

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 272

HOUSE BILL 2245

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-365; RELATING TO PAYMENT OF WAGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Subject to the requirements of article IV, part 1, section
3 1, Constitution of Arizona, title 23, chapter 2, article 8, Arizona Revised
4 Statutes, is amended by adding section 23-365, to read:
5 23-365. Reliance on administrative rule or regulation
6 IN ANY ACTION OR PROCEEDING COMMENCED ON OR AFTER JANUARY 1, 2007, AN
7 EMPLOYER OR OTHER ENTITY IS NOT LIABLE IF THE EMPLOYER OR ENTITY FAILS TO PAY
8 THE MINIMUM WAGE IF THE EMPLOYER OR ENTITY PROVES THAT THE ACT OR OMISSION
9 WAS IN GOOD FAITH, CONFORMED WITH AND RELIED ON AN ADMINISTRATIVE REGULATION,
10 ORDER, RULING, APPROVAL OR INTERPRETATION, ADMINISTRATIVE PRACTICE OR
11 ENFORCEMENT POLICY ISSUED BY THE COMMISSION PURSUANT TO AND IN ACCORDANCE
12 WITH THE COMMISSION'S AUTHORITY UNDER THIS ARTICLE. THIS DEFENSE, IF
13 ESTABLISHED, BARS THE ACTION OR PROCEEDING, NOTWITHSTANDING THAT AFTER THE
14 ACT OR OMISSION, THE ADMINISTRATIVE REGULATION, ORDER, RULING, APPROVAL,
15 INTERPRETATION, PRACTICE OR ENFORCEMENT POLICY IS MODIFIED OR RESCINDED OR IS
16 DETERMINED BY JUDICIAL AUTHORITY TO BE INVALID.
17 Sec. 2. Requirements for enactment; three-fourths vote
18 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
19 section 23-365, Arizona Revised Statutes, as added by this act is effective
20 only on the affirmative vote of at least three-fourths of the members of each
21 house of the legislature.
22 Sec. 3. Emergency
23 This act is an emergency measure that is necessary to preserve the
24 public peace, health or safety and is operative immediately as provided by
25 law.

APPROVED BY THE GOVERNOR JULY 2, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 2, 2007.

Passed the House February 26, 2007

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

[Signature]

Speaker of the House
Pro Tempore

[Signature]

Chief Clerk of the House

Passed the Senate June 18, 2007

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]

President of the Senate

[Signature]

Secretary of the Senate

*With Emergency
With Art. IV, Part 1,
Sec. 1*

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2245

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

June 19, 2007,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting
with Art. IV, part 1, section 1 - emergency

[Signature]
Speaker of the House
[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
19th day of June, 2007,

at 4:56 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 2 day of

July, 2007,

at 11⁰⁵ o'clock A. M.

[Signature]
Governor of Arizona

H.B. 2245

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 2 day of July, 2007,
at 2:43 o'clock P. M.

[Signature]
Secretary of State