

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

# SENATE BILL 1329

AN ACT

AMENDING TITLE 38, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-450; 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 38-450, to read:

4 38-450. 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. A CANDIDATE FOR PUBLIC OFFICE MAY REQUEST INFORMATION THROUGH THE  
27 PUBLIC RECORDS LAW AS TO WHETHER A PUBLIC EMPLOYEE OR PUBLIC ENTITY IS OR MAY  
28 BE IN VIOLATION OF THIS SECTION. IF A CANDIDATE MAKES SUCH A REQUEST,  
29 NOTWITHSTANDING SECTION 39-121.01, THE CUSTODIAN OF THE PUBLIC RECORDS SHALL  
30 FURNISH THE INFORMATION REQUESTED WITHIN TEN DAYS.

31 E. FOR THE PURPOSES OF THIS SECTION, "AUTHORIZED PUBLIC LOBBYIST" AND  
32 "DESIGNATED PUBLIC LOBBYIST" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION  
33 41-1231.