

House Engrossed

constitutional amendments; sixty percent vote

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## HOUSE CONCURRENT RESOLUTION 2025

### A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE IV, PART 1, SECTION 1, CONSTITUTION OF ARIZONA; AMENDING ARTICLE XXI, SECTION 1, CONSTITUTION OF ARIZONA; RELATING TO INITIATIVE AND REFERENDUM MEASURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,  
2 the Senate concurring:

3 1. Article IV, part 1, section 1, Constitution of Arizona, is  
4 proposed to be amended as follows if approved by the voters and on  
5 proclamation of the Governor:

6 1. Legislative authority; initiative and referendum

7 Section 1. (1) Senate; house of representatives;  
8 reservation of power to people. The legislative authority of  
9 the state shall be vested in the legislature, consisting of a  
10 senate and a house of representatives, but the people reserve  
11 the power to propose laws and amendments to the constitution  
12 and to enact or reject such laws and amendments at the polls,  
13 independently of the legislature; and they also reserve, for  
14 use at their own option, the power to approve or reject at the  
15 polls any act, or item, section, or part of any act, of the  
16 legislature.

17 (2) Initiative power. The first of these reserved  
18 powers is the initiative. Under this power ten percent of the  
19 qualified electors shall have the right to propose any  
20 measure, and fifteen percent shall have the right to propose  
21 any amendment to the constitution.

22 (3) Referendum power; emergency measures; effective  
23 date of acts. The second of these reserved powers is the  
24 referendum. Under this power the legislature, or five percent  
25 of the qualified electors, may order the submission to the  
26 people at the polls of any measure, or item, section or part  
27 of any measure, enacted by the legislature, except laws  
28 immediately necessary for the preservation of the public  
29 peace, health or safety, or for the support and maintenance of  
30 the departments of the state government and state  
31 institutions; but to allow opportunity for referendum  
32 petitions, no act passed by the legislature shall be operative  
33 for ninety days after the close of the session of the  
34 legislature enacting such measure, except such as require  
35 earlier operation to preserve the public peace, health or  
36 safety, or to provide appropriations for the support and  
37 maintenance of the departments of the state and of state  
38 institutions; provided, that no such emergency measure shall  
39 be considered passed by the legislature unless it shall state  
40 in a separate section why it is necessary that it shall become  
41 immediately operative, and shall be approved by the  
42 affirmative votes of two-thirds of the members elected to each  
43 house of the legislature, taken by roll call of ayes and nays,  
44 and also approved by the governor; and should such measure be  
45 vetoed by the governor, it shall not become a law unless it

1 shall be approved by the votes of three-fourths of the members  
2 elected to each house of the legislature, taken by roll call  
3 of ayes and nays.

4 (4) Initiative and referendum petitions; filing. All  
5 petitions submitted under the power of the initiative shall be  
6 known as initiative petitions, and shall be filed with the  
7 secretary of state not less than four months preceding the  
8 date of the election at which the measures so proposed are to  
9 be voted ~~upon~~ ON. All petitions submitted under the power of  
10 the referendum shall be known as referendum petitions, and  
11 shall be filed with the secretary of state not more than  
12 ninety days after the final adjournment of the session of the  
13 legislature which shall have passed the measure to which the  
14 referendum is applied. The filing of a referendum petition  
15 against any item, section or part of any measure shall not  
16 prevent the remainder of such measure from becoming operative.

17 (5) Effective date of initiative and referendum  
18 measures. Any measure or amendment to the constitution  
19 proposed under the initiative, and any measure to which the  
20 referendum is applied, shall be referred to a vote of the  
21 qualified electors, and for AN INITIATIVE TO AMEND THE  
22 CONSTITUTION, EXCEPT FOR A PROPOSED AMENDMENT TO SECTION 2,  
23 ARTICLE 8.1 OR an initiative or referendum to approve a tax,  
24 shall become law when approved by sixty percent of the votes  
25 cast thereon and ~~upon~~ ON proclamation of the governor, and not  
26 otherwise and for all other initiatives and referendums, shall  
27 become law when approved by a majority of the votes cast  
28 thereon and ~~upon~~ ON proclamation of the governor, and not  
29 otherwise.

