

COMMITTEE ON JUDICIARY  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2040  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 12, chapter 1, article 1.2, Arizona Revised  
3 Statutes, is amended by adding section 12-120.25, to read:

4 12-120.25. Panel rehearing; en banc determination

5 A. A PARTY MAY SEEK REHEARING OF A DECISION THROUGH A PETITION FOR  
6 REHEARING EN BANC.

7 B. A PETITION FOR REHEARING EN BANC MUST BEGIN WITH A STATEMENT THAT  
8 THE PANEL DECISION CONFLICTS WITH A DECISION OF THE COURT TO WHICH THE  
9 PETITION IS ADDRESSED, WITH CITATION TO THE CONFLICTING CASE OR CASES, AND  
10 THE FULL COURT'S CONSIDERATION IS THEREFORE NECESSARY TO SECURE OR MAINTAIN  
11 UNIFORMITY OF THE COURT'S DECISIONS.

12 C. ON THEIR OWN OR IN RESPONSE TO A PARTY'S PETITION, A MAJORITY OF  
13 THE APPELLATE JUDGES WHO ARE IN REGULAR ACTIVE SERVICE AND WHO ARE NOT  
14 DISQUALIFIED MAY ORDER THAT AN APPEAL OR OTHER PROCEEDING BE REHEARD EN  
15 BANC. UNLESS A JUDGE CALLS FOR A VOTE, A VOTE NEED NOT BE TAKEN TO  
16 DETERMINE WHETHER THE CASE WILL BE SO REHEARD. REHEARING EN BANC IS NOT  
17 FAVORED AND ORDINARILY WILL BE ALLOWED ONLY IF THE CRITERIA IN SUBSECTION B  
18 OF THIS SECTION ARE MET.

19 D. ANY PETITION FOR REHEARING EN BANC MUST BE FILED WITHIN FOURTEEN  
20 DAYS AFTER JUDGMENT IS ENTERED OR, IF THE PANEL LATER AMENDS ITS DECISION,  
21 ON REHEARING OR OTHERWISE, WITHIN FOURTEEN DAYS AFTER THE AMENDED DECISION  
22 IS ENTERED.

23 E. IF A PETITION FOR REHEARING EN BANC IS GRANTED, THE COURT MAY DO  
24 ANY OF THE FOLLOWING:

- 1                    1. DISPOSE OF THE CASE WITHOUT FURTHER BRIEFING OR ARGUMENT.
- 2                    2. ORDER ADDITIONAL BRIEFING OR ARGUMENT.
- 3                    3. ISSUE ANY OTHER APPROPRIATE ORDER."

4 Amend title to conform

And, as so amended, it do pass

QUANG H. NGUYEN  
CHAIRMAN

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02/19/2025  
12:11 PM  
C: AS