

REFERENCE TITLE: assisting federal law enforcement; prohibition

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HB 2144

Introduced by
Representative Cardenas

AN ACT

AMENDING TITLE 13, CHAPTER 38, ARTICLE 6, ARIZONA REVISED STATUTES, BY
ADDING SECTION 13-3876; RELATING TO FEDERAL LAW ENFORCEMENT ASSISTANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 38, article 6, Arizona Revised
3 Statutes, is amended by adding section 13-3876, to read:

4 13-3876. Prohibited assistance: federal law enforcement
5 activities; medical marijuana; definition

6 A. THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE, A LAW
7 ENFORCEMENT AGENCY OR AN EMPLOYEE OR AGENT OF THIS STATE, A POLITICAL
8 SUBDIVISION OF THIS STATE OR A LAW ENFORCEMENT AGENCY ACTING IN THE
9 EMPLOYEE'S OR AGENT'S OFFICIAL CAPACITY MAY NOT DO EITHER OF THE
10 FOLLOWING:

11 1. KNOWINGLY ASSIST A FEDERAL LAW ENFORCEMENT AGENCY OR OFFICER IN
12 THE INVESTIGATION, DETENTION OR PROSECUTION OF A PERSON FOR A VIOLATION OF
13 A FEDERAL LAW THAT PROHIBITS THE PERSON FROM USING, DISTRIBUTING,
14 POSSESSING, CONSUMING, MANUFACTURING OR CULTIVATING MEDICAL MARIJUANA IN
15 THIS STATE IF THE PERSON IS AUTHORIZED TO USE, DISTRIBUTE, POSSESS,
16 CONSUME, MANUFACTURE OR CULTIVATE MEDICAL MARIJUANA PURSUANT TO TITLE 36,
17 CHAPTER 28.1.

18 2. USE ANY ASSETS, STATE MONIES OR MONIES ALLOCATED BY THIS STATE
19 TO POLITICAL SUBDIVISIONS OF THIS STATE, IN WHOLE OR IN PART, TO ENGAGE IN
20 ANY ACTIVITY THAT AIDS A FEDERAL LAW ENFORCEMENT AGENCY OR OFFICER OR A
21 CORPORATION PROVIDING SERVICES TO THE FEDERAL LAW ENFORCEMENT AGENCY OR
22 OFFICER IN THE INVESTIGATION, DETENTION OR PROSECUTION OF A PERSON FOR A
23 VIOLATION OF A FEDERAL LAW THAT PROHIBITS THE PERSON FROM USING,
24 DISTRIBUTING, POSSESSING, CONSUMING, MANUFACTURING OR CULTIVATING MEDICAL
25 MARIJUANA IN THIS STATE IF THE PERSON IS AUTHORIZED TO USE, DISTRIBUTE,
26 POSSESS, CONSUME, MANUFACTURE OR CULTIVATE MEDICAL MARIJUANA PURSUANT TO
27 TITLE 36, CHAPTER 28.1.

28 B. FOR THE PURPOSES OF THIS SECTION, "LAW ENFORCEMENT AGENCY" MEANS
29 THE DEPARTMENT OF PUBLIC SAFETY, COUNTY SHERIFF DEPARTMENTS AND MUNICIPAL
30 POLICE DEPARTMENTS.