

REFERENCE TITLE: minors; artistic performers; contracts; trust

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2212

Introduced by
Representatives Gutierrez: Aguilar, Austin, Caverro, Contreras P, Crews,
Márquez, Mathis, Simacek

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARIZONA REVISED STATUTES, BY ADDING ARTICLE
6.2; RELATING TO EMPLOYMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 23, chapter 2, Arizona Revised Statutes, is
3 amended by adding article 6.2, to read:

4 ARTICLE 6.2. EMPLOYMENT CONTRACTS FOR MINORS

5 23-345. Definitions

6 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 1. "ARTISTIC OR CREATIVE SERVICES":

8 (a) INCLUDES SERVICES:

9 (i) AS AN ACTOR, ACTRESS, DANCER, MUSICIAN, COMEDIAN, SINGER, STUNT
10 PERSON, VOICE-OVER ARTIST OR OTHER PERFORMER OR ENTERTAINER.

11 (ii) AS A SONGWRITER, MUSICAL PRODUCER OR ARRANGER, WRITER,
12 DIRECTOR, PRODUCER, PRODUCTION EXECUTIVE, CHOREOGRAPHER, COMPOSER,
13 CONDUCTOR OR DESIGNER.

14 (b) DOES NOT INCLUDE SERVICES AS AN EXTRA, A BACKGROUND PERFORMER
15 OR TEMPORARY WORK IN A SIMILAR CAPACITY.

16 2. "FINANCIAL INSTITUTION":

17 (a) MEANS A FINANCIAL ENTITY THAT IS INSURED BY THE FEDERAL DEPOSIT
18 INSURANCE CORPORATION.

19 (b) INCLUDES:

20 (i) A STATE BANK.

21 (ii) A FEDERAL BANK.

22 (iii) A CREDIT UNION.

23 (iv) A SAVINGS AND LOAN ASSOCIATION.

24 (v) A TRUST COMPANY.

25 (vi) A SAVINGS BANK.

26 3. "GROSS EARNINGS" MEANS THE TOTAL COMPENSATION PAYABLE TO THE
27 MINOR UNDER THE CONTRACT OR, IF THE MINOR'S SERVICES ARE BEING PROVIDED
28 THROUGH A THIRD PARTY, THE TOTAL COMPENSATION PAYABLE TO THAT THIRD PARTY
29 FOR THE SERVICES OF THE MINOR.

30 4. "GUARDIAN":

31 (a) MEANS AN INDIVIDUAL WHO IS APPOINTED OR QUALIFIED BY A COURT AS
32 A GUARDIAN OF THE MINOR.

33 (b) INCLUDES A LIMITED GUARDIAN.

34 (c) DOES NOT INCLUDE A GUARDIAN AD LITEM.

35 5. "GUARDIAN AD LITEM" MEANS A NEUTRAL PERSON THE COURT APPOINTS TO
36 INVESTIGATE WHAT SOLUTIONS WOULD BE IN THE BEST INTERESTS OF THE CHILD.

37 6. "PARENT" MEANS THE NATURAL OR ADOPTIVE MOTHER OR FATHER OF THE
38 CHILD UNLESS PARENTAL RIGHTS WERE TERMINATED BY COURT ORDER.

39 7. "THIRD PARTY" MEANS A THIRD-PARTY INDIVIDUAL, A BUSINESS ENTITY
40 OR A CASTING AGENCY.

