

REFERENCE TITLE: elections; foreign contributions; certification; donations

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

SCR 1027

Introduced by
Senator Bolick

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. Under the power of the referendum, as vested in the Legislature, the following measure, relating to elections, is enacted to become valid as a law if approved by the voters and on proclamation of the Governor:

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 16-407.04 AND 16-407.05; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1.2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-919; RELATING TO ELECTIONS.

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

Section 1. Title 16, chapter 4, article 1, Arizona Revised Statutes, is amended by adding sections 16-407.04 and 16-407.05, to read:

16-407.04. Donations from a foreign source; election administration; certification; quarterly reports; records; violation; classification; definitions

A. A GOVERNMENT ENTITY IN THIS STATE MAY NOT USE MONIES OR IN-KIND GOODS OR SERVICES THAT ARE DONATED, DIRECTLY OR INDIRECTLY, BY A FOREIGN GOVERNMENT OR ANY FOREIGN NONGOVERNMENTAL SOURCE FOR ELECTION ADMINISTRATION.

B. A PERSON OR VENDOR THAT PROVIDES SERVICES TO A GOVERNMENT ENTITY FOR ELECTION ADMINISTRATION SHALL PROVIDE A CERTIFICATION TO THE SECRETARY OF STATE THAT INCLUDES A DATED AND SWORN STATEMENT, UNDER PENALTY OF PERJURY, THAT THE PERSON IS NOT KNOWINGLY THE RECIPIENT, DIRECTLY OR INDIRECTLY, OF DONATIONS FROM A FOREIGN SOURCE. THE PERSON SHALL ANNUALLY UPDATE THE CERTIFICATION. IF THE PERSON OBTAINS INFORMATION UNKNOWN AT THE TIME OF THE INITIAL CERTIFICATION, THE PERSON SHALL UPDATE THE INITIAL CERTIFICATION WITHIN FIVE BUSINESS DAYS TO REFLECT THE NEW INFORMATION AND SHALL INCLUDE A NEW STATEMENT THAT THE PERSON IS NOT KNOWINGLY THE RECIPIENT, DIRECTLY OR INDIRECTLY, OF DONATIONS FROM A FOREIGN SOURCE. THIS SUBSECTION DOES NOT APPLY TO A PERSON OR ORGANIZATION WHEN PROVIDING A FACILITY THAT SERVES AS THE VOTING LOCATION.

C. THE SECRETARY OF STATE SHALL REQUIRE GOVERNMENT ENTITIES TO PROVIDE TO THE SECRETARY OF STATE A QUARTERLY REPORT THAT LISTS ANY PERSON OR VENDOR THAT PROVIDES SERVICES TO THAT GOVERNMENT ENTITY FOR ELECTION ADMINISTRATION. THE SECRETARY OF STATE SHALL NOTIFY THE GOVERNMENT ENTITY BY EMAIL IF THE GOVERNMENT ENTITY FAILS TO FILE ITS QUARTERLY REPORT PRESCRIBED BY THIS SUBSECTION AND ADVISE THE GOVERNMENT ENTITY THAT SECTION 16-407.05 PROVIDES FOR POSSIBLE ENFORCEMENT ACTIONS.

1 D. THE SECRETARY OF STATE SHALL MAINTAIN RECORDS OF THE
2 CERTIFICATIONS PRESCRIBED BY THIS SECTION AND SHALL POST THESE
3 CERTIFICATIONS ON THE SECRETARY OF STATE'S WEBSITE.

4 E. A PERSON OR VENDOR THAT FAILS TO PROVIDE THE
5 CERTIFICATION PRESCRIBED BY THIS SECTION OR THAT PROVIDES AN
6 INACCURATE CERTIFICATION TO THE SECRETARY OF STATE INVALIDATES
7 ANY AGREEMENT WITH THE GOVERNMENT ENTITY, AND THE STATE,
8 COUNTY OR LOCAL GOVERNMENT ENTITY IS BARRED FROM ENTERING INTO
9 OR CONTINUING ANY AGREEMENT WITH THAT PERSON.

10 F. A PERSON OR VENDOR THAT KNOWINGLY FAILS TO PROVIDE
11 AN ACCURATE INITIAL OR UPDATED CERTIFICATION AS PRESCRIBED BY
12 THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

13 G. FOR THE PURPOSES OF THIS SECTION:

14 1. "FOREIGN GOVERNMENT" DOES NOT INCLUDE FEDERALLY
15 RECOGNIZED SOVEREIGN TRIBAL NATIONS.

16 2. "FOREIGN NONGOVERNMENTAL SOURCE":

17 (a) MEANS ANY INDIVIDUAL WHO IS NOT A UNITED STATES
18 CITIZEN OR NATIONAL.

