

REFERENCE TITLE: public employees; merit; hiring practices

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1013

Introduced by
Senator Shamp

AN ACT

AMENDING TITLE 38, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 38-452; RELATING TO PUBLIC EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 38, chapter 3, article 4, Arizona Revised
3 Statutes, is amended by adding section 38-452, to read:

4 38-452. Public employees; merit-based hiring; definition

5 A. THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE MAY NOT DO
6 EITHER OF THE FOLLOWING:

7 1. ESTABLISH ANY POLICIES OR PRACTICES THAT REQUIRE A PERSON TO BE
8 HIRED BASED ON ANYTHING OTHER THAN THE MERIT OF THE PERSON.

9 2. MANIPULATE OR INFLUENCE THE COMPOSITION OF EMPLOYEES WITH
10 REFERENCE TO RACE, ETHNICITY, SEX OR NATIONAL ORIGIN EXCEPT TO ENSURE
11 COLOR-BLIND AND RACE-NEUTRAL HIRING IN ACCORDANCE WITH STATE AND FEDERAL
12 ANTIDISCRIMINATION LAWS.

13 B. THE ATTORNEY GENERAL, A COUNTY ATTORNEY OR ANY OTHER PERSON MAY
14 FILE FOR DECLARATORY RELIEF, INJUNCTIVE RELIEF OR DAMAGES FOR ANY
15 VIOLATION OF THIS SECTION. A PARTY THAT PREVAILS IN AN ACTION AGAINST
16 THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE IS ENTITLED TO COSTS
17 AND REASONABLE ATTORNEY FEES.

18 C. THIS SECTION DOES NOT CONTRADICT ANY STATE LAWS OR FEDERAL
19 EMPLOYMENT LAWS THAT PROHIBIT DISCRIMINATORY PRACTICES.

20 D. FOR THE PURPOSES OF THIS SECTION, "MERIT" MEANS A PERSON'S
21 QUALIFICATIONS, SKILLS, KNOWLEDGE, EXPERIENCE AND DEMONSTRATED ABILITY TO
22 PERFORM THE ESSENTIAL DUTIES OF A JOB, AS DETERMINED THROUGH OBJECTIVE
23 CRITERIA, SUCH AS EDUCATION, TRAINING, WORK HISTORY, JOB PERFORMANCE AND
24 ANY RELEVANT ASSESSMENTS.