



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DP 7-3-0-0 | 3<sup>rd</sup> Read: 31-29-0-0

Senate: ELEC DP 5-3-0-0 | 3<sup>rd</sup> Read: 16-14-0-0

Final Pass: 31-26-2-0-1

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## **HB2308: secretary of state; election; recusal**

**Sponsor: Representative Jones, LD 17**

**Transmitted to the Governor**

### **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. 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. (Sec. 1)

<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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