



# ARIZONA HOUSE OF REPRESENTATIVES

## HB 2026: public resources; influencing elections; penalties

**PRIME SPONSOR:** Representative Kavanagh, LD 23

**BILL STATUS:** [House Engrossed](#)

### **Overview**

Outlines to whom the civil penalties are paid when a suit is initiated against a jurisdiction in violation of statutes relating to influencing elections.

### **History**

A city, town, county or person acting on behalf of a school district must not spend or use their resources for the purpose of influencing the outcomes of elections. The jurisdiction may distribute informational pamphlets, but only if these pamphlets present factual information in a neutral manner.

These statutes do not prohibit a municipality, county or school district from using their facilities and equipment for government-sponsored debates or forums. However, the government sponsor must be sure to remain impartial and make certain that events are purely informational and provide an equal opportunity for all viewpoints.

If a person knowingly violates or aids another person in violating these statutes, the court is allowed to impose a civil penalty not to exceed \$5,000 plus any amount of misused funds subtracted from the municipality, county or school district budget ([A.R.S. §9-500-14](#), [A.R.S. §11-410](#), [A.R.S. §15-511](#)).

### **Provisions**

1. Allows a resident of a jurisdiction that has violated the statutes relating to influencing elections to initiate a suit in the county superior court. (Sec. 1, 2, 3)
2. Stipulates that for municipalities and counties, the civil penalties must be paid as follows:
  - a. To the Office of the Attorney General to defray costs of enforcement, if the civil penalty is ordered in an action filed by the attorney general. (Sec. 1, 2)
  - b. To the Office of the County Treasurer for deposit in the county general fund, if the civil penalty is ordered in an action filed by the county attorney. (Sec. 1, 2)
  - c. To the resident, if the civil penalty is ordered in an action filed by a resident of the jurisdiction in violation. (Sec. 1, 2)
3. Specifies that for school districts in violation of the statutes relating to influencing elections, all penalties for a suit initiated by a resident of the jurisdiction in violation must be paid to the resident. (Sec. 3)
4. Makes technical and conforming changes. (Sec. 1, 2, 3)

Prop 105 (45 votes)     Prop 108 (40 votes)     Emergency (40 votes)     Fiscal Note