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

Section 1. Section 38-504, Arizona Revised Statutes, is amended to read:

38-504. Prohibited acts; lobbying

A. A public officer or employee shall not represent another person for compensation before a public agency by which the PUBLIC officer or employee is or was employed within the preceding twelve months or on which the PUBLIC officer or employee serves or served within the preceding twelve months concerning any matter with which the PUBLIC officer or employee was directly concerned and in which the PUBLIC officer or employee personally participated during the PUBLIC officer's or employee's employment or service by a substantial and material exercise of administrative discretion.

B. During the period of a public officer's or employee's employment or service and for two years thereafter, a public officer or employee shall not disclose or use for the PUBLIC officer's or employee's personal profit, without appropriate authorization, any information acquired by the PUBLIC officer or employee in the course of the PUBLIC officer's or employee's official duties which THAT has been clearly designated to the PUBLIC officer or employee as confidential when such confidential designation is warranted because of the status of the proceedings or the circumstances under which the information was received and THAT preserving its confidentiality is necessary for the proper conduct of government business. A public officer or employee shall not disclose or use, without appropriate authorization, any information that is acquired by the PUBLIC officer or employee in the course of the PUBLIC officer's or employee's official duties and that is declared confidential by law.

C. A public officer or employee shall not use or attempt to use the PUBLIC officer's or employee's official position to secure any valuable thing or valuable benefit for the PUBLIC officer or employee that would not ordinarily accrue to the PUBLIC officer or employee in the performance of the PUBLIC officer's or employee's official duties if the thing or benefit is of such character as to manifest a substantial and improper influence on the PUBLIC officer or employee with respect to the PUBLIC officer's or employee's duties.

D. EXCEPT WHEN ACTING IN THE PUBLIC OFFICER'S OFFICIAL CAPACITY, A PUBLIC OFFICER MAY NOT ENGAGE IN LOBBYING AS DEFINED IN SECTION 41-1231. FOR THE PURPOSES OF THIS SUBSECTION, "PUBLIC OFFICER" MEANS AN ELECTED OFFICER OF A PUBLIC AGENCY ESTABLISHED BY CHARTER, ORDINANCE, RESOLUTION, STATE CONSTITUTION OR STATUTE.