

REFERENCE TITLE: **judicial immunity; exception**

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

## **SB 1650**

Introduced by  
Senator Finchem

**AN ACT**

**AMENDING SECTION 12-820.01, ARIZONA REVISED STATUTES; RELATING TO ACTIONS AGAINST PUBLIC EMPLOYEES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-820.01, Arizona Revised Statutes, is amended  
3 to read:

4 12-820.01. Absolute immunity

5 A. A public entity ~~shall~~ IS not ~~be~~ liable for acts and omissions of  
6 its employees constituting either of the following:

7 1. The exercise of a judicial or legislative function, **UNLESS THE**  
8 **JUDICIAL FUNCTION WAS COMPLETED BY A JUDICIAL OFFICER WHO KNEW OR SHOULD**  
9 **HAVE KNOWN THAT THE JUDICIAL OFFICER'S ACTIONS CONCERNING A CASE IN**  
10 **CONTROVERSY VIOLATED THE CIVIL RIGHTS OF AN ADULT OR MINOR LITIGANT OR AN**  
11 **ADULT OR MINOR AFFECTED BY THE CASE.**

12 2. The exercise of an administrative function involving the  
13 determination of fundamental governmental policy.

14 B. The determination of a fundamental governmental policy involves  
15 the exercise of discretion and ~~shall include, but is not limited to~~  
16 **INCLUDES:**

17 1. A determination of whether to seek or whether to provide the  
18 resources necessary for any of the following:

- 19 (a) The purchase of equipment.
- 20 (b) The construction or maintenance of facilities.
- 21 (c) The hiring of personnel.
- 22 (d) The provision of governmental services.

23 2. A determination of whether and how to spend existing resources,  
24 including those allocated for equipment, facilities and personnel.

25 3. The licensing and regulation of any profession or occupation.

26 4. The establishment, implementation and enforcement of minimum  
27 safety standards for light rail transit systems.