41 23-345.01. Court approval; contract; minor; order

42 A. ON OR AFTER JANUARY 1, 2026, A CONTRACT ENTERED INTO BETWEEN AN
43 UNEMANCIPATED MINOR AND ANOTHER PARTY CANNOT BE DISAFFIRMED ON THE GROUND
44 THAT A MINOR ENTERED INTO THE CONTRACT IF THE CONTRACT WAS APPROVED BY THE
45 SUPERIOR COURT IN A COUNTY:

1 1. IN WHICH THE MINOR RESIDES OR IS EMPLOYED.
2 2. THAT IS THE LOCATION OF ANY PARTY'S PRINCIPAL PLACE OF BUSINESS.
3 B. ON PETITION FROM ANY PARTY TO A CONTRACT, THE COURT SHALL SET A
4 HEARING DATE AND TIME TO PROVIDE THE PARTIES REASONABLE NOTICE AND AN
5 OPPORTUNITY TO BE HEARD.
6 C. THE COURT'S APPROVAL OF THE CONTRACT EXTENDS TO THE ENTIRETY OF
7 THE CONTRACT.
8 D. FOR THE PURPOSES OF ANY PROCEEDING UNDER THIS SECTION, A PARENT
9 OR GUARDIAN IS CONSIDERED THE MINOR'S GUARDIAN AD LITEM FOR THE COURT
10 PROCEEDING, UNLESS THE COURT ORDERS ON A SHOWING OF GOOD CAUSE THAT A
11 DIFFERENT INDIVIDUAL SHOULD BE APPOINTED AS A GUARDIAN AD LITEM IN THE
12 BEST INTERESTS OF THE MINOR.
13 23-345.02. Minor's birth certificate; percentage gross
14 earnings; trust; trustee
15 A. A PARENT OR GUARDIAN WHO ENTERS INTO A CONTRACT ON BEHALF OF A
16 MINOR SHALL PROVIDE A CERTIFIED COPY OF THE MINOR'S BIRTH CERTIFICATE THAT
17 INDICATES THE MINOR'S MINORITY TO ANY OTHER PARTY TO THE CONTRACT. IF A
18 GUARDIAN HAS BEEN APPOINTED BY THE COURT, THE GUARDIAN MUST PROVIDE A
19 CERTIFIED COPY OF A COURT DOCUMENT THAT APPOINTS THE INDIVIDUAL AS THE
20 MINOR'S GUARDIAN.
21 B. AT THE TIME THE COURT ORDER IS ISSUED APPROVING THE MINOR'S
22 CONTRACT AS PRESCRIBED IN SECTION 23-345.01, THE COURT SHALL HAVE
23 JURISDICTION OVER THE TRUST AND SHALL REQUIRE BOTH OF THE FOLLOWING:
24 1. THAT FIFTEEN PERCENT OF THE MINOR'S GROSS EARNINGS PURSUANT TO
25 THE CONTRACT BE SET ASIDE BY THE MINOR'S EMPLOYER TO BE HELD IN A TRUST
26 ACCOUNT FOR THE BENEFIT OF THE MINOR IN ACCORDANCE WITH THIS ARTICLE. THE
27 MINOR'S EMPLOYER SHALL DEPOSIT THESE MONIES INTO THE TRUST ACCOUNT WITHIN
28 FIFTEEN BUSINESS DAYS AFTER RECEIVING BOTH A TRUE AND ACCURATE COPY OF THE
29 TRUSTEE'S STATEMENT PURSUANT TO SUBSECTION C OF THIS SECTION AND A
30 CERTIFIED COPY OF THE MINOR'S BIRTH CERTIFICATE PURSUANT TO SUBSECTION A
31 OF THIS SECTION.
32 2. THAT AT LEAST ONE PARENT OR GUARDIAN BE APPOINTED AS THE TRUSTEE
33 OF THE TRUST, UNLESS THE COURT FINDS THAT IN THE BEST INTEREST OF THE
34 CHILD ANOTHER GUARDIAN OR ENTITY SHALL SERVE AS THE TRUSTEE OF THE TRUST.
35 C. BEFORE THE MINOR RECEIVES AN INITIAL PAYMENT PURSUANT TO THE
36 TERMS OF THE EMPLOYMENT CONTRACT, THE TRUSTEE OF THE TRUST SHALL PROVIDE
37 THE MINOR'S EMPLOYER WITH A TRUE AND ACCURATE COPY OF THE TRUSTEE'S
38 WRITTEN STATEMENT PURSUANT TO SECTION 23-345.03 AND, ON RECEIPT OF THE
39 TRUSTEE'S WRITTEN STATEMENT, THE EMPLOYER SHALL PROVIDE THE PARENT OR
40 GUARDIAN WITH A WRITTEN ACKNOWLEDGMENT OF RECEIPT OF THE TRUSTEE'S WRITTEN
41 STATEMENT.
42 D. WHEN MAKING THE INITIAL DEPOSIT OF MONIES PURSUANT TO SUBSECTION
43 B, PARAGRAPH 1 OF THIS SECTION, THE MINOR'S EMPLOYER SHALL PROVIDE WRITTEN
44 NOTIFICATION TO THE FINANCIAL INSTITUTION THAT THE MONIES ARE SUBJECT TO
45 THIS ARTICLE.

