

REFERENCE TITLE: **executive officers; salaries**

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1511

Introduced by
Senator Finchem

AN ACT

AMENDING SECTIONS 15-251, 41-101, 41-121.01, 41-171, 41-191, 41-1103, 41-1903 AND 41-1904, ARIZONA REVISED STATUTES; RELATING TO EXECUTIVE OFFICER SALARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section. 1. Section 15-251, Arizona Revised Statutes, is amended to
3 read:

4 **15-251. Powers and duties**

5 The superintendent of public instruction shall:

6 1. Superintend the schools of this state.

7 2. Request the auditor general to investigate when necessary the
8 accounts of school monies kept by any state, county or district officer.

9 3. Subject to supervision by the state board of education,
10 apportion to the several counties the monies to which each county is
11 entitled for the year. Apportionment shall be made as provided in
12 chapter 9 of this title.

13 4. Execute, under the direction of the state board of education,
14 the policies that have been decided on by the state board.

15 5. Direct the performance of executive, administrative or
16 ministerial functions by the department of education or divisions or
17 employees of the department.

18 6. Provide information to the state board of education related to
19 the powers and duties set forth in section 15-203.

20 **BEGINNING JANUARY 1, 2027, THE SUPERINTENDENT OF PUBLIC
21 INSTRUCTION IS ELIGIBLE TO RECEIVE AN ANNUAL SALARY EQUAL TO THE MEDIAN
22 HOUSEHOLD INCOME FOR A FAMILY OF FOUR IN THIS STATE, AS DETERMINED
23 ANNUALLY BY THE AMERICAN COMMUNITY SURVEY, MULTIPLIED BY 1.10.**

24 Sec. 2. Section 41-101, Arizona Revised Statutes, is amended to
25 read:

26 **41-101. Powers and duties; attestation of acts of governor;
27 salary**

28 A. The governor has the powers and shall perform the duties as
29 prescribed in this article. The governor:

30 1. Shall supervise the official conduct of all executive and
31 ministerial officers.

32 2. Shall see that all offices are filled and the duties performed
33 or, in default, invoke such remedy as the law allows.

34 3. Shall appoint a private secretary to the governor and shall
35 appoint all officers of this state not made elective, unless otherwise
36 provided.

37 4. Notwithstanding section 38-211, shall appoint the lieutenant
38 governor to serve as the governor's chief of staff or the director of the
39 ~~Arizona~~ department of administration or to fill any position for which the
40 governor is otherwise authorized by law to make an appointment.

41 5. Shall be the sole official means of communication between this
42 state and the government of any other state or the United States.

43 6. May direct the attorney general to appear on behalf of this
44 state when any action or legal proceeding is pending that affects the

1 title of this state to any property or that may result in a claim against
2 this state.

3 7. May require the attorney general, or any county attorney, to
4 inquire into the affairs or management of any corporation doing business
5 in this state.

6 8. May require the attorney general to aid a county attorney in the
7 discharge of ~~his~~ THE COUNTY ATTORNEY'S duties.

8 9. May offer rewards for escaped insane persons, not exceeding ~~five~~
~~hundred dollars~~ \$500.

10 10. May require any officer or board to make special reports to ~~him~~
11 THE GOVERNOR on demand in writing.

12 11. May convene the legislature at some other place when the seat
13 of government becomes dangerous from disease or a common enemy.

14 12. May enter into intergovernmental agreements with officers,
15 agencies or departments of the United States to provide funding or other
16 resources available from any related state agency, board or commission for
17 the purpose of operating federal parks located in this state during any
18 period when such parks would otherwise be subject to shutdown due to a
19 lack of federal appropriation and as deemed necessary to promote tourism,
20 this state's economic well-being, or the health, safety or welfare of the
21 state's citizens. The governor shall not provide general fund
22 appropriations from any related state agency, board or commission to
23 operate a federal park pursuant to this paragraph for more than twenty-one
24 days without the approval of the legislature. The joint legislative
25 budget committee shall review any expenditure of ~~funds~~ MONIES or other
26 resources pursuant to this paragraph.

27 13. Has such powers and shall perform such other duties as devolve
28 on ~~him~~ THE GOVERNOR by law.