30 (6) (A) Veto of initiative or referendum. The veto  
31 power of the governor shall not extend to an initiative  
32 measure to approve a tax that is approved by sixty percent of  
33 the votes cast thereon, AN INITIATIVE TO AMEND THE  
34 CONSTITUTION THAT IS APPROVED BY SIXTY PERCENT OF THE VOTES  
35 CAST THEREON, EXCEPT FOR AN INITIATIVE TO AMEND SECTION 2,  
36 ARTICLE 8.1, or to a referendum measure to approve a tax that  
37 is decided by sixty percent of the votes cast thereon and for  
38 all other initiatives and referendums, the veto power of the  
39 governor shall not extend to initiatives and referendums  
40 approved by a majority of the votes cast thereon.

41 (6) (B) Legislature's power to repeal initiative or  
42 referendum. The legislature shall not have the power to  
43 repeal an initiative measure to approve a tax that is approved  
44 by sixty percent of the votes cast thereon, AN INITIATIVE TO  
45 AMEND THE CONSTITUTION THAT IS APPROVED BY SIXTY PERCENT OF

1 THE VOTES CAST THEREON, EXCEPT FOR AN INITIATIVE TO AMEND  
2 SECTION 2, ARTICLE 8.1, or to repeal a referendum measure to  
3 approve a tax that is decided by sixty percent of the votes  
4 cast thereon and for all other initiatives and referendums,  
5 the legislature shall not have the power to repeal an  
6 initiative measure approved by a majority of the votes cast  
7 thereon and shall not have the power to repeal a referendum  
8 measure decided by a majority of the votes cast thereon.

9 (6) (C) Legislature's power to amend initiative or  
10 referendum. The legislature shall not have the power to amend  
11 an initiative measure to approve a tax that is approved by  
12 sixty percent of the votes cast thereon, or to amend a  
13 referendum measure to approve a tax that is decided by sixty  
14 percent of the votes cast thereon, unless the amending  
15 legislation furthers the purposes of such measure and at least  
16 three-fourths of the members of each house of the legislature,  
17 by a roll call of ayes and nays, vote to amend such measure.  
18 For all other initiatives and referendums, the legislature  
19 shall not have the power to amend an initiative measure  
20 approved by a majority of the votes cast thereon and shall not  
21 have the power to amend a referendum measure decided by a  
22 majority of the votes cast thereon, unless the amending  
23 legislation furthers the purposes of such measure and at least  
24 three-fourths of the members of each house of the legislature,  
25 by a roll call of ayes and nays, vote to amend such measure.

26 (6) (D) Legislature's power to appropriate or divert  
27 funds created by initiative or referendum. The legislature  
28 shall not have the power to appropriate or divert funds  
29 created or allocated to a specific purpose by an initiative  
30 measure that also approves a tax that is approved by sixty  
31 percent of the votes cast thereon, or by a referendum measure  
32 that also approves a tax that is decided by sixty percent of  
33 the votes cast thereon, unless the appropriation or diversion  
34 of funds furthers the purposes of such measure and at least  
35 three-fourths of the members of each house of the legislature,  
36 by a roll call of ayes and nays, vote to appropriate or divert  
37 such funds. For all other initiatives and referendums, the  
38 legislature shall not have the power to appropriate or divert  
39 funds created or allocated to a specific purpose by an  
40 initiative measure approved by a majority of the votes cast  
41 thereon and shall not have the power to appropriate or divert  
42 funds created or allocated to a specific purpose by a  
43 referendum measure decided by a majority of the votes cast  
44 thereon, unless the appropriation or diversion of funds  
45 furthers the purposes of such measure and at least

1 three-fourths of the members of each house of the legislature,  
2 by a roll call of ayes and nays, vote to appropriate or divert  
3 such funds.

4 (7) Number of qualified electors. The whole number of  
5 votes cast for all candidates for governor at the general  
6 election last preceding the filing of any initiative or  
7 referendum petition on a state or county measure shall be the  
8 basis on which the number of qualified electors required to  
9 sign such petition shall be computed.