1 E. ONCE THE MINOR'S EMPLOYER DEPOSITS THE MONIES INTO THE TRUST,
2 THE MINOR'S EMPLOYER SHALL HAVE NO FURTHER OBLIGATION OR DUTY TO MONITOR
3 OR ACCOUNT FOR THE MONIES. THE TRUSTEE OF THE TRUST SHALL BE THE ONLY
4 INDIVIDUAL OR ENTITY WITH THE OBLIGATION OR DUTY TO MONITOR AND ACCOUNT
5 FOR THE MONIES ONCE THE MONIES HAVE BEEN DEPOSITED BY THE MINOR'S
6 EMPLOYER. THE TRUSTEE OF THE TRUST SHALL CONDUCT AN ANNUAL ACCOUNTING OF
7 THE MONIES HELD IN TRUST IN ACCORDANCE WITH GENERALLY RECOGNIZED
8 PROFESSIONAL ACCOUNTING AND AUDITING PRINCIPLES.

9 F. AT ANY TIME, A PARENT, A GUARDIAN, THE TRUSTEE OR THE MINOR,
10 THROUGH THE MINOR'S GUARDIAN AD LITEM, ON A SHOWING OF GOOD CAUSE MAY
11 REQUEST THAT THE COURT AMEND OR TERMINATE THE TRUST, NOTWITHSTANDING ANY
12 PROVISION IN THE DECLARATION OF TRUST. THE COURT MAY ONLY AMEND OR
13 TERMINATE THE TRUST AFTER THE COURT PROVIDES THE PARTIES WITH REASONABLE
14 NOTICE AND AN OPPORTUNITY TO BE HEARD.

15 G. A PARENT OR GUARDIAN SHALL PROMPTLY NOTIFY THE MINOR'S EMPLOYER,
16 IN WRITING, OF ANY CHANGE IN FACTS THAT AFFECT THE EMPLOYER'S OBLIGATION
17 OR ABILITY TO SET ASIDE THE MONIES IN ACCORDANCE WITH THE ORDER, INCLUDING
18 A CHANGE OF FINANCIAL INSTITUTION OR ACCOUNT NUMBER OR THE EXISTENCE OF A
19 NEW OR AMENDED COURT ORDER. THE WRITTEN NOTIFICATION SHALL INCLUDE A TRUE
20 AND ACCURATE COPY OF THE TRUSTEE'S WRITTEN STATEMENT PURSUANT TO SECTION
21 23-345.03 AND A CERTIFIED COPY OF ANY NEW OR AMENDED ORDER, AS APPLICABLE.

22 H. FOR A MINOR'S CONTRACT TO PERFORM ARTISTIC OR CREATIVE SERVICES
23 THAT IS NOT SUBMITTED TO THE COURT FOR APPROVAL PURSUANT TO SECTION
24 23-345.01 OR IF THE COURT DENIED APPROVAL, ALL OF THE FOLLOWING APPLY:

25 1. THE EMPLOYER SHALL SET ASIDE AND DEPOSIT FIFTEEN PERCENT OF THE
26 MINOR'S GROSS EARNINGS PURSUANT TO THE CONTRACT IN A TRUST ACCOUNT FOR THE
27 BENEFIT OF THE MINOR.