29 B. All official acts of the governor, except approval of the laws,
30 shall be attested by the secretary of state.

31 C. BEGINNING JANUARY 1, 2027, the governor is eligible to receive
32 an annual salary ~~pursuant to section 41-1904~~ EQUAL TO THE MEDIAN HOUSEHOLD
33 INCOME FOR A FAMILY OF FOUR IN THIS STATE, AS DETERMINED ANNUALLY BY THE
34 AMERICAN COMMUNITY SURVEY, MULTIPLIED BY 1.23.

35 D. Before an individual is hired as an employee of the office of
36 the governor, that individual shall submit a full set of fingerprints to
37 the governor for the purpose of obtaining a state and federal criminal
38 records check pursuant to section 41-1750 and Public Law 92-544. The
39 department of public safety may exchange this fingerprint data with the
40 federal bureau of investigation.

41 Sec. 3. Section 41-121.01, Arizona Revised Statutes, is amended to
42 read:

43 41-121.01. Salary

44 BEGINNING JANUARY 1, 2027, the secretary of state shall receive an
45 annual salary ~~pursuant to section 41-1904~~ EQUAL TO THE MEDIAN HOUSEHOLD

1 INCOME FOR A FAMILY OF FOUR IN THIS STATE, AS DETERMINED ANNUALLY BY THE
2 AMERICAN COMMUNITY SURVEY, MULTIPLIED BY 0.91.

3 Sec. 4. Section 41-171, Arizona Revised Statutes, is amended to
4 read:

5 41-171. Office; absence from state; salary; seal

6 A. The state treasurer shall keep ~~his~~ THE STATE TREASURER'S office
7 at the capitol and shall not BE absent ~~himself~~ from this state without
8 first notifying the secretary of state that ~~he~~ THE STATE TREASURER is
9 leaving. ~~He~~ BEGINNING JANUARY 1, 2027, THE STATE TREASURER is eligible to
10 receive an annual salary ~~pursuant to section 41-1904~~ EQUAL TO THE MEDIAN
11 HOUSEHOLD INCOME FOR A FAMILY OF FOUR IN THIS STATE, AS DETERMINED
12 ANNUALLY BY THE AMERICAN COMMUNITY SURVEY, MULTIPLIED BY 0.91.

13 B. The secretary of state shall procure and deliver to the
14 treasurer a seal of office containing the words "office of the state
15 treasurer, Arizona", a description of which shall be retained by the
16 secretary of state in ~~his~~ THE SECRETARY OF STATE'S office.

17 Sec. 5. Section 41-191, Arizona Revised Statutes, is amended to
18 read:

19 41-191. Attorney general; qualifications; salary; assistants;
20 fees; exceptions; outside counsel

21 A. The attorney general shall have been for not less than five
22 years immediately preceding the date of taking office a practicing
23 attorney before the supreme court of the state. ~~He~~ BEGINNING JANUARY 1,
24 2027, THE ATTORNEY GENERAL is entitled to receive an annual salary
~~pursuant to section 41-1904~~ EQUAL TO THE MEDIAN HOUSEHOLD INCOME FOR A
26 FAMILY OF FOUR IN THIS STATE, AS DETERMINED ANNUALLY BY THE AMERICAN
27 COMMUNITY SURVEY, MULTIPLIED BY 1.17.

28 B. The attorney general and ~~his~~ THE ATTORNEY GENERAL'S assistants
29 shall devote full time to the duties of the office and shall not directly
30 or indirectly engage in the private practice of law or in an occupation
31 conflicting with such duties, except:

32 1. Such prohibition shall not apply to special assistants, except
33 that ~~in no instance shall~~ special assistants ~~MAY NOT~~ engage in any private
34 litigation in which ~~the~~ THIS state or an officer ~~thereof~~ OF THIS STATE in
35 ~~his~~ THE OFFICER'S official capacity is a party.

36 2. Assistant ~~attorney~~ ATTORNEYS general may, but in no
37 circumstances shall be required to, represent private clients in pro bono,
38 private civil matters under the following circumstances:

39 (a) The representation will be conducted exclusively during off
40 hours or while on leave and the attorney will not receive any compensation
41 for such services.

