

REFERENCE TITLE: **contracts; public works; employees; apprenticeships**

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

HB 2699

Introduced by
Representatives Connolly: Aguilar, Austin, Blattman, Cavero, Contreras L,
Contreras P, Crews, De Los Santos, Hernandez A, Hernandez L, Liguori,
Luna-Nájera, Peshlakai, Simacek, Stahl Hamilton, Tsosie, Villegas, Volk;
Senators Bravo, Gabaldón, Gonzales, Ortiz

AN ACT

AMENDING SECTION 34-321, ARIZONA REVISED STATUTES; RELATING TO PUBLIC
WORKS CONTRACTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 34-321, Arizona Revised Statutes, is amended to
3 read:

4 34-321. Public policy; prevailing wage contracts; prohibited
5 agreements; definitions

6 A. The public interest in the rates of wages paid under public
7 works contracts transcends local or municipal interests and is of
8 statewide concern.

9 B. Agencies and political subdivisions of this state shall not
10 ~~REQUIRE~~ by regulation, ~~OR~~ ordinance or in any other manner, ~~require~~
11 public works contracts to contain a provision requiring the wages paid by
12 the contractor or any subcontractor to be not less than the prevailing
13 rate of wages for work of a similar nature in ~~the~~ THIS state or political
14 subdivision where the project is located.

15 C. Agencies and political subdivisions of this state shall not
16 require in any public works contracts that a contractor, subcontractor,
17 material supplier or carrier engaged in the construction, maintenance,
18 repair or improvement of public works do any of the following as a
19 condition of or a factor in bidding, negotiating, being awarded or
20 performing work on a public works contract:

21 1. Negotiate, execute or otherwise become a party to any project
22 labor agreement or other agreement with employees, employees'
23 representatives or any labor organization.

24 2. Enter into a neutrality agreement with any labor organization.

25 ~~3. Participate in or contribute to an apprenticeship program that~~
26 ~~is registered with the United States department of labor.~~

27 D. Subsection C of this section does not:

28 1. Prohibit private parties from entering into individual
29 collective bargaining relationships.

30 2. Regulate or interfere with activity protected by law, including
31 the national labor relations act.

32 E. For the purposes of this section:

33 1. "Agency" has the same meaning prescribed in section 41-1001.

34 2. "Neutrality agreement" includes an agreement to remain neutral
35 toward any labor organization, release private employee information not
36 required by federal labor law, allow access to property beyond what is
37 required by federal labor law and recognize a labor organization without a
38 secret ballot election conducted pursuant to federal labor law.

39 3. "Political subdivision" means a city, charter city, town,
40 county, school district, community college district, multi-county water
41 conservation district, industrial development authority or special taxing
42 district established pursuant to title 48 that is primarily supported by
43 taxes.

44 4. "Project labor agreement" means any prehire, collective
45 bargaining, model construction or similar type of agreement entered into

1 with one or more labor organizations, employees or employee
2 representatives that establishes the terms and conditions of employment on
3 a construction project.

4 5. "Public works contract" means a contract to which this state or
5 a political subdivision is a party ~~involving~~ AND THAT INVOLVES the
6 employment of laborers, workmen or mechanics in the construction,
7 alteration or repair of public buildings or improvements.