

REFERENCE TITLE: municipalities; emergency measures; vote

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1657

Introduced by
Senator Rogers

AN ACT

AMENDING SECTION 19-142, ARIZONA REVISED STATUTES; RELATING TO MUNICIPAL
EMERGENCY MEASURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 19-142, Arizona Revised Statutes, is amended to
3 read:

4 19-142. Referendum petitions against municipal actions;
5 emergency measures; zoning actions; emergency
6 clause; referral; definition

7 A. The whole number of votes cast at the citywide or townwide
8 election at which a mayor or councilmen were chosen last preceding the
9 submission of the application for a referendum petition against an
10 ordinance, franchise or resolution shall be the basis on which the number
11 of electors of the city or town required to file a referendum petition
12 shall be computed. For the purposes of this section, a citywide or
13 townwide election is an election at which all of the qualified electors of
14 a city or town are eligible to vote for a mayor or members of the city or
15 town council. The petition shall be filed with the city or town clerk
16 within thirty days after passage of the ordinance, resolution or
17 franchise.

18 B. A city or town ordinance, resolution or franchise shall not
19 become operative until thirty days after its passage by the council and
20 approval by the mayor, unless it is passed over the mayor's veto, and then
21 it shall not become operative until thirty days after final approval and
22 until certification by the clerk of the city or town of the minutes of the
23 meeting at which the action was taken, except emergency measures necessary
24 for the immediate preservation of the peace, health or safety of the city
25 or town. An emergency measure shall not become immediately operative
26 unless it states in a separate section the reason why it is necessary that
27 it should become immediately operative, and unless it is approved by the
28 affirmative vote of three-fourths of all the members elected to the city
29 or town council, taken by ayes and noes, and also approved by the mayor.

30 C. At the time a person or organization intending to file a
31 referendum petition against an ordinance or resolution applies for the
32 issuance of an official number pursuant to section 19-111, the city or
33 town clerk shall provide such person or organization with a full and
34 correct copy of the ordinance or resolution in the form as finally
35 adopted. If the copy of the ordinance or resolution proposed as a
36 referendum is not available to such person or organization at the time of
37 making application for an official number or on the same business day as
38 the application is submitted, the thirty-day period prescribed in
39 subsection A of this section begins on the day that the ordinance or
40 resolution is available from the city or town clerk, and the ordinance or
41 resolution shall not become operative until thirty days after the
42 ordinance or resolution is available.

43 D. Notwithstanding subsection C of this section, a person or
44 organization may file a referendum petition against the rezoning of a
45 parcel of property on the approval by the city or town council of the

1 ordinance that adopts the rezoning or on the approval of that portion of
 2 the minutes of the city or town council that includes the council's
 3 approval of the rezoning, whichever occurs first. The ~~thirty-day~~
 4 THIRTY-DAY period prescribed in subsection A of this section begins on the
 5 day that the rezoning ordinance or approved minutes or portion of the
 6 approved minutes are available from the city or town clerk and the
 7 ordinance is not operative until thirty days after the ordinance or
 8 minutes are available.

9 E. NOTWITHSTANDING ANY OTHER LAW, AN ORDINANCE, RESOLUTION OR OTHER
 10 MEASURE THAT IS ADOPTED BY THE CITY OR TOWN COUNCIL AS AN EMERGENCY
 11 MEASURE IS SUBJECT TO A REFERENDUM IN THE SAME MANNER PROVIDED FOR AN
 12 ADOPTED NONEMERGENCY ORDINANCE, RESOLUTION OR OTHER MEASURE. A REFERENDUM
 13 PETITION SHALL BE FILED WITH THE CITY OR TOWN CLERK WITHIN THIRTY DAYS
 14 AFTER PASSAGE OF THE ORDINANCE, RESOLUTION OR OTHER MEASURE THAT IS
 15 ADOPTED BY THE CITY OR TOWN COUNCIL AS AN EMERGENCY MEASURE. IF AN
 16 ORDINANCE, RESOLUTION OR OTHER MEASURE THAT IS ADOPTED AS AN EMERGENCY
 17 MEASURE AND THAT IS PLACED ON THE BALLOT DOES NOT RECEIVE A MAJORITY OF
 18 THE VOTES OF THOSE VOTING ON THE ORDINANCE, RESOLUTION OR OTHER MEASURE
 19 ADOPTED AS AN EMERGENCY MEASURE, THE MEASURE THAT WAS ADOPTED AS THE
 20 EMERGENCY MEASURE WILL NO LONGER BE IN EFFECT.