42 (b) The client is not seeking an award of attorney fees for the
43 services.

44 (c) The services are for an individual in need of personal legal
45 services who does not have the financial resources to pay for the

1 professional services or for a nonprofit, tax exempt charitable
2 organization formed for the purpose of providing social services to
3 individuals and families.

4 (d) The representation will not interfere with the performance of
5 any official duties.

6 (e) The subject matter of pro bono representation is outside of the
7 area of practice to which the attorney is assigned in the attorney
8 general's office and the activity will not appear to create a conflict of
9 interest.

10 (f) The activity will not reflect adversely on this state or any of
11 its agencies.

12 (g) The assistant attorney general's position will not influence or
13 appear to influence the outcome of any matter.

14 (h) The activity will not involve assertions that are contrary to
15 the interest or position of this state or any of its agencies.

16 (i) The activity does not involve a criminal matter or proceeding
17 or any matter in which this state is a party or has a direct or
18 substantial interest.

19 (j) The activity will not ~~utilize~~ USE resources that will result in
20 a cost to this state or any of its agencies.

21 (k) The attorney's supervisor may require the attorney to submit a
22 prior written request to engage in pro bono work ~~which~~ THAT includes a
23 provision holding the agency harmless from any of the work undertaken by
24 the attorney.

25 ~~Notwithstanding any provision of law or rule to the contrary,
26 representation by an attorney of a pro bono client shall not disqualify
27 the office from subsequently participating in any action affecting the
28 client.~~

29 C. The attorney general may also, within the limits of
30 appropriations made therefor, employ attorneys for particular cases ~~upon~~
31 ~~ON~~ a fixed fee basis who shall be exempt from the restrictions imposed by
32 this section ~~upon~~ ON regular or special assistants.

33 D. The attorney general may also, in suits to enforce state or
34 federal statutes pertaining to antitrust, restraint of trade, or
35 price-fixing activities or conspiracies, employ counsel on a fixed fee
36 basis, not to exceed an hourly rate of ~~fifty dollars~~ \$50 per hour, such
37 fee to be contingent ~~upon~~ ON and payable solely out of the recovery
38 obtained in suits so instituted, except that where the court in which the
39 case is pending has the authority to set a fee in conjunction with a given
40 case, and does so set a fee, the court awarded fee shall be paid in lieu
41 of the fee provided in this section. Employment and payment of counsel
42 under this subsection shall not be subject to the limitations imposed by
43 title 35, nor shall counsel so employed be subject to the limitations on
44 private practice or litigation imposed ~~upon~~ ON regular or special
45 assistants.

1 E. If the attorney general determines that legal action is
2 reasonably necessary in order to collect a debt owed to this state or its
3 agencies, boards, departments or commissions, the attorney general may
4 retain or employ counsel to collect the debt. Counsel retained or
5 employed by the attorney general shall account for the entire amount
6 collected. A person retained as counsel under this subsection is not
7 subject to the limitations on private practice or litigation applicable to
8 regular or special assistants.

9 F. NOTWITHSTANDING ANY PROVISION OF LAW OR RULE TO THE CONTRARY,
10 REPRESENTATION BY AN ATTORNEY OF A PRO BONO CLIENT UNDER SUBSECTION B,
11 PARAGRAPH 2 OF THIS SECTION SHALL NOT DISQUALIFY THE OFFICE FROM
12 SUBSEQUENTLY PARTICIPATING IN ANY ACTION AFFECTING THE CLIENT.

13 Sec. 6. Section 41-1103, Arizona Revised Statutes, is amended to
14 read:

15 41-1103. Compensation; reimbursement of expenditures

16 A. BEGINNING JANUARY 1, 2027, members of the legislature are each
17 entitled to receive an annual salary ~~established pursuant to the~~
18 ~~provisions of section 41-1904~~ EQUAL TO THE MEDIAN HOUSEHOLD INCOME FOR A
19 FAMILY OF FOUR IN THIS STATE, AS DETERMINED ANNUALLY BY THE AMERICAN
20 COMMUNITY SURVEY, MULTIPLIED BY 0.33.

