



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

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## **HB 2841: attorney general; initiation of action**

**Sponsor: Representative Parker, LD 16**  
**Committee on Government & Elections**

### **Overview**

Allows the Department of Law to initiate, prosecute and defend any action in court to uphold and ensure compliance with the Arizona Constitution relating to admission of students of both sexes to state educational institutions and making instruction as nearly free as possible.

### **History**

The Department of Law is comprised of the Attorney General and the subdivisions of the department that are created pursuant to statute. The Department of Law is charged with several responsibilities and duties that are outlined in statute. Specifically, the Department of Law is required to prosecute and defend all proceedings in which the state or an officer of the state is a party in the supreme court, exercise supervisory powers over county attorneys in matters pertaining to that office and represent this state in any action in federal court ([A.R.S. § 41-193](#)).

The [Arizona Constitution Article XI, Section 6](#) requires the university and other state educational institutions to be open to students of both sexes and the instruction to be as nearly free as possible. The Legislature must provide for a system of common schools by which a free school is established and maintained in every school district for at least six months in each year, which must be open to all students between the ages of six and 21 years.

### **Provisions**

1. Authorizes the Department of Law to uphold and ensure compliance with the Arizona Constitution related to the university and other state educational institutions being open to students of both sexes and the instruction being as nearly free as possible.
  - a) Permits the Department of Law to do this by initiating, prosecuting and defending any action in court. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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