

Senate Engrossed

public employees; merit; hiring practices

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

# SENATE BILL 1013

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; applicability;  
5 definition

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

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

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

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

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

21 D. THIS SECTION DOES NOT APPLY TO, LIMIT OR DIMINISH VOLUNTARY  
22 VETERANS' PREFERENCE EMPLOYMENT POLICIES PURSUANT TO SECTION 23-495.01 OR  
23 ANY OTHER VETERANS' PREFERENCE POLICIES.

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