

REFERENCE TITLE: board of directors; commerce authority

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

HB 2753

Introduced by
Representative Rivero

AN ACT

AMENDING SECTION 41-1502, ARIZONA REVISED STATUTES; RELATING TO THE
ARIZONA COMMERCE AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-1502, Arizona Revised Statutes, is amended to
3 read:

4 41-1502. Arizona commerce authority; board of directors;
5 conduct of office; audit

6 A. The Arizona commerce authority is established. The mission of
7 the authority is to provide private sector leadership in growing and
8 diversifying the economy of this state, creating high quality employment
9 in this state through expansion, attraction and retention of businesses
10 and marketing this state for the purpose of expansion, attraction and
11 retention of businesses.

12 B. The authority is governed by a board of directors consisting of:

13 1. The governor, who serves as chairperson.

14 2. The chief executive officer.

15 3. Seventeen private sector business leaders who are chief
16 executive officers of private, for-profit enterprises. None of these
17 members may be an elected official of any government entity. These
18 members must be appointed from geographically diverse areas of this state
19 and not all from the same county. These members shall serve staggered
20 three-year terms of office beginning and ending on the third Monday in
21 January. These members shall be appointed as follows:

22 (a) Nine members who are appointed by the governor.

23 (b) Four members who are appointed by the president of the senate.

24 (c) Four members who are appointed by the speaker of the house of
25 representatives.

26 4. The following as ex officio members without the power to vote:

27 (a) The president of the senate OR THE PRESIDENT'S DESIGNEE.

28 (b) The speaker of the house of representatives OR THE SPEAKER'S
29 DESIGNEE.

30 (c) The president of the Arizona board of regents.

31 (d) THE CHAIRPERSON OF THE SENATE FINANCE COMMITTEE, OR ITS
32 SUCCESSOR COMMITTEE, OR THE CHAIRPERSON'S DESIGNEE.

33 (e) THE CHAIRPERSON OF THE HOUSE OF REPRESENTATIVES INTERNATIONAL
34 TRADE COMMITTEE, OR ITS SUCCESSOR COMMITTEE, OR THE CHAIRPERSON'S
35 DESIGNEE.

36 ~~(d)~~ (f) The president of each state university under the
37 jurisdiction of the Arizona board of regents.

38 ~~(e)~~ (g) One president of a community college who is appointed by a
39 statewide organization of community college presidents.

40 ~~(f)~~ (h) The chairperson of the governor's council on small
41 business, or its successor.

42 ~~(g)~~ (i) The chairperson of the workforce Arizona council
43 established by executive order pursuant to section 41-5401.

44 ~~(h)~~ (j) One member of the rural business development advisory
45 council established by section 41-1505 who is appointed by the governor.

1 ~~(j)~~ (k) The president of a statewide organization of incorporated
2 cities and towns who is appointed by the governor.

3 ~~(j)~~ (l) The president of a statewide organization of county boards
4 of supervisors who is appointed by the governor.

5 C. For members who are appointed by the governor pursuant to
6 subsection B of this section, before appointment by the governor, a
7 prospective member of the board of directors shall submit a full set of
8 fingerprints to the governor for the purpose of obtaining a state and
9 federal criminal records check pursuant to section 41-1750 and Public Law
10 92-544. The department of public safety may exchange this fingerprint
11 data with the federal bureau of investigation.

12 D. The following shall serve as technical advisors to the board to
13 enhance collaboration among state agencies to meet infrastructure needs
14 and facilitate growth opportunities throughout this state:

- 15 1. The director of environmental quality.
- 16 2. The state land commissioner.
- 17 3. The director of the department of revenue.
- 18 4. The director of the office of tourism.
- 19 5. The director of the department of transportation.
- 20 6. The director of water resources.
- 21 7. The director of the department of insurance and financial
22 institutions.
- 23 8. The director of the Arizona-Mexico commission in the governor's
24 office.
- 25 9. The director of the office of economic opportunity.
- 26 10. An attorney who is appointed jointly by the president of the
27 senate and the speaker of the house of representatives and who has
28 experience litigating constitutional cases involving article IX, section 7
29 of the Arizona Constitution.

30 E. The governor shall appoint a cochairperson of the board of
31 directors from among the voting members. The board may establish an
32 executive committee consisting of the chairperson, the cochairperson, the
33 chief executive officer and additional voting members of the board elected
34 by the board. The chairperson may appoint subcommittees as necessary.

35 F. The board may request assistance from representatives of other
36 state agencies to maximize economic development opportunities by
37 leveraging their access to strategic assets and planning processes.

38 G. Board members serve without compensation but are eligible for
39 reimbursement of expenses pursuant to section 41-1504, subsection E,
40 paragraph 1.

41 H. A majority of the voting members, which must include the
42 chairperson and the chief executive officer, constitute a quorum for the
43 purpose of an official meeting for conducting business. An affirmative
44 vote of a majority of the members present at an official meeting is
45 sufficient for any action to be taken.

1 I. The board shall keep and maintain a complete and accurate record
2 of all of its proceedings. Public access to the board's records is
3 subject to section 41-1504, subsection M. The public portion of board
4 meetings shall be recorded. These recordings shall be posted on the
5 authority's website within three business days after the meeting and shall
6 remain on the website pursuant to section 38-431.01, subsection K.

7 J. The board ~~of directors~~, executive committee, subcommittees and
8 advisory councils are subject to title 38, chapter 3, article 3.1,
9 relating to public meetings, except as follows:

10 1. In addition to section 38-431.03, the board, executive committee
11 and subcommittees may meet in executive session for discussion about
12 potential business development opportunities and strategies that, if made
13 public, could potentially harm the applicant's, the potential applicant's
14 or this state's competitive position.

15 2. Social and travel events related to the expansion, attraction
16 and retention of businesses are not public meetings if no legal action
17 involving a final vote or decision is taken.

18 3. Activities and events held in public for the purpose of
19 announcing the expansion, attraction and retention of projects are not
20 public meetings.

21 K. The board and the officers and employees of the authority are
22 subject to title 38, chapter 3, article 8, relating to conflicts of
23 interest.

24 L. The board of directors shall adopt written policies, procedures
25 and guidelines for standards of conduct, including a gift policy, for
26 members of the board and for officers and employees of the authority.

27 M. The compensation of all officers and employees is considered a
28 public record pursuant to title 39, chapter 1.

29 N. The authority shall operate on the state fiscal year. The board
30 shall cause an annual audit to be conducted on or before October 31 of
31 each of the authority's public funds established by this chapter by an
32 independent certified public accountant. The board shall immediately file
33 a certified copy of the audit with the auditor general. The auditor
34 general may make such further audits and examinations as necessary and may
35 take appropriate action relating to the audit or examination pursuant to
36 chapter 7, article 10.1 of this title. If the auditor general takes no
37 further action within thirty days after the audit is filed, the audit is
38 considered to be sufficient.

39 O. All state agencies shall cooperate with the authority and make
40 available data pertaining to the functions of the authority as requested
41 by the authority.

42 P. The authority may not have more than one hundred full-time
43 employees, excluding any full-time employees that are funded with monies
44 other than state monies.