

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SENATE BILL 1288

AN ACT

AMENDING TITLE 41, CHAPTER 9, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING
SECTION 41-1493.04; RELATING TO FREE EXERCISE OF RELIGION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 9, article 9, Arizona Revised Statutes,
3 is amended by adding section 41-1493.04, to read:

4 41-1493.04. Free exercise of religion: professional or
5 occupational license, certificate or
6 registration; appointments to governmental
7 offices; definitions

8 A. GOVERNMENT SHALL NOT DENY, SUSPEND OR REVOKE A PROFESSIONAL OR
9 OCCUPATIONAL LICENSE, CERTIFICATE OR REGISTRATION BASED ON A PERSON'S
10 EXERCISE OF RELIGION.

11 B. GOVERNMENT SHALL NOT DENY, SUSPEND OR REVOKE A PROFESSIONAL OR
12 OCCUPATIONAL LICENSE, CERTIFICATE OR REGISTRATION BASED ON A PERSON'S REFUSAL
13 TO AFFIRM A STATEMENT THAT IS CONTRARY TO THE PERSON'S SINCERELY HELD MORAL
14 OR RELIGIOUS BELIEFS, REGARDLESS OF WHETHER THOSE BELIEFS ARE SPECIFICALLY
15 ESPOUSED BY A RECOGNIZED CHURCH OR RELIGIOUS BODY.

16 C. A PERSON'S EXERCISE OF RELIGION IS NOT UNPROFESSIONAL CONDUCT.

17 D. GOVERNMENT SHALL NOT DENY A PERSON A POSITION ON A BOARD,
18 COMMISSION, COMMITTEE OR PUBLIC BODY BASED ON THE PERSON'S RELIGIOUS BELIEFS
19 OR EXERCISE OF RELIGION.

20 E. THIS SECTION DOES NOT AUTHORIZE ANY PERSON TO ENGAGE IN SEXUAL
21 MISCONDUCT OR ANY CRIMINAL CONDUCT. CRIMINAL CONDUCT DOES NOT INCLUDE
22 RELIGIOUS EXPRESSION OR BELIEFS.

23 F. FOR THE PURPOSES OF THIS SECTION:

24 1. "GOVERNMENT" INCLUDES ALL COURTS AND ADMINISTRATIVE BODIES OR
25 ENTITIES UNDER THE JURISDICTION OF THE ARIZONA SUPREME COURT.

26 2. "SEXUAL MISCONDUCT" MEANS ANY SEXUAL CONDUCT PROSCRIBED BY THE
27 PERSON'S LICENSING BOARD OR AGENCY. SEXUAL MISCONDUCT DOES NOT INCLUDE
28 RELIGIOUS EXPRESSION OR BELIEFS.