

REFERENCE TITLE: **contraception; rights; limits.**

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

SB 1396

Introduced by
Senators Sundareshan: Alston, Bravo, Diaz, Epstein, Fernandez, Gabaldón,
Gonzales, Hatathlie, Kuby, Miranda, Ortiz, Sears

AN ACT

**AMENDING TITLE 36, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 43;
RELATING TO CONTRACEPTION.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 36, Arizona Revised Statutes, is amended by adding
3 chapter 43, to read:

4 CHAPTER 43

5 RIGHT TO CONTRACEPTION ACT

6 ARTICLE 1. GENERAL PROVISIONS

7 36-4301. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "CONTRACEPTION" MEANS AN ACTION TAKEN TO PREVENT PREGNANCY,
10 INCLUDING THE USE OF CONTRACEPTIVES OR FERTILITY-AWARENESS BASED METHODS,
11 AND STERILIZATION PROCEDURES.

12 2. "CONTRACEPTIVE" MEANS ANY DRUG, DEVICE OR BIOLOGICAL PRODUCT
13 INTENDED FOR USE IN THE PREVENTION OF PREGNANCY, WHETHER SPECIFICALLY
14 INTENDED TO PREVENT PREGNANCY OR FOR OTHER HEALTH NEEDS, THAT IS LEGALLY
15 MARKETING UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, SUCH AS ORAL
16 CONTRACEPTIVES, LONG-ACTING REVERSIBLE CONTRACEPTIVES, EMERGENCY
17 CONTRACEPTIVES, INTERNAL AND EXTERNAL CONDOMS, INJECTABLES, VAGINAL
18 BARRIER METHODS, TRANSDERMAL PATCHES AND VAGINAL RINGS OR ANY OTHER
19 CONTRACEPTIVES.

20 3. "HEALTH PROFESSIONAL" MEANS A HEALTH CARE PROVIDER WHO IS
21 CERTIFIED OR LICENSED PURSUANT TO TITLE 32 AND WHO HAS PRESCRIBING
22 AUTHORITY.

23 36-4302. Contraceptives; contraception; rights

24 A. A PERSON HAS A RIGHT TO OBTAIN CONTRACEPTIVES AND TO ENGAGE IN
25 CONTRACEPTION, AND A HEALTH PROFESSIONAL HAS A CORRESPONDING RIGHT TO
26 PROVIDE CONTRACEPTIVES AND INFORMATION RELATED TO CONTRACEPTION.

27 B. THE RIGHTS PRESCRIBED IN SUBSECTION A OF THIS SECTION MAY NOT BE
28 LIMITED OR OTHERWISE INFRINGED THROUGH ANY LIMIT OR REQUIREMENT THAT DOES
29 EITHER OF THE FOLLOWING:

30 1. EXPRESSLY, EFFECTIVELY, IMPLICITLY OR AS IMPLEMENTED SINGLES OUT
31 THE PROVIDING OF CONTRACEPTIVES OR CONTRACEPTION-RELATED INFORMATION,
32 HEALTH PROFESSIONALS WHO PROVIDE CONTRACEPTIVES OR CONTRACEPTION-RELATED
33 INFORMATION OR HEALTH CARE FACILITIES IN WHICH CONTRACEPTIVES OR
34 CONTRACEPTION-RELATED INFORMATION IS PROVIDED.

35 2. IMPEDES ACCESS TO CONTRACEPTIVES OR CONTRACEPTION-RELATED
36 INFORMATION.

37 36-4303. Limits of article

38 THIS ARTICLE DOES NOT DO EITHER OF THE FOLLOWING:

39 1. AUTHORIZE THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE
40 TO INTERFERE WITH A HEALTH PROFESSIONAL'S ABILITY TO PROVIDE
41 CONTRACEPTIVES OR CONTRACEPTION-RELATED INFORMATION OR A PATIENT'S ABILITY
42 TO OBTAIN CONTRACEPTIVES OR TO ENGAGE IN CONTRACEPTION.

43 2. ALLOW OR SANCTION THE CONDUCT OF ANY STERILIZATION PROCEDURE
44 WITHOUT THE PATIENT'S VOLUNTARY AND INFORMED CONSENT.

45 Sec. 2. Short title

46 This act may be cited as the "Arizona Right to Contraception Act".