

COMMITTEE ON MUNICIPAL OVERSIGHT & ELECTIONS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.C.R. 1002  
(Reference to Senate engrossed resolution)

1 Strike everything after the resolving clause and insert:

2 "1. Article VII, section 7, Constitution of Arizona, is proposed to  
3 be amended as follows if approved by the voters and on proclamation of the  
4 Governor:

5 7. Highest number of votes received as determinative of  
6 person elected

7 Section 7. In all elections held by the people in this  
8 state, the person, or persons, receiving the highest number of  
9 legal votes shall be declared elected. EVERY QUALIFIED ELECTOR  
10 SHALL HAVE THE RIGHT TO CAST A VOTE FOR EVERY CONTEST ON THE  
11 BALLOT FOR WHICH THE ELECTOR IS QUALIFIED AND THE CANDIDATE FOR  
12 WHOM THE ELECTOR VOTED FOR, OR FOR OFFICES IN WHICH MORE THAN  
13 ONE PERSON MAY BE DECLARED ELECTED THE CANDIDATES, SHALL  
14 RECEIVE THE VOTE IN THE FINAL TALLY OF VOTES. THIS STATE, A  
15 CITY, TOWN, COUNTY OR ANY OTHER POLITICAL SUBDIVISION OF THIS  
16 STATE MAY NOT USE FOR THE ELECTION OR NOMINATION OF ANY  
17 CANDIDATE FOR A CITY, TOWN, COUNTY, STATE OR FEDERAL OFFICE A  
18 VOTING METHOD THAT ALLOWS ANY LAWFULLY CAST VOTE FOR A  
19 CANDIDATE TO BE REMOVED FROM THE TALLY UNLESS THE ELECTOR'S  
20 INTENT IS NOT DETERMINABLE AS PRESCRIBED BY LAW, OR THAT ALLOWS  
21 A LAWFULLY CAST VOTE TO BE REALLOCATED TO ANOTHER CANDIDATE ON  
22 THE BALLOT.

23 2. Findings and declaration of purpose

24 The Legislature finds and declares as follows:

25 Article VII, section 7, constitution of Arizona, ensures that the  
26 candidate or candidates receiving the highest number of votes shall be  
27 declared the winner which prohibits run off, instant run off, or any other

1 similar method of voting and that this constitutional protection ensures  
2 that every voter's vote is counted and that a voter's ballot is not  
3 discarded or the voter's vote for the voter's preferred candidate is not  
4 reallocated to another candidate.

5 Article VII, section 7, Constitution of Arizona, is a critical  
6 protection of the way Arizona, and before it every state in the United  
7 States, has determined the candidate elected in an election and intends  
8 with this measure to further that existing protection.

9 The legislature finds that voters have a right to vote for the  
10 candidate or candidate of their choice and to have their vote properly  
11 counted for that candidate or the candidates he or she has chosen.

12 The legislature further finds that any system that disqualifies  
13 otherwise qualified candidates on the ballot that received legal votes  
14 after the election because the candidate did not receive enough votes in  
15 the election and then exhausts a voter's ballot in another round of  
16 tabulation with the voters preferred candidate being removed,  
17 disenfranchises those voters.

18 The legislature further finds that currently the Arizona Constitution  
19 requires "in all elections held by the people in this state, the person, or  
20 persons, receiving the highest number of legal votes shall be declared  
21 election."

22 The legislature further finds and affirms that the Article VII,  
23 section 7, Arizona Constitution, prevents the use of run-off elections,  
24 either in the form of a subsequent separate election conducted after the  
25 general election, or by any system whereby a voter's vote for their  
26 preferred candidate is reallocated to another candidate after disqualifying  
27 a candidate on the grounds that the candidate for whom the voter cast their  
28 vote did not receive enough votes.

29 The legislature further finds that, since the beginning of the United  
30 States, and from the founding of this state, all elections were conducted  
31 by the simple and fair method of declaring the person who receives the  
32 highest number of votes as the winner.

1           The legislature further affirms that the people of this state  
2 generally approve of the system of electing officials in this state, and  
3 new systems that fundamentally change the way we, as Arizonans, both cast  
4 votes and have them tabulated, is disruptive, will lead to confusion,  
5 multi-page long ballots, and the suppression or disenfranchisement of  
6 voters.

7           The legislature further finds that, in 1988, the Arizona legislature  
8 referred to the people who approved an amendment to the Arizona  
9 constitution to allow for a run-off election.

10           The legislature further finds that, in the first election in which a  
11 runoff was required, the result was damaging to the public trust in the  
12 system and was so opposed by the people of Arizona, that the legislature  
13 referred a measure to the voters of Arizona who approved, by even larger  
14 margins, an amendment to the constitution removing the authorization for  
15 run-off elections and reinstating our longstanding process that ensures the  
16 person who receives the highest number of votes is declared elected.

17           The legislature further finds that this measure is intended to  
18 strengthen and reaffirm the existing process and system that has been in  
19 place from the foundation of this state, protecting against attempts to  
20 upend our elections.

21           3. The secretary of state shall submit this proposition to the  
22 voters at the next general election as provided by Article XXI,  
23 Constitution of Arizona."

24 Amend title to conform

And, as so amended, it do pass

JACQUELINE PARKER  
CHAIRMAN

SCR1002MUNICIPAL OVERSIGHT ELECTIONS.docx  
03/29/2023  
03:35 PM  
H: ra