10 (8) Local, city, town or county matters. The powers of  
11 the initiative and the referendum are hereby further reserved  
12 to the qualified electors of every incorporated city, town and  
13 county as to all local, city, town or county matters on which  
14 such incorporated cities, towns and counties are or shall be  
15 empowered by general laws to legislate. Such incorporated  
16 cities, towns and counties may prescribe the manner of  
17 exercising said powers within the restrictions of general  
18 laws. Under the power of the initiative fifteen percent of the  
19 qualified electors may propose measures on such local, city,  
20 town or county matters, and ten percent of the electors may  
21 propose the referendum on legislation enacted within and by  
22 such city, town or county. Until provided by general law,  
23 said cities and towns may prescribe the basis on which said  
24 percentages shall be computed.

25 (9) Form and contents of initiative and of referendum  
26 petitions; verification. Every initiative or referendum  
27 petition shall be addressed to the secretary of state in the  
28 case of petitions for or on state measures, and to the clerk  
29 of the board of supervisors, city clerk or corresponding  
30 officer in the case of petitions for or on county, city or  
31 town measures; and shall contain the declaration of each  
32 petitioner, for himself, that he is a qualified elector of the  
33 state (and in the case of petitions for or on city, town or  
34 county measures, of the city, town or county affected), his  
35 post office address, the street and number, if any, of his  
36 residence, and the date on which he signed such petition.  
37 Every initiative measure shall embrace but one subject and  
38 matters properly connected therewith, which subject shall be  
39 expressed in the title; but if any subject shall be embraced  
40 in an initiative measure which shall not be expressed in the  
41 title, such initiative measure shall be void only as to so  
42 much thereof as shall not be embraced in the title. Each  
43 sheet containing petitioners' signatures shall be attached to  
44 a full and correct copy of the title and text of the measure  
45 so proposed to be initiated or referred to the people, and

1 every sheet of every such petition containing signatures shall  
2 be verified by the affidavit of the person who circulated said  
3 sheet or petition, setting forth that each of the names on  
4 said sheet was signed in the presence of the affiant and that  
5 in the belief of the affiant each signer was a qualified  
6 elector of the state, or in the case of a city, town or county  
7 measure, of the city, town or county affected by the measure  
8 so proposed to be initiated or referred to the people.

9 (10) Official ballot. When any initiative or referendum  
10 petition or any measure referred to the people by the  
11 legislature is filed, in accordance with this section, with  
12 the secretary of state, the secretary of state shall cause to  
13 be printed on the official ballot at the next regular general  
14 election the title and number of said measure, together with  
15 the words "yes" and "no" in such manner that the electors may  
16 express at the polls their approval or disapproval of the  
17 measure.

18 (11) Publication of measures. The text of all measures  
19 to be submitted shall be published as proposed amendments to  
20 the constitution are published, and in submitting such  
21 measures and proposed amendments the secretary of state and  
22 all other officers shall be guided by the general law until  
23 legislation shall be especially provided therefor.

24 (12) Conflicting measures or constitutional amendments.  
25 If two or more conflicting measures or amendments to the  
26 constitution shall be approved by the people at the same  
27 election, the measure or amendment receiving the greatest  
28 number of affirmative votes shall prevail in all particulars  
29 as to which there is conflict.

30 (13) Canvass of votes; proclamation. It shall be the  
31 duty of the secretary of state, in the presence of the  
32 governor and the chief justice of the supreme court, to  
33 canvass the votes for and against each such measure or  
34 proposed amendment to the constitution within thirty days  
35 after the election, and ~~upon~~ ON the completion of the canvass  
36 the governor shall forthwith issue a proclamation, giving the  
37 whole number of votes cast for and against each measure or  
38 proposed amendment, and declaring such measures or amendments  
39 to approve a tax OR INITIATIVE MEASURES THAT AMEND THE  
40 CONSTITUTION as are approved by sixty percent of those voting  
41 thereon to be law and for all other measures or amendments,  
42 declaring such measures as are approved by a majority of those  
43 voting thereon to be law.