19 (b) DOES NOT INCLUDE FEDERALLY RECOGNIZED SOVEREIGN
20 TRIBAL NATIONS.

21 3. "PERSON":

22 (a) MEANS AN INDIVIDUAL OR A CORPORATION OR OTHER
23 ENTITY AS DEFINED IN SECTION 16-901.

24 (b) DOES NOT INCLUDE POLL WORKERS.

25 16-407.05. Enforcement; attorney general; private right
26 of action

27 A. THE ATTORNEY GENERAL MAY FILE AN ACTION REGARDING A
28 KNOWING VIOLATION OF SECTION 16-407.04. THE ACTION MAY
29 INCLUDE A REQUEST FOR AN INJUNCTION, DAMAGES OF AT LEAST
30 \$5,000 FOR EACH KNOWING VIOLATION AND OTHER RELIEF THAT THE
31 COURT MAY PROVIDE. IN ADDITION TO THE PENALTIES PRESCRIBED BY
32 THIS SECTION, ANY PERSON THAT VIOLATES SECTION 16-407.04 IS
33 SUBJECT TO ALL OF THE PENALTIES PRESCRIBED IN SECTION
34 16-407.04.

35 B. ANY QUALIFIED ELECTOR AND ANY STATE OFFICER MAY
36 BRING A CIVIL ACTION TO DO ANY OR ALL OF THE FOLLOWING:

37 1. ENJOIN A VIOLATION OF SECTION 16-407.04.

38 2. ENFORCE ANY PROVISION OF SECTION 16-407.04.

39 C. IF THE CLAIMANT PREVAILS IN AN ACTION BROUGHT UNDER
40 SUBSECTION B OF THIS SECTION, THE COURT SHALL AWARD:

41 1. INJUNCTIVE RELIEF SUFFICIENT TO PREVENT THE
42 DEFENDANT FROM VIOLATING SECTION 16-407.04 OR ENGAGING IN ACTS
43 THAT AID OR ABET VIOLATIONS OF SECTION 16-407.04.

1 2. DAMAGES IN THE AMOUNT OF \$1,000 PER DAY FROM THE
2 DATE OF NONCOMPLIANCE UNTIL THE DEFENDANT COMES INTO
3 COMPLIANCE.

4 3. COSTS AND ATTORNEY FEES.

5 D. THE REMEDIES, DUTIES, PROHIBITIONS AND PENALTIES
6 PRESCRIBED BY THIS SECTION AND SECTION 16-407.04 ARE IN
7 ADDITION TO ALL OTHER CAUSES OF ACTION, REMEDIES AND PENALTIES
8 PROVIDED BY LAW.

9 Sec. 2. Title 16, chapter 6, article 1.2, Arizona
10 Revised Statutes, is amended by adding section 16-919, to
11 read:

12 16-919. Foreign contributions prohibited; ballot
13 measures; certification; definition

14 A. A FOREIGN GOVERNMENT SHALL NOT GIVE AND A PERSON,
15 ENTITY OR COMMITTEE SHALL NOT ACCEPT OR USE MONIES OR IN-KIND
16 GOODS OR SERVICES THAT ARE CONTRIBUTED BY A FOREIGN GOVERNMENT
17 OR A FOREIGN NONGOVERNMENTAL SOURCE TO INFLUENCE THE OUTCOME
18 OF AN ELECTION ON A BALLOT MEASURE.

19 B. A PERSON, ENTITY OR COMMITTEE THAT IS REQUIRED TO
20 FILE CAMPAIGN FINANCE REPORTS PURSUANT TO SECTION 16-926 SHALL
21 CERTIFY UNDER PENALTY OF PERJURY IN THOSE REPORTS THAT THE
22 PERSON, ENTITY OR COMMITTEE HAS NOT ACCEPTED OR USED MONIES OR
23 IN-KIND GOODS OR SERVICES IN VIOLATION OF SUBSECTION A OF THIS
24 SECTION.

25 C. FOR THE PURPOSES OF THIS SECTION:

26 1. FOREIGN GOVERNMENT DOES NOT INCLUDE FEDERALLY
27 RECOGNIZED SOVEREIGN TRIBAL NATIONS.

28 2. "FOREIGN NONGOVERNMENTAL SOURCE":

29 (a) MEANS ANY INDIVIDUAL WHO IS NOT A UNITED STATES
30 CITIZEN OR NATIONAL.

31 (b) DOES NOT INCLUDE FEDERALLY RECOGNIZED SOVEREIGN
32 TRIBAL NATIONS.

33 2. The Secretary of State shall submit this proposition to the
34 voters at the next general election as provided by article IV, part 1,
35 section 1, Constitution of Arizona.