

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1100
(Reference to Senate engrossed bill)

- 1 Strike everything after the enacting clause and insert:
2 "Section 1. Title 41, chapter 41, article 1, Arizona Revised
3 Statutes, is amended by adding sections 41-4259 and 41-4260, to read:
4 41-4259. Duty to register; foreign adversary principles;
5 lobbyists; violation; classification; enforcement;
6 fees; definitions
7 A. NOTWITHSTANDING ANY OTHER LAW, A FOREIGN ADVERSARY PRINCIPAL
8 SHALL SUBMIT TO THE DEPARTMENT A COPY OF THE FOREIGN ADVERSARY PRINCIPAL'S
9 LOBBYING REGISTRATION AND A LIST OF THE FOREIGN ADVERSARY PRINCIPAL'S
10 CURRENT LOBBYISTS PURSUANT TO SECTION 41-1232.
11 B. EACH FOREIGN ADVERSARY PRINCIPAL SHALL REREGISTER NOT LATER THAN
12 5:00 P.M. ON THE SECOND MONDAY IN JANUARY OF EACH ODD-NUMBERED YEAR UNLESS
13 AT THAT TIME THE FOREIGN ADVERSARY PRINCIPAL NO LONGER ENGAGES, EMPLOYS,
14 RETAINS OR USES ANY LOBBYIST. BEGINNING DECEMBER 1 OF EACH EVEN-NUMBERED
15 YEAR, A FOREIGN ADVERSARY PRINCIPAL SHALL FILE ITS REGISTRATION AT ANY
16 TIME. EACH FOREIGN ADVERSARY PRINCIPAL SHALL AMEND ITS REGISTRATION
17 STATEMENT WITHIN FIVE BUSINESS DAYS AFTER ANY CHANGE IN THE INFORMATION
18 REQUIRED BY SUBSECTION A OF THIS SECTION.
19 C. THE DEPARTMENT SHALL POST PUBLICLY ON ITS WEBSITE A DATABASE OF
20 ALL FOREIGN PRINCIPALS AND EACH FOREIGN ADVERSARY PRINCIPAL'S LOBBYISTS IN
21 THIS STATE.
22 D. A PERSON WHO IS A DESIGNATED LOBBYIST, LOBBYIST FOR COMPENSATION
23 OR AUTHORIZED LOBBYIST FOR A FOREIGN ADVERSARY PRINCIPAL IN THIS STATE
24 SHALL DISCLOSE THAT FACT TO ALL OF THE FOLLOWING:
25 1. ANY LEGISLATOR THE PERSON IS LOBBYING FOR THE FIRST TIME OR ON
26 ANY SUBSEQUENT REQUEST OF A LEGISLATOR.
27 2. ANY PUBLIC OFFICIAL OR EMPLOYEE OF A PUBLIC BODY EACH TIME THE
28 PERSON IS LOBBYING FOR THE PROCUREMENT OF MATERIALS, SERVICES OR
29 CONSTRUCTION IN THIS STATE. THE PERSON SHALL ALSO DISCLOSE THE NAME OF
30 THAT PERSON'S CLIENT.
31 E. A PERSON IS GUILTY OF A CLASS 1 MISDEMEANOR IF EITHER OF THE
32 FOLLOWING OCCURS:
33 1. A PERSON KNOWINGLY VIOLATES THIS SECTION.
34 2. A PERSON KNOWINGLY SUBMITS ANY INFORMATION PRESCRIBED IN THIS
35 SECTION THAT CONTAINS ANY MATERIALLY FALSE STATEMENT OR MATERIAL OMISSION.
36 F. ANY ALLEGED VIOLATION OF THIS SECTION MAY BE INVESTIGATED AND
37 PROSECUTED BY THE ATTORNEY GENERAL OR BY THE COUNTY ATTORNEY OF THE COUNTY
38 IN WHICH THE ALLEGED OFFENSE OCCURRED.
39 G. THE DIRECTOR SHALL:

1 1. PRESCRIBE AND PUBLISH THE REGISTRATION AND REGISTRATION
2 AMENDMENT FORMS TO CARRY OUT THIS SECTION.

3 2. REFER TO THE ATTORNEY GENERAL OR COUNTY ATTORNEY TO INVESTIGATE
4 ANY MATTER IN WHICH THE DIRECTOR HAS REASON TO BELIEVE CONSTITUTES A
5 VIOLATION OF THIS SECTION.

