

REFERENCE TITLE: occupational disease; proximate cause; melanoma

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

SB 1129

Introduced by
Senator Gowan

AN ACT

AMENDING SECTION 23-901.01, ARIZONA REVISED STATUTES; RELATING TO WORKERS' COMPENSATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 23-901.01, Arizona Revised Statutes, is amended
3 to read:

4 23-901.01. Occupational disease; proximate causation;
5 presumption; definition

6 A. The occupational diseases as defined by section 23-901,
7 paragraph 13, subdivision (c) shall be deemed to arise out of the
8 employment only if all of the following six requirements exist:

9 1. There is a direct causal connection between the conditions under
10 which the work is performed and the occupational disease.

11 2. The disease can be seen to have followed as a natural incident
12 of the work as a result of the exposure occasioned by the nature of the
13 employment.

14 3. The disease can be fairly traced to the employment as the
15 proximate cause.

16 4. The disease does not come from a hazard to which workers would
17 have been equally exposed outside of the employment.

18 5. The disease is incidental to the character of the business and
19 not independent of the relation of employer and employee.

20 6. The disease after its contraction appears to have had its origin
21 in a risk connected with the employment, and to have flowed from that
22 source as a natural consequence, although it need not have been foreseen
23 or expected.

24 B. Notwithstanding subsection A of this section and section
25 23-1043.01, any disease, infirmity or impairment of a peace officer's
26 health that is caused by brain, bladder, rectal or colon cancer, lymphoma,
27 MELANOMA, leukemia or adenocarcinoma or mesothelioma of the respiratory
28 tract and that results in disability or death is presumed to be an
29 occupational disease as defined in section 23-901, paragraph 13,
30 subdivision (c) and is deemed to arise out of employment.

31 C. The presumption provided in subsection B of this section is
32 granted if all of the following apply:

33 1. The peace officer passed a physical examination before
34 employment and the examination did not indicate evidence of cancer.

35 2. The peace officer was assigned to hazardous duty for at least
36 five years.

37 D. Subsection B of this section applies to both of the following:

38 1. Peace officers currently in service.

39 2. Former peace officers who are sixty-five years of age or younger
40 and who are diagnosed with a cancer that is listed in subsection B of this
41 section not more than fifteen years after the peace officer's last date of
42 employment as a peace officer.

43 E. Subsection B of this section does not apply to cancers of the
44 respiratory tract if there is evidence that the peace officer's exposure
45 to cigarettes or tobacco products outside of the scope of the peace

1 officer's official duties is a substantial contributing cause in the
2 development of the cancer.

3 F. The presumption provided in subsection B of this section may be
4 rebutted by clear and convincing evidence that there is a specific cause
5 of the cancer other than an occupational exposure to a carcinogen as
6 defined by the international agency for research on cancer.

7 G. For the purposes of this section, "peace officer" means a
8 full-time peace officer who was regularly assigned to hazardous duty as a
9 part of a special operations, special weapons and tactics, explosive
10 ordinance disposal or hazardous materials response unit.