State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

**HB 2789**

Introduced by  
Representatives Lesko, Harper, Kavanagh, Senators Allen, Burges, Griffin, Murphy: Representatives Barton, Brophy McGee, Crandell, Fann, Fillmore, Gowan, Gray R, Judd, McLain, Montenegro, Olson, Pratt, Reeve, Robson, Ugenti, Urie, Senators Barto, Klein, Lewis, Melvin, Reagan, Smith, Yarbrough

**AN ACT**

AMENDING TITLE 40, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 40-111; RELATING TO THE CORPORATION COMMISSION.

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

Section 1. Title 40, chapter 1, article 1, Arizona Revised Statutes, is amended by adding section 40-111, to read:

40-111. Corporation commission rules; submittal; legislative action required; exemptions

A. The corporation commission shall promptly submit to the legislature for review all rules or amendments to existing rules adopted after December 31, 2012 concerning public service corporations that are policy decisions, including rules mandating the use of specific sources of energy or imposing or increasing energy efficiency standards or renewable energy standards.

B. Notwithstanding any other law, the corporation commission rules that are subject to the requirements of this section do not become effective until approved by a majority vote of each house of the legislature. The legislature may approve all or a part of a rule submitted under this section. If the legislature does not approve all or part of a rule, the corporation commission shall not attempt to enforce those rules until the matter has been finally adjudicated in a court of competent jurisdiction.

C. This section does not affect rules or orders that result from quasi-judicial proceedings of the corporation commission, including commission orders that determine the fair value of a public service corporation’s property and establish just and reasonable rates for utility service, that result from complaints against public service corporations and that relate to the certificate of convenience and necessity of a public service corporation.

Sec. 2. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.