



# MANAGEMENT POLICY

**POLICY NUMBER:**  
102.04

**SUBJECT:**

Loyalty Oath

**EFFECTIVE DATE:**  
12/20/2010

**REVISED DATE:**

I. Purpose

This policy supports Arizona Revised Statute, Title 38, Article 4 "Oath of Office"

II. Scope

The policy applies to all employees and board members of the Rio Verde Fire District.

III. Policy

ARS 38-231. Officers and employees required to take loyalty oath; form; classification; definition

A. In order to ensure the statewide application of this section on a uniform basis, each board, commission, agency and independent office of this state, and of any of its political subdivisions, and of any county, city, town, municipal corporation, school district and public educational institution, shall completely reproduce this section so that the form of written oath or affirmation required in this section contains all of the provisions of this section for use by all officers and employees of all boards, commissions, agencies and independent offices.

B. Any officer or employee who fails to take and subscribe to the oath or affirmation provided by this section within the time limits prescribed by this section is not entitled to any compensation until the officer or employee does so take and subscribe to the form of oath or affirmation prescribed by this section.

C. Any officer or employee having taken the form of oath or affirmation prescribed by this section, and knowingly at the time of subscribing to the oath or affirmation, or at any time thereafter during the officer's or employee's term of office or employment, does commit or aid in the commission of any act to overthrow by force, violence or terrorism as defined in section 13-2301 the government of this state or of any of its political subdivisions, or advocates the overthrow by force, violence or terrorism as defined in section 13-2301 of the government of this state or of any of its political subdivisions, is guilty of a class 4 felony and, on conviction under this section, the officer or employee is deemed discharged from the office or employment and is not entitled to any additional compensation or any other emoluments or benefits which may have been incident or appurtenant to the office or employment.

D. Any of the persons referred to in article XVIII, section 10, Constitution of Arizona, as amended, relating to the employment of aliens, are exempted from any compliance with this section.

E. In addition to any other form of oath or affirmation specifically provided by law for an officer or employee, before any officer or employee enters upon the duties of the office or employment, the officer or employee shall take and subscribe the following oath or affirmation:

F. Oath of Office

State of Arizona )

)

County of )

)

I, \_\_\_\_\_, (type or print name) do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of \_\_\_\_\_ (name of office) \_\_\_\_\_ according to the best of my ability, so help me God (or so I do affirm).

G. For the purposes of this section, "officer or employee" means any person elected, appointed or employed, either on a part-time or full-time basis, by this state or any of its political subdivisions or any county, city, town, municipal corporation, school district, public educational institution or any

board, commission or agency of any county, city, town, municipal corporation, school district or public educational institution.

IV. ARS 38-232. Time of oath

A. When a different time is not prescribed, the oath of office shall be taken and subscribed as follows:

B. If appointed, at or before commencement of the term of office.

C. If elected, at any time after receiving the officer's certificate of election, and at or before commencement of the term of office.

V. ARS 38-233. Filing oaths of record

A. The official oaths of state elective officers shall be filed of record in the office of the secretary of state. The official oaths of all other state officers and employees shall be filed of record in the office of the employing state board, commission or agency.

B. The official oath or affirmation required to be filed of record shall be maintained as an official record throughout the person's term, appointment or employment plus a period of time to be determined pursuant to sections 41-1347 and 41-1351.

VI. ARS 38-234. Usurpation of office; classification

A. A person who knowingly intrudes himself into a public office to which he has not been elected or appointed, or a person who, having been a public officer, knowingly exercises the functions of his office after his term has expired and a successor has been elected or appointed and has qualified, is guilty of a class 2 misdemeanor.

# OATH OF OFFICE

State of Arizona,

County of \_\_\_\_\_

I, \_\_\_\_\_ do solemnly swear (or affirm) that I will

TYPE OR PRINT NAME

support the Constitution of the United States and the Constitution and laws of the State of

Arizona, that I will bear true faith and allegiance to the same and defend them against all

enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of

the office of \_\_\_\_\_ according to the best of my ability,

NAME OF OFFICE

so help me God (or so I do affirm).

\_\_\_\_\_  
SIGNATURE OF OFFICER OR EMPLOYEE

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

My commission expires on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_