

REFERENCE TITLE: ballot measures; descriptive title; summary

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2117

Introduced by
Representative Salman

AN ACT

AMENDING SECTION 19-125, 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 19-125, Arizona Revised Statutes, is amended to
3 read:

4 19-125. Form of ballot

5 A. The secretary of state, at the time the secretary of state
6 transmits to the clerks of the boards of supervisors a certified copy of
7 the name of each candidate for public office, shall transmit to each clerk
8 a certified copy of the official title, the descriptive title and the
9 number of each measure and proposed amendment to the constitution to be
10 voted on at the ensuing regular general election.

11 B. Proposed constitutional amendments shall be numbered
12 consecutively beginning with the number one hundred, proposed initiative
13 measures shall be numbered consecutively beginning with the number two
14 hundred, measures submitted under the referendum shall be numbered
15 consecutively beginning with the number three hundred, and county and
16 local issues shall be numbered consecutively beginning with the number
17 four hundred. Numbering shall be consecutive based on the order in which
18 the initiative or referendum petitions are filed with the secretary of
19 state. Individual numbering shall continue from the last number used in
20 the previous election and shall not be repeated until all one hundred
21 numbers in that series have been used. Proposed constitutional amendments
22 shall be placed by themselves at the head of the ballot column, followed
23 by initiated and referred measures in that order. The number assigned to
24 the measure by the secretary of state constitutes the official title of
25 the measure and shall be used for identification of the measure by the
26 state and the county in all subsequent official election materials,
27 including the publicity pamphlet.

28 C. The officer in charge of elections shall print the official
29 title and the descriptive title of each measure on the official ballot in
30 the order presented to him by the secretary of state unless otherwise
31 provided by law. The number of the measure shall be in reverse type and
32 at least twelve point type. A proposed constitutional amendment shall be
33 designated "proposed amendment to the constitution by the legislature", or
34 "proposed amendment to the constitution by the initiative", as the case
35 may be. A measure referred by the legislature shall be designated
36 "referred to the people by the legislature", a measure referred by
37 petition shall be designated "referendum ordered by petition of the
38 people" and a measure proposed by initiative petition shall be designated
39 "proposed by initiative petition".

40 D. A descriptive title shall be printed on the official ballot
41 immediately below the number of the measure and the official title of each
42 measure. The descriptive title shall contain ~~a~~ AN IMPARTIAL summary of
43 the principal provisions of the measure, not to exceed fifty words, which
44 shall be prepared by the secretary of state and approved by the attorney
45 general. ~~and shall include~~ AT LEAST THIRTY DAYS BEFORE THE EARLIEST DATE

1 THAT THE OFFICIAL BALLOTS AND PUBLICITY PAMPHLET ARE SENT TO BE PRINTED,
2 THE SECRETARY OF STATE AND THE ATTORNEY GENERAL SHALL PROMINENTLY POST THE
3 APPROVED IMPARTIAL SUMMARY ON THEIR RESPECTIVE WEBSITES, AND THE SECRETARY
4 OF STATE SHALL PROVIDE A COPY OF THE IMPARTIAL SUMMARY TO THE COMMITTEE
5 THAT FILED THE BALLOT MEASURE, IF ANY. THE IMPARTIAL SUMMARY SHALL INCLUDE
6 the following, or the ballot shall comply with subsection F of this
7 section:

8 A "yes" vote shall have the effect of _____.

9 A "no" vote shall have the effect of _____.

10 The blank spaces shall be filled with a brief phrase, approved by the
11 attorney general, stating the essential change in the existing law should
12 the measure receive a majority of votes cast in that particular manner.
13 In the case of a referendum, a "yes" vote shall have the effect of
14 approving the legislative enactment that is being referred. The "yes" and
15 "no" language shall be posted on the secretary of state's website after
16 being approved by the attorney general and before the date on which the
17 official ballots and the publicity pamphlet are sent to be printed. Below
18 the statement of effect of a "yes" vote and effect of a "no" vote there
19 shall be printed the corresponding words "yes" and "no" and a place for
20 the voter to put a mark as defined in section 16-400 indicating the
21 voter's preference.

22 E. In addition to the information prescribed by subsection D of
23 this section, for state statutory measures, the officer in charge of
24 elections shall print on the official ballot immediately before the first
25 proposed state statutory initiative measure and immediately before the
26 first proposed state statutory measure submitted under the referendum the
27 following statement: "Notice: Pursuant to proposition 105 (1998), these
28 measures cannot be changed in the future if approved on the ballot except
29 by a three-fourths vote of the members of each house of the legislature
30 and if the change furthers the purpose of the original ballot measure, by
31 an initiative petition or by referring the change to the ballot."

32 F. Instead of printing the official and descriptive titles or the
33 full text of each measure or question on the official ballot, the officer
34 in charge of elections may print phrases on the official ballot that
35 contain all of the following:

36 1. The number of the measure in reverse type and at least twelve
37 point type.

38 2. The designation of the measure as prescribed by subsection C of
39 this section or as a question, proposition or charter amendment, followed
40 by the words "relating to..." and inserting the subject.

41 3. Either the statement prescribed by subsection D of this section
42 that describes the effects of a "yes" vote and a "no" vote or, for other
43 measures, the text of the question or proposition.

44 4. The words "yes" and "no" or "for" and "against", as may be
45 appropriate and a place for the voter to put a mark.

1 5. For state statutory measures, immediately before the first
2 proposed state statutory initiative measure and immediately before the
3 first proposed state statutory measure submitted under the referendum the
4 following statement: "Notice: Pursuant to proposition 105 (1998), these
5 measures cannot be changed in the future if approved on the ballot except
6 by a three-fourths vote of the members of each house of the legislature
7 and if the change furthers the purpose of the original ballot measure, by
8 an initiative petition or by referring the change to the ballot."

9 G. For any ballot printed pursuant to subsection F of this section,
10 the instructions on the official ballot shall direct the voter to the full
11 text of the official and descriptive titles and the questions and
12 propositions as printed on the sample ballot and posted in the polling
13 place.