

Senate Engrossed

attorney discipline; revocation; prohibited basis

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1092

AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 12-119.06; RELATING TO THE SUPREME COURT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Title 12, chapter 1, article 1, Arizona Revised  
3 Statutes, is amended by adding section 12-119.06, to read:  
4 12-119.06. Attorney discipline; license revocation;  
5 prohibited basis; civil penalty  
6 A. THE STATE BAR OF ARIZONA AND THE ARIZONA SUPREME COURT SHALL NOT  
7 INFRINGE OR IMPEDE THE POLITICAL SPEECH RIGHTS OF ANY ATTORNEY OR THE  
8 ATTORNEY'S CLIENTS BY DISCIPLINING OR REVOKING AN ATTORNEY'S LICENSE FOR  
9 BRINGING A GOOD FAITH, NONFRIVOLOUS CLAIM THAT IS BASED IN LAW AND FACT TO  
10 COURT.  
11 B. THE FOLLOWING CIVIL PENALTIES APPLY TO A VIOLATION OF THIS  
12 SECTION:  
13 1. IF THE STATE BAR OF ARIZONA VIOLATES THIS SECTION, THE STATE BAR  
14 OF ARIZONA IS SUBJECT TO A CIVIL PENALTY THAT IS EQUIVALENT TO TEN PERCENT  
15 OF THE TOTAL AMOUNT OF MONIES COLLECTED FROM LICENSING ATTORNEYS FOR THE  
16 YEAR IN WHICH THE VIOLATION OCCURS.  
17 2. IF THE SUPREME COURT VIOLATES THIS SECTION, THE SUPREME COURT IS  
18 SUBJECT TO A CIVIL PENALTY THAT IS EQUIVALENT TO TEN PERCENT OF THE  
19 SUPREME COURT'S BUDGET FROM THE PRIOR FISCAL YEAR.  
20 Sec. 2. Legislative intent  
21 The legislature intends that the first amendment right to petition  
22 for the redress of grievances protects the rights of attorneys and their  
23 clients to litigate as a form of political expression.