

Senate Engrossed House Bill

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 96

# HOUSE BILL 2441

AN ACT

AMENDING SECTION 23-107, ARIZONA REVISED STATUTES; RELATING TO THE INDUSTRIAL COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 23-107, Arizona Revised Statutes, is amended to  
3 read:

4 23-107. General powers

5 A. The commission has full power, jurisdiction and authority to:

6 1. Formulate and adopt rules and regulations for effecting the  
7 purposes of this article.

8 2. Administer and enforce all laws for the protection of life, health,  
9 safety and welfare of employees in every case and under every law when such  
10 duty is not specifically delegated to any other board or officer, and, when  
11 such duty is specifically delegated, to counsel, advise and assist in the  
12 administration and enforcement of such laws and for such purposes may conduct  
13 investigations.

14 3. Promote the voluntary arbitration, mediation and conciliation of  
15 disputes between employers and employees.

16 4. License and supervise the work of private employment offices, bring  
17 together employers seeking employees and working people seeking employment,  
18 and make known the opportunities for employment in the state.

19 5. Collect, collate and publish all statistical and other information  
20 relating to employees, employers, employments and places of employment with  
21 other appropriate statistics.

22 6. Act as the regulatory agency insuring that workers' compensation  
23 carriers are processing claims in accordance with ~~the provisions of chapter~~  
24 6 of this title.

25 7. PROVIDE NONPUBLIC, CONFIDENTIAL OR PRIVILEGED DOCUMENTS, MATERIALS  
26 OR OTHER INFORMATION TO ANOTHER STATE, LOCAL OR FEDERAL REGULATORY AGENCY FOR  
27 THE PURPOSE OF THE LEGITIMATE ADMINISTRATIVE NEEDS OF THE PROGRAMS  
28 ADMINISTERED BY THAT AGENCY IF THE RECIPIENT AGENCY AGREES AND WARRANTS THAT  
29 IT HAS THE AUTHORITY TO MAINTAIN AND WILL MAINTAIN THE CONFIDENTIALITY AND  
30 PRIVILEGED STATUS OF THE DOCUMENTS, MATERIALS OR OTHER INFORMATION.

31 8. RECEIVE NONPUBLIC DOCUMENTS, MATERIALS AND OTHER INFORMATION FROM  
32 ANOTHER STATE, LOCAL OR FEDERAL REGULATORY AGENCY TO PROPERLY ADMINISTER  
33 PROGRAMS OF THE COMMISSION. THE COMMISSION SHALL MAINTAIN AS CONFIDENTIAL  
34 OR PRIVILEGED ANY DOCUMENT, MATERIAL OR OTHER INFORMATION THAT IS IDENTIFIED  
35 BY THE EXCHANGE AGENCY AS CONFIDENTIAL OR PRIVILEGED UNDER THE LAWS OF THE  
36 JURISDICTION THAT IS THE SOURCE OF THE DOCUMENT, MATERIAL OR OTHER  
37 INFORMATION.

38 9. ENTER INTO AGREEMENTS THAT GOVERN THE EXCHANGE OF NONPUBLIC  
39 DOCUMENTS, MATERIALS AND OTHER INFORMATION THAT ARE CONSISTENT WITH  
40 PARAGRAPHS 7 AND 8. THE COMMISSION MAY REQUEST NONDISCLOSURE OF INFORMATION  
41 THAT IS IDENTIFIED AS PRIVILEGED OR CONFIDENTIAL. ANY DISCLOSURE PURSUANT  
42 TO PARAGRAPH 7 OR 8 OR THIS PARAGRAPH IS NOT A WAIVER OF ANY APPLICABLE  
43 PRIVILEGE OR CLAIM OF CONFIDENTIALITY IN THE DOCUMENTS, MATERIALS OR OTHER  
44 INFORMATION.

1 B. Upon petition by any person that any employment or place of  
2 employment is not safe or is injurious to the welfare of any employee, the  
3 commission has power and authority, with or without notice, to make  
4 investigations necessary to determine the matter complained of.

5 C. The members of the commission may confer and meet with officers of  
6 other states and officers of the United States on matters pertaining to their  
7 official duties.

8 D. NOTWITHSTANDING ANY OTHER LAW, THE COMMISSION MAY PROTECT FROM  
9 PUBLIC INSPECTION THE FINANCIAL INFORMATION THAT IS RECEIVED FROM A PRIVATE  
10 ENTITY THAT APPLIES TO SELF INSURE OR THAT RENEWS ITS SELF INSURANCE PLAN  
11 PURSUANT TO SECTION 23-961, SUBSECTION A IF THE INFORMATION IS KEPT  
12 CONFIDENTIAL BY THE PRIVATE ENTITY IN ITS ORDINARY AND REGULAR COURSE OF  
13 BUSINESS.

APPROVED BY THE GOVERNOR APRIL 16, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2004.



Passed the House February 23, 2004

Passed the Senate April 6, 2004

by the following vote: 52 Ayes,

by the following vote: 30 Ayes,

0 Nays, 8 Not Voting

0 Nays, 0 Not Voting

John Elster  
Speaker of the House

John Blumenthal  
President of the Senate

Norman L. Moore  
Chief Clerk of the House

Charmian Bellinger  
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

H.B. 2441

HOUSE CONCURS IN SENATE  
AMENDMENTS AND FINAL PASSAGE

April 12, 2024,

by the following vote: 55 Ayes,

2 Nays, 3 Not Voting

Jake Flake  
Speaker of the House

Norman L. Moore  
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

12th day of April, 2004

at 2:40 o'clock P. M.

Jennifer Harba  
Secretary to the Governor

Approved this 16 day of

April, 2004,

at 12<sup>05</sup> o'clock P. M.

Jt Hoyt  
Governor of Arizona

H.B. 2441

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of April, 2004,

at 4:33 o'clock P. M.

Janice K. Brewer  
Secretary of State