

House Engrossed

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

HOUSE BILL 2337

AN ACT

AMENDING TITLE 44, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 22;
RELATING TO INCANDESCENT LIGHTBULBS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, chapter 9, Arizona Revised Statutes, is amended
3 by adding article 22, to read:

4 ARTICLE 22. INCANDESCENT LIGHTBULBS

5 44-1378. Arizona manufactured incandescent lightbulbs:
6 regulation

7 A. AN INCANDESCENT LIGHTBULB THAT IS MANUFACTURED COMMERCIALY OR
8 PRIVATELY IN THIS STATE AND THAT IS NOT EXPORTED TO ANOTHER STATE IS NOT
9 SUBJECT TO FEDERAL LAW OR FEDERAL REGULATION UNDER THE AUTHORITY OF CONGRESS
10 TO REGULATE INTERSTATE COMMERCE AND IS NOT CONSIDERED TO HAVE TRAVELED IN
11 INTERSTATE COMMERCE.

12 B. NOTWITHSTANDING ANY OTHER LAW, A PERSON MAY POSSESS, USE,
13 MANUFACTURE, PURCHASE, INSTALL, TRANSPORT, SELL OR INTERNATIONALLY EXPORT AN
14 INCANDESCENT LIGHTBULB THAT IS MANUFACTURED COMMERCIALY OR PRIVATELY IN THIS
15 STATE IF THE LIGHTBULB IS NOT EXPORTED TO ANOTHER STATE.

16 C. THIS SECTION APPLIES TO AN INCANDESCENT LIGHTBULB THAT IS
17 MANUFACTURED IN THIS STATE FROM BASIC MATERIALS AND THAT CAN BE MANUFACTURED
18 WITHOUT THE INCLUSION OF ANY SIGNIFICANT PARTS IMPORTED FROM ANOTHER STATE.

19 D. THE IMPORTATION INTO THIS STATE OF ANY GENERIC OR INSIGNIFICANT
20 PART THAT HAS OTHER MANUFACTURING OR CONSUMER PRODUCT APPLICATIONS OR ANY
21 BASIC MATERIALS DOES NOT SUBJECT THE INCANDESCENT LIGHTBULB TO FEDERAL
22 REGULATION.

23 Sec. 2. Legislative findings

24 The Legislature finds that:

25 1. The tenth amendment to the Constitution of the United States
26 guarantees to the states and their citizens all powers not granted to the
27 federal government elsewhere in the Constitution and reserves to this state
28 and the citizens of this state certain powers as they were understood at the
29 time this state was admitted to statehood in 1912.

30 2. The ninth amendment to the Constitution of the United States
31 guarantees to the people rights not enumerated in the Constitution, including
32 rights as they were understood at the time this state was admitted to
33 statehood in 1912.

34 3. The guaranty of those powers and rights is a matter of contract
35 between this state, the citizens of this state and the United States as of
36 the time that the compact with the United States was agreed to and adopted by
37 this state and the United States in 1912.

38 4. The regulation of intrastate commerce is vested in the states under
39 article I, section 8, Constitution of the United States, and the ninth and
40 tenth amendments to the Constitution of the United States.