

PROPOSITION 132
[HCR 2015 - 2022]

initiatives; supermajority vote; requirement

ANALYSIS BY LEGISLATIVE COUNCIL

Proposition 132 would amend the Arizona Constitution to provide that an initiative measure, a referendum measure or a proposed constitutional amendment to approve a tax becomes law only if approved by 60% of the votes cast.

The Arizona Constitution currently provides that any initiative, referendum or constitutional amendment becomes law if approved by a majority of the votes cast.

The Constitution also provides that if an initiative or referendum measure is approved by the voters, the following requirements (often referred to as "voter protection" or "Proposition 105" from 1998) apply:

1. The Legislature is prohibited from repealing the law.
2. The Legislature may amend or supersede the law (including diverting or repurposing monies in funds created by the law) only if the legislative action furthers the purpose of the law and is approved by at least three-fourths of the members of each house of the Legislature.

Additionally, the Constitution currently requires that if the Legislature attempts to enact a law that results in a net increase in state revenue through the imposition of a new tax, an increase in tax rates or the elimination of a tax exemption, the law becomes effective only on the affirmative vote of two-thirds of each house of the Legislature.