

REFERENCE TITLE: publicity pamphlet; submittal dates

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2776

Introduced by
Representatives Bolick: Biasiucci, Blackman, Carroll, Finchem, Lieberman,
Osborne, Payne, Pierce, Toma

AN ACT

AMENDING SECTION 19-124, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE
AND REFERENDUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 19-124, Arizona Revised Statutes, is amended to
3 read:

4 19-124. Arguments and analyses on measures: cost: submission
5 at special election

6 A. The person filing an initiative petition may at the same time
7 file with the secretary of state an argument advocating the measure or
8 constitutional amendment proposed in the petition. Not later than
9 ~~forty-eight~~ TWENTY-SEVEN days preceding the regular primary election a
10 person may file with the secretary of state an argument advocating or
11 opposing the measure or constitutional amendment proposed in the petition.
12 Not later than ~~forty-eight~~ TWENTY-SEVEN days preceding the regular primary
13 election a person may file with the secretary of state an argument
14 advocating or opposing any measure with respect to which the referendum
15 has been invoked, or any measure or constitutional amendment referred by
16 the legislature. The secretary of state shall prominently post on its
17 website the dates on which the ballot measure filings are due and the date
18 of the election. Each argument filed shall contain the sworn statement of
19 each person sponsoring it. If the argument is sponsored by an
20 organization, it shall contain the sworn statement of two executive
21 officers of the organization or if sponsored by a political committee it
22 shall contain the sworn statement of the committee's chairman or
23 treasurer. Each argument filed shall also be submitted to the secretary
24 of state in electronic format. Payment of the deposit required by
25 subsection E of this section or reimbursement of the payor constitutes
26 sponsorship of the argument for purposes of this subsection. The person
27 or persons signing the argument shall identify themselves by giving their
28 residence or post office address and a telephone number, which information
29 shall not appear in the publicity pamphlet. Each argument filed pursuant
30 to this subsection shall not exceed three hundred words in length.

31 B. When the legislature orders the secretary of state to submit to
32 the people a measure or proposed amendment to the constitution at a
33 special election and as soon as is practicable after the legislature
34 orders that submittal, the secretary of state shall prominently post on
35 its website the dates on which the analysis, if any, and the arguments
36 advocating or opposing the measure are due and the date of the election.

37 C. Not later than ~~sixty~~ THIRTY days preceding the regular primary
38 election the legislative council, after providing reasonable opportunity
39 for comments by all legislators, shall prepare and file with the secretary
40 of state an impartial analysis of the provisions of each ballot proposal
41 of a measure or proposed amendment. The analysis shall include a
42 description of the measure and shall be written in clear and concise terms
43 avoiding technical terms wherever possible. The analysis may contain
44 background information, including the effect of the measure on existing

1 law, or any legislative enactment suspended by referendum, if the measure
2 or referendum is approved or rejected.

3 D. The analyses and arguments shall be included in the publicity
4 pamphlet immediately following the measure or amendment to which they
5 refer. Arguments in the affirmative shall be placed first in order, and
6 first among the affirmative or negative arguments shall be placed the
7 arguments filed by the person filing the initiative petition or the person
8 who introduced the measure or constitutional amendment referred. The
9 remaining affirmative and negative arguments shall be placed in the order
10 in which they were filed with the secretary of state.

11 E. The person filing an argument shall deposit with the secretary
12 of state, at the time of filing, an amount of money as prescribed by the
13 secretary of state for the purpose of offsetting a portion of the
14 proportionate cost of the purchase of the paper and the printing of the
15 argument. The secretary of state shall provide for electronic submittal
16 of deposit payments. If the person filing an argument requests that the
17 argument appear in connection with more than one proposition, a deposit
18 shall be made for each placement requested. ~~No such~~ A deposit or payment
19 ~~shall be~~ IS NOT required for the analyses prepared and filed by the
20 legislative council. Any proportional balance remaining of the deposit,
21 after paying the cost, shall be returned to the depositor.

22 F. If a measure is submitted at a special election, and time will
23 not ~~permit~~ ALLOW full compliance with this article, the charter provision
24 or ordinance providing for the special election shall make provision for
25 printing and distribution of the publicity pamphlet.

26 G. In the case of referendum petitions that are not required to be
27 filed until after the primary election or at a time so close to the
28 primary election that a referendum cannot be certified for the ballot
29 before the deadline for filing ballot arguments pursuant to subsection A
30 of this section, the secretary of state may establish a separate deadline
31 for filing the referendum ballot arguments pursuant to rules adopted by
32 the secretary of state.

33 Sec. 2. Emergency

34 This act is an emergency measure that is necessary to preserve the
35 public peace, health or safety and is operative immediately as provided by
36 law.