28 2. AT LEAST ONE PARENT OR GUARDIAN SHALL SERVE AS THE TRUSTEE OF
29 THE TRUST ACCOUNT. A PARENT, GUARDIAN OR TRUSTEE OR THE MINOR THROUGH THE
30 MINOR'S GUARDIAN AD LITEM MAY PETITION A COURT OF COMPETENT JURISDICTION
31 TO APPOINT ANOTHER INDIVIDUAL OR ENTITY TO SERVE AS TRUSTEE OF THE TRUST.
32 THE COURT MAY APPOINT ANOTHER INDIVIDUAL OR ENTITY TO SERVE AS THE TRUSTEE
33 OF THE TRUST IF THE COURT BELIEVES IT IS IN THE BEST INTERESTS OF THE
34 CHILD.

35 3. THE MINOR'S EMPLOYER SHALL PROVIDE WRITTEN NOTIFICATION TO THE
36 FINANCIAL INSTITUTION THAT THE MONIES ARE SUBJECT TO THIS ARTICLE.

37 I. THE RELATIONSHIP BETWEEN THE PARENT OR GUARDIAN AND THE MINOR IS
38 A FIDUCIARY RELATIONSHIP PURSUANT TO TITLE 14, IRRESPECTIVE OF WHETHER A
39 COURT HAS ISSUED A FORMAL ORDER TO THAT EFFECT. THE PARENT OR GUARDIAN
40 SERVING IN A FIDUCIARY RELATIONSHIP SHALL PAY ALL LIABILITIES INCURRED BY
41 THE MINOR UNDER THE CONTRACT WITH THE EARNINGS OF THE MINOR, WHICH
42 INCLUDES:

43 1. TAXES.

44 2. PAYMENTS FOR PERSONAL SERVICES RENDERED TO THE MINOR.

45 3. PAYMENTS FOR PROFESSIONAL SERVICES RENDERED TO THE MINOR.

