



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 25, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 25, 2018:

- SB 1437 elections; equipment; amendments (Burgess)
- SB 1449 schools; statewide assessment contracts; review (Allen, S)
- HB 2003 coal mining; TPT; repeal (Finchem)
- HB 2020 sexual assault; harassment; confidentiality agreements (Syms)
- HB 2166 vehicle fees; alternative fuel VLT (Campbell)
- HB 2283 definition; defenses; sexual offenses (Kern)
- HB 2563 postsecondary institutions; free expression policies (Boyer)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 264
HOUSE BILL 2020

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARTICLE 12, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-720; RELATING TO SEXUAL ASSAULT AND SEXUAL HARASSMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 12, chapter 6, article 12, Arizona Revised
3 Statutes, is amended by adding section 12-720, to read:

4 12-720. Nondisclosure agreements; applicability; use of
5 public monies; definitions

6 A. THE TERMS OF A NONDISCLOSURE AGREEMENT MAY NOT BE USED TO
7 PROHIBIT A PARTY TO THE AGREEMENT FROM DOING ANY OF THE FOLLOWING IN
8 RELATION TO A VIOLATION OR AN ALLEGED VIOLATION OF TITLE 13, CHAPTER 14
9 OR 35:

- 10 1. RESPONDING TO A PEACE OFFICER'S OR A PROSECUTOR'S INQUIRY.
11 2. MAKING A STATEMENT NOT INITIATED BY THAT PARTY IN A CRIMINAL
12 PROCEEDING.

13 B. AN ACT THAT IS ALLOWED BY SUBSECTION A OF THIS SECTION MAY NOT
14 BE USED TO AVOID OR INVALIDATE A PARTY'S RIGHT TO CONSIDERATION UNDER THE
15 CONTRACT OR TO REQUIRE THE RETURN OF CONSIDERATION THAT HAS ALREADY BEEN
16 PROVIDED TO THE PARTY.

17 C. THIS SECTION MAY NOT BE USED AS AUTHORITY TO ENFORCE A
18 NONDISCLOSURE AGREEMENT.

19 D. PUBLIC MONIES MAY NOT BE USED AS CONSIDERATION IN EXCHANGE FOR A
20 NONDISCLOSURE AGREEMENT THAT IS RELATED TO AN ALLEGATION OF OR ATTEMPTED
21 SEXUAL ASSAULT OR SEXUAL HARASSMENT.

22 E. FOR THE PURPOSES OF THIS SECTION:

23 1. "CRIMINAL PROCEEDING" INCLUDES A GRAND JURY, PRETRIAL INTERVIEW,
24 DEPOSITION, HEARING, TRIAL AND SENTENCING PROCEEDING PURSUANT TO CRIMINAL
25 LAW.

26 2. "NONDISCLOSURE AGREEMENT" MEANS A CONFIDENTIALITY AGREEMENT OR
27 CONTRACT PROVISION THAT PROHIBITS THE DISCLOSURE OF INFORMATION BY A PARTY
28 TO THE CONTRACT.

APPROVED BY THE GOVERNOR APRIL 25, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2018



Passed the House February 15, 2018

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 April 12, 2018

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

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. 2020

Passed the House April 18, 20 18,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

U. P. Boyer
Speaker of the House
Pro Tempore

Jim Drake
Chief Clerk of the House

Passed the Senate _____, 20 _____,

by the following vote: _____ Ayes,

_____ Nays, _____ Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of April, 20 18

at 1:32 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 25th day of

April, 20 18

at 3:29 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 20 18,

at 5:37 o'clock P. M.

[Signature]
Secretary of State

H.B. 2020