

REFERENCE TITLE: corrections employees; secondary employment

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

## **HB 2683**

Introduced by  
Representatives Gowan: Antenori, Montenegro, Seel, Stevens, Senators Allen  
S, Melvin, Paton, Pearce R, Verschoor

AN ACT

AMENDING SECTIONS 31-203 AND 31-204, ARIZONA REVISED STATUTES; RELATING TO  
PRISONERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 31-203, Arizona Revised Statutes, is amended to  
3 read:

4 31-203. Persons disqualified as officers or employees

5 No person shall be appointed to any office or be employed by the  
6 department on behalf of the state who:

7 1. Is a contractor ~~or an agent or employee of a contractor~~ FOR THE  
8 DEPARTMENT, EXCEPT PURSUANT TO SECTION 31-204.

9 2. Is interested, directly or indirectly, in any business carried on  
10 in connection with the department, EXCEPT PURSUANT TO SECTION 31-204.

11 3. Is found intoxicated while on duty. A single act of intoxication  
12 shall justify discharge or removal.

13 Sec. 2. Section 31-204, Arizona Revised Statutes, is amended to read:

14 31-204. Interest of employee in contracts; gifts to or from  
15 prisoner; penalty

16 A. An officer or employee shall not ~~:-~~

17 ~~1. Be interested~~ HAVE ANY MONETARY INTEREST in any contract or  
18 purchase made by anyone for or on behalf of the department, or receive,  
19 directly or indirectly, compensation for services ~~other than prescribed~~  
20 UNLESS APPROVED by the director.

21 ~~2. Receive any compensation whatever for any act or service the~~  
22 ~~officer or employee performs for or on behalf of a contractor, or an agent or~~  
23 ~~employee of a contractor.~~

24 B. An officer or employee of the department, ~~or~~ a contractor, ~~or~~ an  
25 agent or employee of a contractor, without written permission of the warden,  
26 deputy warden or prison administrator, shall not make a gift or present to or  
27 receive a gift or present from a prisoner, or barter or deal with a prisoner.

28 C. THIS SECTION DOES NOT PROHIBIT AN OFFICER OR EMPLOYEE OF THE  
29 DEPARTMENT FROM MAINTAINING SECONDARY EMPLOYMENT IN:

30 1. ANY CORRECTIONAL FACILITY THAT IS NOT WITHIN THE PERSON'S PRIMARY  
31 EMPLOYMENT.

32 2. ANY INSTITUTION OF HIGHER LEARNING AS AN ADJUNCT FACULTY MEMBER.

33 ~~C.~~ D. Any person violating this section shall be discharged from  
34 office or service, and every contractor, or employee or agent of a  
35 contractor, shall not be permitted to act or serve again as such contractor,  
36 agent or employee.