

REFERENCE TITLE: liability; diversity; equity; inclusion laws

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

HB 2135

Introduced by
Representative Way

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 20; RELATING TO CIVIL LIABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 12, chapter 6, Arizona Revised Statutes, is
3 amended by adding article 20, to read:

4 ARTICLE 20. PROHIBITED DIVERSITY, EQUITY AND INCLUSION POLICIES

5 12-784. Prohibition on diversity, equity and inclusion
6 policies; civil liability; statute of limitations;
7 definitions

8 A. A PERSON WHOSE RIGHTS ARE VIOLATED MAY COMMENCE A CIVIL ACTION
9 AGAINST A COVERED ENTITY THAT VIOLATES A STATE OR FEDERAL LAW PROHIBITING
10 A DIVERSITY, EQUITY AND INCLUSION POLICY.

11 B. A PERSON WHO PREVAILS AGAINST A COVERED ENTITY IS ENTITLED TO
12 THE FOLLOWING RELIEF:

13 1. DECLARATORY RELIEF.

14 2. INJUNCTIVE RELIEF.

15 3. DAMAGES IN THE AMOUNT OF AT LEAST \$100,000 AGAINST THE COVERED
16 ENTITY.

17 4. COMPENSATORY DAMAGES.

18 5. COURT COSTS AND REASONABLE ATTORNEY FEES.

19 C. A PERSON SHALL COMMENCE A CIVIL ACTION PURSUANT TO THIS SECTION
20 NOT LATER THAN THREE YEARS AFTER THE VIOLATION OCCURRED.

21 D. FOR THE PURPOSES OF THIS SECTION:

22 1. "COVERED ENTITY" MEANS A CORPORATION, ORGANIZATION, INSTITUTION
23 OR AGENCY IN THIS STATE THAT IS SUBJECT TO A STATE OR FEDERAL LAW
24 PROHIBITING A DIVERSITY, EQUITY AND INCLUSION POLICY.

25 2. "DIVERSITY, EQUITY AND INCLUSION POLICY":

26 (a) MEANS A POLICY THAT IS KNOWN AND PRACTICED AS DEI, CRITICAL
27 RACE THEORY OR ANTI-RACISM OR ANY OF THE FOLLOWING CONCEPTS:

28 (i) ONE RACE OR SEX IS INHERENTLY SUPERIOR TO ANOTHER RACE OR SEX.

29 (ii) THE UNITED STATES IS FUNDAMENTALLY RACIST OR SEXIST.

30 (iii) AN INDIVIDUAL, BY VIRTUE OF THE INDIVIDUAL'S RACE OR SEX, IS
31 INHERENTLY RACIST, SEXIST OR OPPRESSIVE, WHETHER CONSCIOUSLY OR
32 UNCONSCIOUSLY.

33 (iv) AN INDIVIDUAL SHOULD BE DISCRIMINATED AGAINST OR RECEIVE
34 ADVERSE TREATMENT SOLELY OR PARTLY BECAUSE OF THE INDIVIDUAL'S RACE OR
35 SEX.

36 (v) A MEMBER OF ONE RACE OR SEX CANNOT AND SHOULD NOT ATTEMPT TO
37 TREAT OTHERS WITHOUT RESPECT DUE TO RACE OR SEX.

38 (vi) AN INDIVIDUAL'S MORAL CHARACTER IS NECESSARILY DETERMINED BY
39 THE INDIVIDUAL'S RACE OR SEX.

40 (vii) AN INDIVIDUAL, BY VIRTUE OF THE INDIVIDUAL'S RACE OR SEX,
41 BEARS RESPONSIBILITY FOR ACTS COMMITTED IN THE PAST BY OTHER MEMBERS OF
42 THE SAME RACE OR SEX.

43 (viii) AN INDIVIDUAL SHOULD FEEL DISCOMFORT, GUILT OR ANGUISH OR
44 ANY OTHER FORM OF PSYCHOLOGICAL DISTRESS BECAUSE OF THE INDIVIDUAL'S RACE
45 OR SEX.

1 (ix) MERITOCRACY OR TRAITS SUCH AS A HARD WORK ETHIC ARE RACIST OR
2 SEXIST OR WERE CREATED BY A PARTICULAR RACE TO OPPRESS ANOTHER RACE.

3 (x) ALL INDIVIDUALS SHOULD BE COMPELLED TO BELIEVE IN, AND TO SPEAK
4 IN A MANNER CONSISTENT WITH, THE CONCEPT THAT AN INDIVIDUAL CAN CHANGE THE
5 INDIVIDUAL'S SEX OR GENDER.

6 (b) INCLUDES ANY OTHER FORM OF RACE OR SEX STEREOTYPING OR ANY
7 OTHER FORM OF RACE OR SEX SCAPEGOATING.

8 Sec. 2. Emergency

9 This act is an emergency measure that is necessary to preserve the
10 public peace, health or safety and is operative immediately as provided by
11 law.