

ARIZONA STATE SENATE

RESEARCH STAFF



TO: MEMBERS OF THE SENATE
GOVERNMENT COMMITTEE

DATE: March 25, 2025

SUBJECT: Strike everything amendment to H.C.R. 2037, relating to government

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Purpose

Adds, to the eligibility requirements for a member of statewide or legislative office, that the person has not been a lobbyist who is required to register with a federal agency, the state or a political subdivision of the state for two years immediately preceding the primary election. Prohibits a member of a school district governing board, county board of supervisors (county BOS) or city or town council from engaging in paid lobbying for any person or entity except for the member's respective body.

Background

The Arizona Constitution outlines the qualifications of members of the Legislature and the eligibility for state office. A person may not be a member of the Legislature unless the person is a citizen of the United States at the time of the election, is at least 25 years of age and has been a resident of Arizona for at least three years and has been a resident of the county from which the person is elected for at least one year before the election ([Ariz. Const. art. 4, pt. 2, § 2](#)). A person is eligible for a state office if the person is at least 25 years of age, has been a citizen of the United States for at least 10 years before the election and a citizen of Arizona for at least 5 years before the election. The state offices consist of the Governor, Secretary of State (SOS), State Treasurer, Attorney General and Superintendent of Public Instruction (Ariz. Const. art. 5 §§ [1](#) and [2](#)).

A public officer or employee may not represent another person for compensation before a public agency that: 1) employs the officer or employee; 2) employed the officer or employee within the preceding 12 months; or 3) the officer or employee serves or served during the preceding 12 months concerning any matter that directly concerned the officer or employee and in which the officer or employee personally participated during their employment or service by a substantial and material exercise of administrative discretion. Additionally, a public officer or employee may not use or attempt to use their position to secure any valuable thing or benefit for themselves that would not ordinarily accrue to the officer or employee in the performance of their official duties ([A.R.S. § 38-504](#)).

Before any principal causes any lobbying to occur on the principal's behalf, the principal must register with the SOS and a person who is listed by a principal as a lobbyist for compensation, designated lobbyist or designated public lobbyist must register with the SOS and read a handbook containing statutes and rules governing lobbyists. A person who is a designated lobbyist, lobbyist for compensation, authorized lobbyist, designated public lobbyist or authorized public lobbyist must disclose the fact that the person is a lobbyist to: 1) any legislator the person is lobbying for the first time or on any subsequent request of a legislator; and 2) any public official or employee of a public body each time that the person is lobbying for the procurement of materials, services or construction. *Lobbying* is attempting to influence the passage or defeat of any legislation by directly communicating with any legislator or attempting to influence any formal rulemaking proceedings

by directly communicating with any state officer or employee ([A.R.S. Title 41, Chapter 7, Article 8.1](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Adds, to the eligibility requirements for a member of the Legislature, that the person has not been a lobbyist who is required to register with a federal agency, the state or a political subdivision of the state for two years immediately preceding the primary election of the Legislature.
2. Adds, to the eligibility requirements for a member of statewide office, that the person has not been a lobbyist who is required to register with a federal agency, the state or a political subdivision of the state for two years immediately preceding the primary election.
3. Prohibits a member of a school district governing board, county BOS or city or town council from engaging in paid lobbying for any person or entity except for the member's respective body.
4. Requires the SOS to submit the proposal to the voters at the next general election.
5. Becomes effective if approved by the voters and on proclamation of the Governor.