



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature  
Second Regular Session

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## **HCR 2036: sanctuary jurisdiction; prohibition; law enforcement**

**Sponsor: Representative Shope, LD 8**

**Committee on Judiciary**

### **Overview**

States Arizona or any county, city, town or political subdivision of Arizona may not declare itself a sanctuary jurisdiction through statute, regulation, ordinance, resolution, policy, rule or procedure that prohibits or restricts law enforcement from working with any federal, state or local government entity to determine the immigration status of any individual.

### **History**

Current law prohibits an official or agency of this state or a county, city, town or other political subdivision from limiting or restricting the enforcement of federal immigration laws to less than the full extent allowed by federal law.

A legal resident of Arizona may bring an action in superior court to challenge any agency or official of this state or a county, city, town or other political subdivision of this state that adopts or implements a policy that restricts or limits the enforcement of federal immigration laws. ([A.R.S. § 11-1051](#))

Any amendment or amendments to the Constitution of Arizona can be proposed in either house of the Legislature or by initiative petition signed by a number of qualified electors equal to 15 percent of the total number of votes for all candidates for Governor at the last general election. ([Ariz. Const. Art. XXI § 1](#))

### **Provisions**

1. Mandates Arizona or any county, city, town or political subdivision of Arizona may not declare itself a sanctuary jurisdiction through statute, regulation, ordinance, resolution, policy, rule or procedure that prohibits or restricts law enforcement from either:
  - a) Sharing, accepting, preserving, coordinating or collaborating with any federal, state or local government entity to determine the immigration status of any individual unless it is determined the action may impede a law enforcement investigation; or
  - b) Complying with a lawful notice, request or order by the United States Department of Homeland Security pursuant to the Immigration and Nationality Act.
2. States this does not prevent a law enforcement entity from sharing information with victims of crime regarding federal programs that provide immigration assistance to victims of crime.
3. Requires the Secretary of State to submit this proposition to the voters at the next general election.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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