

REFERENCE TITLE: state mine inspector; qualifications

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

## **HB 2033**

Introduced by  
Representative Griffin

AN ACT

AMENDING SECTION 27-121, ARIZONA REVISED STATUTES; RELATING TO THE STATE  
MINE INSPECTOR.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 27-121, Arizona Revised Statutes, is amended to  
3 read:

4 27-121. Qualifications of state mine inspector; duties;  
5 continuing education; deputy inspectors; salary;  
6 seal; immunity

7 A. The state mine inspector shall be a resident of this state at  
8 least two years before election, ~~not under~~ BE AT LEAST thirty years of  
9 age, ~~and shall~~ have been practically engaged in, ~~and~~ acquainted  
10 with, ~~mines and mining in this state. , and~~ THE STATE MINE INSPECTOR  
11 shall have ~~had~~ at least ~~four~~ EIGHT years' experience, ~~in mining or~~  
12 ~~experience in any industry under the jurisdiction of the state mine~~  
13 ~~inspector, or both~~ FOUR OR MORE OF WHICH HAVE BEEN IN THIS STATE,  
14 CONSISTING OF DIRECT OPERATIONAL OR MANAGEMENT EXPERIENCE WITH MINING  
15 OPERATIONS AT A MINE AND SHALL HAVE KNOWLEDGE OF THE STATE AND FEDERAL  
16 REGULATIONS INVOLVING THE HEALTH AND SAFETY OF MINING EMPLOYEES.

17 B. ANY PERSON DESIRING TO BECOME A CANDIDATE FOR THE OFFICE OF  
18 STATE MINE INSPECTOR SHALL SIGN AN AFFIDAVIT LISTING AND ATTESTING TO THE  
19 PERSON'S FULFILLMENT OF THE QUALIFICATIONS OF THIS SECTION AND SHALL FILE  
20 THE AFFIDAVIT WITH THE NOMINATION PAPER PRESCRIBED BY SECTION 16-311,  
21 16-312 OR 16-341.

22 C. FOR TERMS OF OFFICE BEGINNING IN 2023 AND AFTER, THE STATE MINE  
23 INSPECTOR SHALL ANNUALLY COMPLETE CONTINUING EDUCATION ON STATE AND  
24 FEDERAL MINE SAFETY AND HEALTH REGULATIONS.

25 ~~B.~~ D. ~~No~~ A person may NOT be ~~an~~ THE STATE MINE inspector or A  
26 deputy inspector while SERVING AS an employee, director or officer of a  
27 mining, milling or smelting company.

28 ~~C.~~ E. The STATE MINE inspector, ~~and~~ each deputy, ~~INSPECTOR~~ shall  
29 devote full time to official duties.

30 ~~D.~~ F. The STATE MINE inspector shall receive an annual salary  
31 pursuant to section 41-1904 and necessary traveling expenses when  
32 traveling in discharge of official duties.

33 ~~E.~~ G. The STATE mine inspector shall have a seal bearing the words  
34 "Mine Inspector, State of Arizona", which shall be affixed to official  
35 documents.

36 ~~F.~~ H. Any claim or action against the STATE mine inspector, DEPUTY  
37 INSPECTORS or the inspector's ~~deputies,~~ agents or employees in their  
38 official capacity as described in this title shall be brought against the  
39 state of Arizona and not against the STATE mine inspector, deputy  
40 INSPECTOR, agent or employee individually.