1 4. OTHER REASONABLE BUSINESS-RELATED EXPENSES.
2 J. THIS SECTION DOES NOT ALTER ANY OTHER EXISTING RESPONSIBILITY OF
3 A PARENT OR LEGAL GUARDIAN TO PROVIDE FOR THE SUPPORT OF A MINOR CHILD.
4 23-345.03. Trust account; withdrawals; trustee's written
5 statement; notification; requirements
6 A. THE TRUSTEE SHALL ESTABLISH A TRUST ACCOUNT PURSUANT TO THIS
7 SECTION AT A FINANCIAL INSTITUTION THAT IS LOCATED IN THIS STATE WITHIN
8 SEVEN BUSINESS DAYS AFTER THE MINOR'S CONTRACT IS EXECUTED.
9 B. WITHDRAWALS FROM THE TRUST ARE PROHIBITED UNLESS:
10 1. THE BENEFICIARY ATTAINS EIGHTEEN YEARS OF AGE AND SUBMITS A
11 CERTIFIED COPY OF THE MINOR'S BIRTH CERTIFICATE TO THE FINANCIAL
12 INSTITUTION WHERE THE TRUST IS LOCATED.
13 2. THE MINOR BENEFICIARY IS EMANCIPATED BY THE COURT AND SUBMITS A
14 CERTIFIED COPY OF THE COURT'S EMANCIPATION ORDER TO THE FINANCIAL
15 INSTITUTION WHERE THE TRUST IS LOCATED.
16 3. ORDERED BY THE COURT.
17 C. WITHIN TEN BUSINESS DAYS AFTER THE MINOR'S CONTRACT IS EXECUTED,
18 THE TRUSTEE SHALL PREPARE A WRITTEN STATEMENT UNDER THE PENALTY OF PERJURY
19 AND PROVIDE A COPY TO THE PARENT, GUARDIAN, GUARDIAN AD LITEM, THE MINOR'S
20 EMPLOYER AND THE COURT, AS APPLICABLE, AND THAT INCLUDES THE FOLLOWING
21 ACCOUNT INFORMATION:
22 1. THE NAME.
23 2. THE ADDRESS.
24 3. THE TELEPHONE NUMBER.
25 4. THE NAME OF THE ACCOUNT.
26 5. THE ACCOUNT NUMBER.
27 6. THE NAME OF THE MINOR BENEFICIARY.
28 7. THE NAME OF THE TRUSTEE OF THE ACCOUNT.
29 8. ANY RELATED INFORMATION NEEDED BY THE MINOR'S EMPLOYER TO
30 DEPOSIT MONIES INTO THE ACCOUNT.
31 9. A TRUE AND ACCURATE COPY OF THE DOCUMENTS THAT CREATED THE
32 TRUST, WHICH MAY INCLUDE A DECLARATION OF TRUST, DEED OF SETTLEMENT,
33 ACCOUNT AGREEMENT, PASSBOOK OR SIMILAR DOCUMENTATION.
34 D. ON APPLICATION BY THE TRUSTEE TO THE FINANCIAL INSTITUTION, THE
35 FINANCIAL INSTITUTION MAY HANDLE THE MONIES IN ONE OR MORE OF THE
36 FOLLOWING METHODS:
37 1. TRANSFER MONIES TO ANOTHER ACCOUNT AT THE SAME FINANCIAL
38 INSTITUTION, IF THE MONIES TRANSFERRED SHALL CONTINUE TO BE HELD IN TRUST.
39 2. TRANSFER MONIES TO ANOTHER FINANCIAL INSTITUTION IF THE MONIES
40 TRANSFERRED CONTINUE TO BE HELD IN TRUST AND THE TRANSFERRING FINANCIAL
41 INSTITUTION HAS PROVIDED WRITTEN NOTIFICATION TO THE FINANCIAL INSTITUTION
42 TO WHICH THE MONIES WILL BE TRANSFERRED.
43 3. USE ALL OR PART OF THE MONIES TO PURCHASE AND HOLD IN TRUST FOR
44 THE BENEFIT OF THE MINOR THE FOLLOWING:

1 (a) INVESTMENT FUNDS OFFERED BY A COMPANY REGISTERED UNDER THE
2 INVESTMENT COMPANY ACT OF 1940 (54 STAT. 789) IF:

3 (i) THE UNDERLYING INVESTMENTS ARE EQUITY SECURITIES.

4 (ii) THE INVESTMENT FUND IS A BROAD-BASED INDEX FUND.

5 (iii) THE INVESTMENT FUND INVESTS BROADLY ACROSS THE DOMESTIC OR A
6 FOREIGN REGIONAL ECONOMY, IS NOT A SECTOR FUND AND HAS ASSETS UNDER
7 MANAGEMENT OF AT LEAST \$250,000,000.

8 (b) GOVERNMENT SECURITIES AND BONDS, CERTIFICATES OF DEPOSIT, MONEY
9 MARKET INSTRUMENTS, MONEY MARKET ACCOUNTS OR MUTUAL FUNDS INVESTING SOLELY
10 IN THOSE GOVERNMENT SECURITIES AND BONDS, CERTIFICATES, INSTRUMENTS AND
11 ACCOUNTS THAT ARE AVAILABLE AT THE FINANCIAL INSTITUTION WHERE THE TRUST
12 FUND IS HELD.

13 E. THE PURCHASES MADE PURSUANT TO THIS SECTION SHALL HAVE THE
14 MATURITY DATE ON OR BEFORE THE BENEFICIARY ATTAINS EIGHTEEN YEARS OF AGE.

15 F. ANY PROCEEDS GENERATED FROM THE TRUST ACCOUNT SHALL BE
16 REDEPOSITED INTO THE ACCOUNT OR USED TO MAKE FURTHER INVESTMENT PURCHASES.

17 Sec. 2. Applicability

18 This act applies to contracts that are entered into between an
19 unemancipated minor and any party or third party on or after January 1,
20 2026.