

REFERENCE TITLE: public employees; merit; hiring practices

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1584

Introduced by
Senators Shamp: Angius, Bolick, Dunn, Farnsworth, Finchem, Gowan, Leach,
Mesnard, Payne, Rogers

AN ACT

AMENDING TITLE 38, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 38-452; RELATING TO PUBLIC EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 38, chapter 3, article 4, Arizona Revised
3 Statutes, is amended by adding section 38-452, to read:

4 38-452. Public employees; merit based hiring; definition

5 A. THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE MAY NOT
6 ESTABLISH ANY POLICIES OR PRACTICES REQUIRING EMPLOYEES TO BE HIRED BASED
7 ON ANYTHING OTHER THAN THE MERIT OF THE EMPLOYEE.

8 B. THE ATTORNEY GENERAL, A COUNTY ATTORNEY OR ANY OTHER PERSON MAY
9 FILE FOR DECLARATORY RELIEF, INJUNCTIVE RELIEF OR DAMAGES FOR ANY
10 VIOLATION OF THIS SECTION. A PARTY THAT PREVAILS IN AN ACTION AGAINST
11 THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE IS ENTITLED TO COSTS
12 AND REASONABLE ATTORNEY FEES.

13 C. THIS SECTION DOES NOT CONTRADICT ANY STATE LAWS OR FEDERAL
14 EMPLOYMENT LAWS THAT PROHIBIT DISCRIMINATORY PRACTICES.

15 D. FOR THE PURPOSES OF THIS SECTION, "MERIT" MEANS AN EMPLOYEE'S
16 QUALIFICATIONS, SKILLS, KNOWLEDGE, EXPERIENCE AND DEMONSTRATED ABILITY TO
17 PERFORM THE ESSENTIAL DUTIES OF A JOB, AS DETERMINED THROUGH OBJECTIVE
18 CRITERIA, SUCH AS EDUCATION, TRAINING, WORK HISTORY, JOB PERFORMANCE AND
19 ANY RELEVANT ASSESSMENTS.