6 H. THE DEPARTMENT MAY ADOPT RULES, DEVELOP FORMS AND IMPLEMENT
7 PROCEDURES AS NECESSARY TO IMPLEMENT THIS SECTION.

8 I. EACH FOREIGN ADVERSARY PRINCIPAL THAT REGISTERS A LOBBYIST FOR
9 COMPENSATION OR A DESIGNATED LOBBYIST WHO RECEIVES COMPENSATION FOR
10 LOBBYING FROM THE FOREIGN PRINCIPAL, AT THE TIME OF REGISTERING OR
11 REREGISTERING, SHALL PAY A REGISTRATION OR REREGISTRATION FEE SET BY THE
12 DEPARTMENT. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
13 35-147, REGISTRATION AND REREGISTRATION FEES COLLECTED IN THE FOREIGN
14 PRINCIPAL LOBBYIST REGISTRATION FUND ESTABLISHED BY SECTION 41-4260.

15 J. FOR THE PURPOSES OF THIS SECTION:

16 1. "AUTHORIZED LOBBYIST" HAS THE SAME MEANING PRESCRIBED IN SECTION
17 41-1231.

18 2. "DESIGNATED LOBBYIST" HAS THE SAME MEANING PRESCRIBED IN SECTION
19 41-1231.

20 3. "FOREIGN ADVERSARY PRINCIPAL" MEANS ANY OF THE FOLLOWING:

21 (a) A GOVERNMENT OF A FOREIGN ADVERSARY NATION.

22 (b) A FOREIGN POLITICAL PARTY OF A FOREIGN ADVERSARY NATION.

23 (c) A FOREIGN PERSON AS DEFINED IN 31 CODE OF FEDERAL REGULATIONS
24 SECTION 802.221 WHEN APPLIED TO A FOREIGN ADVERSARY NATION.

25 (d) A PARTNERSHIP, ASSOCIATION, CORPORATION, ORGANIZATION OR OTHER
26 COMBINATION OF PERSONS ORGANIZED UNDER THE LAWS OF, OR HAVING ITS
27 PRINCIPAL PLACE OF BUSINESS IN, A FOREIGN ADVERSARY NATION.

28 (e) A PARTNERSHIP, ASSOCIATION, CORPORATION, ORGANIZATION OR OTHER
29 COMBINATION OF PERSONS THAT IS AT LEAST THIRTY PERCENT OWNED BY A
30 PARTNERSHIP, ASSOCIATION, CORPORATION, ORGANIZATION OR OTHER COMBINATION
31 OF PERSONS ORGANIZED UNDER THE LAWS OF, OR HAVING ITS PRINCIPAL PLACE OF
32 BUSINESS IN, A FOREIGN ADVERSARY NATION.

33 4. "FOREIGN ADVERSARY NATION" MEANS A COUNTRY THAT IS EITHER OF THE
34 FOLLOWING:

35 (a) IDENTIFIED BY THE UNITED STATES DIRECTOR OF NATIONAL
36 INTELLIGENCE AS A COUNTRY THAT POSES A RISK TO THE NATIONAL SECURITY OF
37 THE UNITED STATES IN EACH OF THE THREE MOST RECENT ANNUAL THREAT
38 ASSESSMENTS OF THE UNITED STATES INTELLIGENCE COMMUNITY ISSUED PURSUANT TO
39 SECTION 108B OF THE NATIONAL SECURITY ACT OF 1947 (50 UNITED STATES CODE
40 SECTION 3043B).

41 (b) DETERMINED BY THE UNITED STATES DEPARTMENT OF COMMERCE PURSUANT
42 TO 15 CODE OF FEDERAL REGULATIONS SECTION 791.4.

43 5. "LOBBYIST" HAS THE SAME MEANING PRESCRIBED IN SECTION 41-1231.

44 6. "LOBBYIST FOR COMPENSATION" HAS THE SAME MEANING PRESCRIBED IN
45 SECTION 41-1231.

46 41-4260. Foreign adversary principal lobbyist registration
47 fund

48 THE FOREIGN ADVERSARY PRINCIPAL LOBBYIST REGISTRATION FUND IS
49 ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS AND FEES COLLECTED BY

House Amendments to S.B. 1100

1 THE DEPARTMENT PURSUANT TO SECTION 41-4259. THE DEPARTMENT SHALL
2 ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE
3 APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
4 RELATING TO LAPSING OF APPROPRIATIONS.

5 Sec. 2. Exemption from rulemaking

6 Notwithstanding any other law, for the purposes of this act, the
7 Arizona department of homeland security is exempt from the rulemaking
8 requirements of title 41, chapter 6, Arizona Revised Statutes, for one
9 year after the effective date of this act."

10 Amend title to conform

QUANG H. NGUYEN

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