

Senate Engrossed House Resolution

~~minimum wage; exception; homeless~~
(now: school districts; labor organizations; resources)

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE CONCURRENT RESOLUTION 2040

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XVIII, CONSTITUTION OF ARIZONA, BY ADDING SECTION 11; RELATING TO LABOR ORGANIZATION USE OF PUBLIC RESOURCES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

3 1. Article XVIII, Constitution of Arizona, is proposed to be
4 amended by adding section 11 as follows if approved by the voters and on
5 proclamation of the Governor:

6 11. School districts; labor organizations; use of
7 public monies or public resources prohibited;
8 conditions of employment; right to negotiate;
9 definitions

10 SECTION 11. A. A SCHOOL DISTRICT MAY NOT USE PUBLIC
11 MONIES AND PUBLIC RESOURCES TO SUPPORT THE OPERATIONS OF A
12 LABOR ORGANIZATION.

13 B. A SCHOOL DISTRICT MAY NOT DEDUCT ANY PAYMENT FROM A
14 SCHOOL DISTRICT EMPLOYEE'S PAYCHECK FOR LABOR ORGANIZATION
15 MEMBERSHIP DUES.

16 C. A SCHOOL DISTRICT MAY NOT PROVIDE ACCESS TO THE
17 SCHOOL DISTRICT'S INTERNAL COMMUNICATIONS SYSTEMS TO
18 DISTRIBUTE LABOR ORGANIZATION MEMBERSHIP RECRUITING
19 INFORMATION OR POLITICAL MATERIALS.

20 D. SCHOOL DISTRICT EMPLOYEES MAY NOT DISTRIBUTE
21 WRITTEN, PRINTED OR DIGITAL COMMUNICATIONS IN A MANNER THAT
22 CONSUMES PUBLIC RESOURCES ON A LABOR ORGANIZATION'S BEHALF.

23 E. A SCHOOL DISTRICT MAY NOT USE PUBLIC MONIES OR
24 PUBLIC RESOURCES TO PERFORM LABOR ORGANIZATION ACTIVITIES
25 DURING WORKING HOURS, INCLUDING USING ANY OF THE FOLLOWING:

26 1. GOVERNMENT ACCOUNTING OR PAYROLL SYSTEMS TO COLLECT
27 DUES, FEE CONTRIBUTIONS OR OTHER ASSESSMENTS FOR A LABOR
28 ORGANIZATION.

29 2. FACILITIES FOR CAPTIVE AUDIENCE MEETINGS TO RECRUIT
30 LABOR ORGANIZATION MEMBERS DURING WORKING HOURS, INCLUDING NEW
31 HIRE ORIENTATIONS.

32 3. PAID LEAVE TO CONDUCT BUSINESS ON BEHALF OF A LABOR
33 ORGANIZATION. A SCHOOL DISTRICT MAY NOT APPROVE EMPLOYEE PAID
34 LEAVE FOR ANY BUSINESS RELATED TO A SCHOOL DISTRICT EMPLOYEE'S
35 LABOR ORGANIZATION ACTIVITIES.

36 4. INTERNAL GOVERNMENT COMMUNICATION SYSTEMS TO
37 DISTRIBUTE LABOR ORGANIZATION MEMBERSHIP RECRUITING
38 INFORMATION OR POLITICAL MATERIALS.

39 5. ANY OTHER PUBLIC RESOURCE FOR DISTRIBUTING WRITTEN,
40 PRINTED OR DIGITAL COMMUNICATIONS ON BEHALF OF THE LABOR
41 ORGANIZATION.

42 F. THIS SECTION SUPERSEDES ANY CONTRACT, MEMORANDUM OF
43 UNDERSTANDING, MEET AND CONFER AGREEMENT, POLICY, ORDINANCE OR
44 OTHER WRITTEN OR ORAL AGREEMENT.

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G. A SCHOOL DISTRICT EMPLOYEE HAS A RIGHT TO NEGOTIATE THE SCHOOL DISTRICT EMPLOYEE'S OWN TERMS AND CONDITIONS OF EMPLOYMENT, INCLUDING WAGES, BENEFITS AND WORKING CONDITIONS. THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE MAY NOT NEGOTIATE WITH A LABOR ORGANIZATION AN EXCLUSIVE REPRESENTATION AGREEMENT, COLLECTIVE BARGAINING AGREEMENT, MEMORANDUM OF UNDERSTANDING, CONTRACT OR OTHER AGREEMENT REGARDING THE TERMS AND CONDITIONS OF EMPLOYMENT.

H. FOR THE PURPOSES OF THIS SECTION:

1. "LABOR ORGANIZATION" MEANS ANY EMPLOYEE REPRESENTATION ORGANIZATION THAT EXISTS FOR THE PURPOSE OF DEALING WITH EMPLOYERS CONCERNING GRIEVANCES, LABOR DISPUTES, WAGES, RATES OF PAY, HOURS OF EMPLOYMENT OR OTHER CONDITIONS OF EMPLOYMENT.

2. "PUBLIC MONIES" MEANS MONIES THAT ARE RECEIVED BY A SCHOOL DISTRICT AND THAT ARE DERIVED ALL OR IN PART FROM TAX REVENUES.

3. "PUBLIC RESOURCES" MEANS FACILITIES, VEHICLES, POSTAGE, TELECOMMUNICATIONS, COMPUTER HARDWARE AND SOFTWARE, WEBSITES, PERSONNEL, EQUIPMENT, MATERIALS, BUILDINGS OR ANY OTHER THING OF VALUE OF THE SCHOOL DISTRICT.

2. Applicability

This act applies to from and after December 31, 2027.

3. The Secretary of State shall submit this proposition to the voters at the next general election as provided by article XXI, Constitution of Arizona.