

REFERENCE TITLE: sovereign authority; endangered species act

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

# HB 2161

Introduced by  
Representative Diaz

AN ACT

AMENDING TITLE 1, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 1-273; RELATING TO SOVEREIGN AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 1, chapter 2, article 4, Arizona Revised Statutes,  
3 is amended by adding section 1-273, to read:

4 1-273. Sovereign authority; natural resources;  
5 anticommandeering

6 PURSUANT TO ARTICLE II, SECTION 3, CONSTITUTION OF ARIZONA, THIS  
7 STATE, ANY AGENCY OR POLITICAL SUBDIVISION OF THIS STATE AND ANY EMPLOYEE  
8 OF THIS STATE OR ANY AGENCY OR POLITICAL SUBDIVISION OF THIS STATE,  
9 INCLUDING THE ARIZONA GAME AND FISH DEPARTMENT AND THE DEPARTMENT'S  
10 EMPLOYEES AND CONTRACTORS, ACTING IN THE EMPLOYEE'S OFFICIAL CAPACITY MAY  
11 NOT USE ANY PERSONNEL OR FINANCIAL RESOURCES TO ENFORCE, ADMINISTER OR  
12 COOPERATE WITH EITHER OF THE FOLLOWING FEDERAL ACTIONS OR PROGRAMS:

13 1. THE ENDANGERED SPECIES ACT OF 1973 (P.L. 93-205; 87 STAT. 884;  
14 16 UNITED STATES CODE SECTIONS 1531 THROUGH 1544). THIS PARAGRAPH DOES  
15 NOT APPLY TO THE LIVESTOCK LOSS PROGRAM THAT IS ADMINISTERED AND ENFORCED  
16 BY THE ARIZONA LIVESTOCK LOSS BOARD.

17 2. THE INCIDENTAL TAKE PERMIT PROGRAM PURSUANT TO THE ENDANGERED  
18 SPECIES ACT OF 1973 (P.L. 93-205; 87 STAT. 884; 16 UNITED STATES CODE  
19 SECTIONS 1536 THROUGH 1539).