



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

House: MOE DP 7-3-0-0 | 3rd Read: 31-29-0-0
Senate: ELEC DP 5-3-0-0 | 3rd Read: 16-14-0-0

HB2308: secretary of state; election; recusal

Sponsor: Representative Jones, LD 17

Senate Engrossed

Overview

Prohibits the Secretary of State from performing any duties concerning portions of an election in which the Secretary of State is a candidate.

History

An Assistant Secretary of State must be appointed to perform official duties in the Secretary of State's absence or when the Secretary of State is acting as Governor ([A.R.S. § 41-122](#)).

Public Officers and certain public employees must recuse themselves in specified circumstances. Any Public Officer or employee who has a substantial interest in any decision of a public agency must refrain from participating as an officer or employee in such decision. *Public Officer* is defined as all elected and appointed officers of a public agency established by charter, ordinance, resolution, state constitution or statute (A.R.S. §§ [38-502](#), [38-503](#)).

Provisions

1. Restricts the Secretary of State from taking any actions that pertain to an election for which they are a candidate. (Sec. 1)
2. Instructs the Secretary of State to publicly announce the person who will perform duties concerning portions of an election in which the Secretary of State is recused. (Sec. 1)

Senate Amendments

1. Clarifies that the Secretary of State (SOS) is prohibited from performing any actions pertaining to election operations in an election in which the SOS is a candidate, except for the SOS's constitutional duty to certify the statewide canvass.
2. Removes the requirement that the SOS publicly announce the person who will perform the duties concerning the portions of an election in which the SOS is recused.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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