21 B. In addition to the salary provided in subsection A of this
22 section, each member of the legislature shall also be reimbursed for
23 travel and subsistence expenses incurred in ~~attendance upon~~ ATTENDING
24 regular sessions or special sessions and for acting in a legislative
25 matter, other than in a regular or special session, ~~upon~~ ON prior approval
26 of the presiding officer of either house of the legislature at such rate
27 and in such manner as may be prescribed by law.

28 Sec. 7. Section 41-1903, Arizona Revised Statutes, is amended to
29 read:

30 41-1903. Function; application

31 A. ~~Beginning in 2002~~, The commission shall biennially conduct a
32 review of the rates of pay of elective state officers, of justices and
33 judges of courts of record and of clerks of the superior court. Such
34 review by the commission shall be made for the purpose of determining and
35 providing the pay levels appropriate to the duties and responsibilities of
36 the respective offices and positions subject to such review. The
37 commission may hold public hearings to aid it in its work.

38 B. The commission shall submit to the governor ~~no~~ NOT later than
39 June 1 a report of the results of each review conducted by the commission
40 of the offices and positions subject to this chapter, together with its
41 recommendations.

42 C. THIS CHAPTER DOES NOT APPLY TO THE OFFICE OF STATE LEGISLATOR OR
43 THE SUPERINTENDENT OF PUBLIC INSTRUCTION, GOVERNOR, SECRETARY OF STATE,
44 STATE TREASURER OR ATTORNEY GENERAL.

1 Sec. 8. Section 41-1904, Arizona Revised Statutes, is amended to
2 read:

3 **41-1904. Recommendations**

4 A. The governor shall include, in the budget next transmitted by
5 ~~him~~ THE GOVERNOR to the legislature after the date of the submission of
6 the report and recommendations of the commission, ~~his~~ THE GOVERNOR'S own
7 recommendations with respect to the exact rates of pay ~~which~~ ~~he~~ THAT THE
8 GOVERNOR deems advisable for those offices and positions subject to this
9 chapter.

10 B. All or part, as the case may be, of the recommendations of the
11 governor transmitted to the legislature in the budget relating to salaries
12 shall become effective on the first Monday of January of the next calendar
13 year following the transmittal of ~~his~~ THE GOVERNOR'S recommendations in
14 the budget, but only to the extent that between the date of transmittal of
15 such recommendations in the budget and the ninetieth day following the
16 transmittal of ~~his~~ THE GOVERNOR'S recommendations:

17 1. ~~No~~ A statute has NOT been enacted ~~which~~ THAT establishes rates
18 of pay other than those proposed by all or part of such recommendations.

19 2. Neither house of the legislature specifically disapproves all or
20 part of such recommendations. In case of either ~~of~~ a legislative
21 enactment or disapproval by either house, the recommendations are
22 effective only insofar as not altered or disapproved.

23 C. Any part of the recommendations of the governor ~~may~~, in
24 accordance with express provisions of express recommendations, ~~MAY~~ be made
25 operative on a date later than the date on which such recommendations
26 otherwise would take effect.

27 ~~D. The recommendations of the commission as to legislative salaries
28 shall be certified by it to the secretary of state and the secretary of
29 state shall submit to the qualified electors at the next regular general
30 election the question, "Shall the recommendations of the commission on
31 salaries for elective state officers concerning legislative salaries be
32 accepted? Yes / / No / /". Such recommendations if approved by the
33 electors shall become effective at the beginning of the next regular
34 legislative session without any other authorizing legislation.~~

35 ~~E. D. The recommendations of the governor transmitted to the
36 legislature under this chapter ~~shall~~, ~~upon~~ ON their effective date, SHALL
37 supersede all provisions of law in conflict therewith. The
38 recommendations of the governor ~~which~~ THAT do take effect shall be
39 published with the laws of the state.~~

40 Sec. 9. **Conditional enactment**

41 This act does not become effective unless the Constitution of
42 Arizona is amended by a vote of the people at the next general election by
43 passage of Senate Concurrent Resolution , fifty-seventh legislature,
44 first regular session, relating to compensation of elective state
45 officers.