

Senate Engrossed House Bill
public officers; lobbying; prohibition

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2377

AN ACT

AMENDING SECTION 38-504, ARIZONA REVISED STATUTES; RELATING TO THE CONDUCT
OF OFFICE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 38-504, Arizona Revised Statutes, is amended to
3 read:
4 38-504. Prohibited acts; lobbying
5 A. A public officer or employee shall not represent another person
6 for compensation before a public agency by which the PUBLIC officer or
7 employee is or was employed within the preceding twelve months or on which
8 the PUBLIC officer or employee serves or served within the preceding
9 twelve months concerning any matter with which the PUBLIC officer or
10 employee was directly concerned and in which the PUBLIC officer or
11 employee personally participated during the PUBLIC officer's or employee's
12 employment or service by a substantial and material exercise of
13 administrative discretion.
14 B. During the period of a public officer's or employee's employment
15 or service and for two years thereafter, a public officer or employee
16 shall not disclose or use for the PUBLIC officer's or employee's personal
17 profit, without appropriate authorization, any information acquired by the
18 PUBLIC officer or employee in the course of the PUBLIC officer's or
19 employee's official duties ~~which~~ THAT has been clearly designated to the
20 PUBLIC officer or employee as confidential when such confidential
21 designation is warranted because of the status of the proceedings or the
22 circumstances under which the information was received and THAT preserving
23 its confidentiality is necessary for the proper conduct of government
24 business. A public officer or employee shall not disclose or use, without
25 appropriate authorization, any information that is acquired by the PUBLIC
26 officer or employee in the course of the PUBLIC officer's or employee's
27 official duties and that is declared confidential by law.
28 C. A public officer or employee shall not use or attempt to use the
29 PUBLIC officer's or employee's official position to secure any valuable
30 thing or valuable benefit for the PUBLIC officer or employee that would
31 not ordinarily accrue to the PUBLIC officer or employee in the performance
32 of the PUBLIC officer's or employee's official duties if the thing or
33 benefit is of such character as to manifest a substantial and improper
34 influence on the PUBLIC officer or employee with respect to the PUBLIC
35 officer's or employee's duties.
36 D. EXCEPT WHEN ACTING IN THE PUBLIC OFFICER'S OFFICIAL CAPACITY, A
37 PUBLIC OFFICER MAY NOT ENGAGE IN LOBBYING AS DEFINED IN SECTION 41-1231.
38 FOR THE PURPOSES OF THIS SUBSECTION, "PUBLIC OFFICER" MEANS AN ELECTED
39 OFFICER OF A PUBLIC AGENCY ESTABLISHED BY CHARTER, ORDINANCE, RESOLUTION,
40 STATE CONSTITUTION OR STATUTE.