



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: COM DPA 6-4-0-0

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## **HCR2043: compensation; state preemption; limitation**

**Sponsor: Representative Gress, LD 4**

**Caucus & COW**

### **Overview**

Subject to voter approval, constitutionally preempts the regulation of employee benefits.

### **History**

Current statute specifies the regulation of employee benefits, including nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods is of statewide concern and not subject to further regulation by a city, town or other political subdivision of this State.

*Nonwage compensation* includes fringe benefits, welfare benefits, child or adult care plans, sick pay, vacation pay, severance pay, commissions, bonuses, retirement plan or pension contributions and other amounts promised to the employee that are more than the minimum compensation due an employee by reason of employment ([A.R.S. § 23-204](#)).

### **Provisions**

1. Asserts the regulation of employee benefits, including wage and nonwage compensation, paid and unpaid leave and other absences, meal breaks and rest periods, is of statewide concern.
2. Specifies the regulation of employee benefits is not subject to further regulation by a city, town or other political subdivision of the State.
3. Adds that the preemption does not affect the authority of a city, town or county to set wages or benefits for municipal or county employees or limit a municipality's or county's authority to enter into contracts for personal services.
4. Instructs the Secretary of State to submit this proposition to the voters at the next general election.

### **Amendments**

#### *Committee on Commerce*

1. Specifies employee benefits are not subject to further regulation by a county rather than a political subdivision.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note