

House Engrossed

attorney general; nuisance action; damages

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

# HOUSE BILL 2167

AN ACT

AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 41-197; RELATING TO THE ATTORNEY GENERAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 1, article 5, Arizona Revised  
3 Statutes, is amended by adding section 41-197, to read:

4 41-197. Nuisance actions; consumer fraud actions; damages;  
5 civil penalty

6 A. IF THE ATTORNEY GENERAL FILES A PUBLIC NUISANCE ACTION OR A  
7 CONSUMER FRAUD ACTION, THE ATTORNEY GENERAL IS LIABLE FOR DAMAGES TO ANY  
8 PERSON WHO IS INJURED BY THE ACTION IF BOTH OF THE FOLLOWING APPLY:

9 1. THE NUISANCE ACTION OR CONSUMER FRAUD ACTION IS EITHER:

10 (a) DISMISSED BY THE COURT.

11 (b) FOUND TO NOT HAVE MERIT.

12 2. THE ATTORNEY GENERAL EITHER:

13 (a) KNEW OR SHOULD HAVE KNOWN THAT THE NUISANCE ACTION OR CONSUMER  
14 FRAUD ACTION LACKED A SUFFICIENT LEGAL OR FACTUAL BASIS.

15 (b) PUBLICIZED THE FILING OF THE NUISANCE ACTION OR CONSUMER FRAUD  
16 ACTION.

17 B. DAMAGES THAT ARE AWARDED UNDER THIS SECTION SHALL INCLUDE  
18 REASONABLE ATTORNEY FEES AND THE COSTS OF THE LITIGATION. THE ATTORNEY  
19 GENERAL SHALL PAY A CIVIL PENALTY THAT IS THREE TIMES THE AMOUNT OF ANY  
20 DAMAGES THAT THE DEFENDANT HAS SUFFERED AS A RESULT OF THE NUISANCE ACTION  
21 OR CONSUMER FRAUD ACTION. IF THE DEFENDANT IS A BUSINESS, THE DAMAGES MAY  
22 INCLUDE LOST SALES AND BUSINESS, LOST PROFITS AND LOSS IN VALUE OF THE  
23 BUSINESS.

24 C. THE ATTORNEY GENERAL SHALL PAY ANY DAMAGES AND CIVIL PENALTY  
25 AWARDED UNDER THIS SECTION FROM MONIES IN THE ATTORNEY GENERAL'S GENERAL  
26 OPERATING FUND.