Constitution and reserves to this state and the citizens of this state certain powers as they were understood at the time this state was admitted to statehood in 1912.

2. The ninth amendment to the Constitution of the United States guarantees to the people rights not enumerated in the Constitution, including rights as they were understood at the time this state was admitted to statehood in 1912.

3. The guaranty of those powers and rights is a matter of contract between this state, the citizens of this state and the United States as of the time that the compact with the United States was agreed to and adopted by this state and the United States in 1912.

4. The regulation of intrastate commerce is vested in the states under article I, section 8, Constitution of the United States, and the ninth and tenth amendments to the Constitution of the United States.