

REFERENCE TITLE: public employees; lobbying; political activities

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

HB 2344

Introduced by
Representatives Antenori, Gowan, Montenegro, Seel: Burges, Court, Crump,
Goodale, Hendrix, Jones, Kavanagh, Stevens

AN ACT

AMENDING TITLE 38, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING
SECTION 38-449; RELATING TO PUBLIC OFFICERS AND EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 38, chapter 3, article 4, Arizona Revised Statutes,
3 is amended by adding section 38-449, to read:

4 38-449. Lobbying or political activity during hours of
5 employment prohibited; use of public entity space or
6 equipment for political activities prohibited;
7 exemptions; definitions

8 A. A PUBLIC EMPLOYEE WHO IS PAID IN WHOLE OR IN PART FROM TAXPAYER
9 MONIES SHALL NOT LOBBY A GOVERNMENTAL ENTITY DURING THE EMPLOYEE'S HOURS OF
10 EMPLOYMENT UNLESS THE EMPLOYEE LOBBIES USING THE EMPLOYEE'S VACATION OR
11 COMPENSATORY TIME OR TAKES AN UNPAID LEAVE OF ABSENCE. THIS SUBSECTION DOES
12 NOT APPLY TO A PUBLIC EMPLOYEE WHO IS REGISTERED AS AN AUTHORIZED PUBLIC
13 LOBBYIST OR DESIGNATED PUBLIC LOBBYIST AND WHO LOBBIES FOR THE EMPLOYER AS
14 PART OF THE EMPLOYEE'S OFFICIAL DUTIES.

15 B. A PUBLIC EMPLOYEE WHO IS PAID IN WHOLE OR IN PART FROM TAXPAYER
16 MONIES SHALL NOT ENGAGE IN ANY POLITICAL ACTIVITY DURING THE EMPLOYEE'S HOURS
17 OF EMPLOYMENT UNLESS THE EMPLOYEE ENGAGES IN THIS ACTIVITY USING THE
18 EMPLOYEE'S VACATION OR COMPENSATORY TIME OR TAKES AN UNPAID LEAVE OF ABSENCE.

19 C. A PUBLIC ENTITY SHALL NOT USE TAXPAYER MONIES TO FUND ANY PART OF A
20 RALLY, PROTEST OR LOBBYING EFFORT. THIS SUBSECTION DOES NOT APPLY IF THE
21 PUBLIC ENTITY LEASES SPACE OR EQUIPMENT AT FAIR MARKET VALUE TO ENTITIES
22 ENGAGED IN SUCH A RALLY, PROTEST OR LOBBYING EFFORT OR TO AN EMPLOYEE WHO IS
23 REGISTERED AS THE AUTHORIZED PUBLIC LOBBYIST OR THE DESIGNATED PUBLIC
24 LOBBYIST OF THE ENTITY AND WHO LOBBIES FOR THE ENTITY AS PART OF THE
25 EMPLOYEE'S OFFICIAL DUTIES.

26 D. FOR THE PURPOSES OF THIS SECTION, "AUTHORIZED PUBLIC LOBBYIST" AND
27 "DESIGNATED PUBLIC LOBBYIST" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION
28 41-1231.