

House Engrossed

drug cartels; terrorist organizations

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE CONCURRENT RESOLUTION 2055

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO THE ARIZONA DEPARTMENT OF HOMELAND SECURITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

3 1. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to the Arizona department of homeland
5 security, is enacted to become valid as a law if approved by the voters
6 and on proclamation of the Governor:

7 AN ACT

8 AMENDING TITLE 41, CHAPTER 41, ARTICLE 1, ARIZONA REVISED
9 STATUTES, BY ADDING SECTION 41-4256; RELATING TO THE ARIZONA
10 DEPARTMENT OF HOMELAND SECURITY.

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

12 Section 1. Title 41, chapter 41, article 1, Arizona
13 Revised Statutes, is amended by adding section 41-4256, to
14 read:

15 41-4256. Drug cartels; terrorist organizations;
16 definitions

17 A. THIS STATE DECLARES THAT DRUG CARTELS ARE TERRORIST
18 ORGANIZATIONS. THE DEPARTMENT SHALL DO EVERYTHING WITHIN ITS
19 AUTHORITY TO ADDRESS THE THREAT POSED BY DRUG CARTELS.

20 B. NOTHING IN THIS SECTION SUPPORTS AN ALIEN'S CLAIM
21 FOR ASYLUM UNDER FEDERAL LAW.

22 C. FOR THE PURPOSES OF THIS SECTION:

23 1. "DRUG CARTEL" MEANS AN ONGOING FORMAL OR INFORMAL
24 ASSOCIATION OF PERSONS IN WHICH MEMBERS OR ASSOCIATES
25 INDIVIDUALLY OR COLLECTIVELY ENGAGE IN ANY OF THE FOLLOWING:

26 (a) HUMAN SMUGGLING.

27 (b) DRUG TRAFFICKING FOR PROFIT.

28 (c) ANY ACT OF TERRORISM DEFINED IN SECTION 13-2301.

29 2. "THREAT" MEANS ANYTHING DESIGNED TO DISTURB, VIOLATE
30 OR CAUSE HARM TO INDIVIDUAL RIGHTS GUARANTEED UNDER THE STATE
31 AND FEDERAL CONSTITUTIONS OR TO THE PUBLIC SAFETY, HEALTH OR
32 GENERAL WELFARE OF THE PEOPLE.

33 Sec. 2. Legislative findings

34 The legislature finds:

35 1. Arizona voters overwhelmingly passed the Secure the
36 Border Act, proposition 314, at the 2024 general election.

37 2. When voters passed proposition 314, the voters found
38 that "[d]ue to weaknesses in immigration enforcement, a public
39 safety crisis is occurring in Arizona, caused by transnational
40 cartels engaging in rampant human trafficking and drug
41 smuggling across this state's southern border".

42 3. The voters further found that "[f]rom 2021 to 2023,
43 United States customs and border protection encountered two
44 hundred eighty-two individuals on the terrorist watchlist
45 illegally entering the southwest border between ports of

1 entry" and that "[t]his is a 3033% increase over the prior
2 three years when only nine such individuals were encountered".

3 4. The voters further found that "[f]rom 2021 to 2023,
4 the amount of fentanyl seized at the southwest border almost
5 tripled, amounting to billions of doses of fentanyl", that
6 illicit fentanyl "is primarily produced in foreign nations and
7 smuggled across the southwest border" and that
8 "[t]ransnational cartels fund their operations by trafficking
9 this deadly drug across the southwest border".

10 5. Based on the findings listed in paragraphs
11 1 through 4 of this section and other substantial evidence,
12 the voters concluded that the state of Arizona is being
13 "actually invaded" as defined in article I, section 10 of the
14 United States Constitution.

15 6. According to the United States drug enforcement
16 administration's 2024 national drug threat assessment,
17 synthetic drugs have transformed not only the drug landscape
18 in the United States with deadly consequences to public health
19 and safety, synthetic drugs have also transformed the criminal
20 landscape in the United States, as the drug cartels that make
21 these drugs reap huge profits from their sale.

22 7. The council on foreign relations, a nonpartisan,
23 independent national membership organization, has concluded
24 that transnational criminal organizations dominate the import
25 and distribution of cocaine, fentanyl, heroin, marijuana and
26 methamphetamine in the United States.

27 8. This legislation is necessary to address the public
28 safety crisis at Arizona's border, to fulfill voters' intent
29 as expressed in proposition 314 and to empower the Arizona
30 department of homeland security to do everything within its
31 authority consistent with this state's declaration that drug
32 cartels are terrorist organizations for purposes of Arizona
33 law.

34 2. The Secretary of State shall submit this proposition to the
35 voters at the next general election as provided by article IV, part 1,
36 section 1, Constitution of Arizona.