44 (14) Reservation of legislative power. This section  
45 shall not be construed to deprive the legislature of the right

1 to enact any measure except that the legislature shall not  
2 have the power to adopt any measure that supersedes, in whole  
3 or in part, any initiative measure to approve a tax that is  
4 approved by sixty percent of the votes cast thereon or any  
5 referendum measure to approve a tax that is decided by sixty  
6 percent of the votes cast thereon unless the superseding  
7 measure furthers the purposes of the initiative or referendum  
8 measure and at least three-fourths of the members of each  
9 house of the legislature, by a roll call of ayes and nays,  
10 vote to supersede such initiative or referendum measure. For  
11 all other initiatives and referendums, the legislature shall  
12 not have the power to adopt any measure that supersedes, in  
13 whole or in part, any initiative measure approved by a  
14 majority of the votes cast thereon and shall not have the  
15 power to adopt any measure that supersedes, in whole or in  
16 part, any referendum measure decided by a majority of the  
17 votes cast thereon, unless the superseding measure furthers  
18 the purposes of the initiative or referendum measure and at  
19 least three-fourths of the members of each house of the  
20 legislature, by a roll call of ayes and nays, vote to  
21 supersede such initiative or referendum measure.

22 (15) Legislature's right to refer measure to the people.  
23 Nothing in this section shall be construed to deprive or limit  
24 the legislature of the right to order the submission to the  
25 people at the polls of any measure, item, section or part of  
26 any measure.

27 (16) Self-executing. This section of the constitution  
28 shall be, in all respects, self-executing.

29 2. Article XXI, section 1, Constitution of Arizona, is proposed to  
30 be amended as follows if approved by the voters and on proclamation of the  
31 Governor:

32 1. Introduction in legislature; initiative  
33 petition; election

34 Section 1. Any amendment or amendments to this  
35 constitution may be proposed in either house of the  
36 legislature, or by initiative petition signed by a number of  
37 qualified electors equal to fifteen percent of the total  
38 number of votes for all candidates for governor at the last  
39 preceding general election. Any proposed amendment or  
40 amendments which shall be introduced in either house of the  
41 legislature, and which shall be approved by a majority of the  
42 members elected to each of the two houses, shall be entered on  
43 the journal of each house, together with the ayes and nays  
44 thereon. When any proposed amendment or amendments shall be  
45 thus passed by a majority of each house of the legislature and

1 entered on the respective journals thereof, or when any  
2 elector or electors file with the secretary of state any  
3 proposed amendment or amendments together with a petition  
4 therefor signed by a number of electors equal to fifteen  
5 percent of the total number of votes for all candidates for  
6 governor in the last preceding general election, the secretary  
7 of state shall submit such proposed amendment or amendments to  
8 the vote of the people at the next general election (except  
9 when the legislature shall call a special election for the  
10 purpose of having said proposed amendment or amendments voted  
11 on, in which case the secretary of state shall submit such  
12 proposed amendment or amendments to the qualified electors at  
13 said special election; ~~and~~ and. For any proposed ~~amendment or~~  
14 ~~amendments~~ INITIATIVE TO AMEND THE CONSTITUTION, EXCEPT FOR AN  
15 INITIATIVE TO AMEND SECTION 2, ARTICLE 8.1, OR INITIATIVE OR  
16 REFERENDUM to approve a tax, if sixty percent of the qualified  
17 electors voting thereon shall approve and ratify such proposed  
18 amendment or amendments in the regular or special election,  
19 such amendment or amendments shall become a part of this  
20 constitution and for any other proposed amendment or  
21 amendments, if a majority of the qualified electors voting  
22 thereon shall approve and ratify such proposed amendment or  
23 amendments in the regular or special election, such amendment  
24 or amendments shall become a part of this constitution. Until  
25 a method of publicity is otherwise provided by law, the  
26 secretary of state shall have the proposed amendment or  
27 amendments published for a period of at least ninety days  
28 before the date of the election in at least one newspaper in  
29 every county of the state in which a newspaper is published,  
30 in such manner as may be prescribed by law. If more than one  
31 proposed amendment is submitted at any election, the proposed  
32 amendments shall be submitted in such a manner that the  
33 electors may vote for or against such proposed amendments  
34 separately.

35 3. The Secretary of State shall submit this proposition to the  
36 voters at the next general election as provided by article XXI,  
37 Constitution of Arizona.