

Senate Engrossed

~~photo enforcement systems; prohibition~~
(now: photo enforcement systems; voter approval)

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE CONCURRENT RESOLUTION 1004

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO PHOTO ENFORCEMENT SYSTEMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

3 1. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to photo enforcement systems, is enacted
5 to become valid as a law if approved by the voters and on proclamation of
6 the Governor:

7 AN ACT

8 AMENDING SECTION 28-1201, ARIZONA REVISED STATUTES; AMENDING
9 TITLE 28, CHAPTER 3, ARTICLE 21, ARIZONA REVISED STATUTES, BY
10 ADDING SECTION 28-1207; RELATING TO PHOTO ENFORCEMENT.

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

12 Section 1. Section 28-1201, Arizona Revised Statutes,
13 is amended to read:

14 28-1201. Definition of photo enforcement system

15 In this article, unless the context otherwise requires,
16 "photo enforcement system" ~~has the same meaning prescribed in~~
17 ~~section 28-601~~ MEANS A DEVICE SUBSTANTIALLY CONSISTING OF A
18 RADAR UNIT OR SENSOR LINKED TO A CAMERA OR OTHER RECORDING
19 DEVICE THAT PRODUCES ONE OR MORE PHOTOGRAPHS,
20 MICROPHOTOGRAPHS, VIDEOTAPES OR DIGITAL OR OTHER RECORDED
21 IMAGES OF A VEHICLE'S LICENSE PLATE FOR THE PURPOSE OF
22 IDENTIFYING VIOLATORS OF ARTICLE 3 OR 6 OF THIS CHAPTER OR OF
23 A CITY OR TOWN ORDINANCE FOR EXCESSIVE SPEED OR FAILURE TO
24 OBEY A TRAFFIC CONTROL DEVICE.

25 Sec. 2. Title 28, chapter 3, article 21, Arizona
26 Revised Statutes, is amended by adding section 28-1207, to
27 read:

28 28-1207. Photo enforcement system; voter approval
29 requirement

30 A. A LOCAL AUTHORITY OR AN AGENCY OF THIS STATE MAY NOT
31 USE A PHOTO ENFORCEMENT SYSTEM TO IDENTIFY VIOLATORS OF
32 ARTICLE 3 OR 6 OF THIS CHAPTER OR OF A CITY OR TOWN ORDINANCE
33 FOR EXCESSIVE SPEED OR FAILURE TO OBEY A TRAFFIC CONTROL
34 DEVICE, UNLESS, ON OR BEFORE DECEMBER 31, 2026, THE LOCAL
35 AUTHORITY OR THE AGENCY OF THIS STATE HAS A SIGNED CONTRACT TO
36 OPERATE A PHOTO ENFORCEMENT SYSTEM.

37 B. NOTWITHSTANDING SECTION 16-204, A LOCAL AUTHORITY
38 THAT HAS A SIGNED CONTRACT TO OPERATE A PHOTO ENFORCEMENT
39 SYSTEM PURSUANT TO SUBSECTION A OF THIS SECTION SHALL SEEK
40 APPROVAL OF THE VOTERS OF THE LOCAL AUTHORITY AT THE NEXT
41 GENERAL ELECTION IMMEDIATELY AFTER THE EFFECTIVE DATE OF THIS
42 SECTION TO CONTINUE OPERATION OF THE PHOTO ENFORCEMENT SYSTEM.

1 C. IF THE LOCAL AUTHORITY DOES NOT RECEIVE VOTER
2 APPROVAL TO OPERATE A PHOTO ENFORCEMENT SYSTEM PURSUANT TO
3 SUBSECTION B OF THIS SECTION, THE LOCAL AUTHORITY SHALL CEASE
4 OPERATIONS OF THE PHOTO ENFORCEMENT SYSTEM WITHIN NINETY DAYS
5 AFTER THE GENERAL ELECTION IN WHICH THE VOTERS FAILED TO
6 APPROVE THE OPERATION OF THE PHOTO ENFORCEMENT SYSTEM.

7 D. IF THE LOCAL AUTHORITY RECEIVES VOTER APPROVAL TO
8 OPERATE A PHOTO ENFORCEMENT SYSTEM PURSUANT TO SUBSECTION B OF
9 THIS SECTION, THE LOCAL AUTHORITY MAY CONTINUE TO OPERATE THE
10 PHOTO ENFORCEMENT SYSTEM FOR A PERIOD OF TEN YEARS AND ALL OF
11 THE FOLLOWING APPLY:

12 1. NOTWITHSTANDING SECTION 16-204, THE LOCAL AUTHORITY
13 SHALL SUBMIT TO THE LOCAL AUTHORITY'S VOTERS THE QUESTION OF
14 THE CONTINUED OPERATION OF THE PHOTO ENFORCEMENT SYSTEM FOR AN
15 ADDITIONAL TEN YEARS THAT SHALL BE PLACED ON THE GENERAL
16 ELECTION BALLOT FOR THE GENERAL ELECTION THAT IS HELD TEN
17 YEARS AFTER THE PREVIOUS VOTE THAT APPROVED THE OPERATION OF
18 THE PHOTO ENFORCEMENT SYSTEM.

19 2. IF THE LOCAL AUTHORITY RECEIVES VOTER APPROVAL AT
20 THE ELECTION PRESCRIBED BY PARAGRAPH 1 OF THIS SUBSECTION, THE
21 LOCAL AUTHORITY MAY CONTINUE TO OPERATE THE PHOTO ENFORCEMENT
22 SYSTEM FOR A PERIOD OF TEN YEARS AND SHALL SUBMIT TO THE LOCAL
23 AUTHORITY'S VOTERS THE QUESTION OF THE CONTINUED OPERATION OF
24 THE PHOTO ENFORCEMENT SYSTEM EVERY TEN YEARS THEREAFTER AS
25 PRESCRIBED BY THIS SECTION.

26 Sec. 3. Legislative intent

27 Pursuant to section 41-1107, Arizona Revised Statutes,
28 the legislature intends to:

29 1. Keep the enforcement of the laws in this state in
30 the hands of trained law enforcement officers who are
31 authorized by the people of this state to enforce the laws.

32 2. Protect the citizens of this state from the abuses
33 that accompany the outsourcing of law enforcement to private,
34 for-profit entities.

35 3. Ensure that the purpose of law enforcement remains
36 to serve and protect and not to generate revenue for
37 governments.

38 2. The Secretary of State shall submit this proposition to the
39 voters at the next general election as provided by article IV, part 1,
40 section 1, Constitution of Arizona.