

REFERENCE TITLE: ballot measures; circulators; revenue; disclosure

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HCR 2051

Introduced by
Representative Carbone

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO INITIATIVE AND REFERENDUM.

(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. Under the power of the referendum, as vested in the Legislature,
4 the following measure, relating to initiative and referendum, is enacted
5 to become valid as a law if approved by the voters and on proclamation of
6 the Governor:

7 AN ACT

8 AMENDING SECTIONS 19-102, 19-102.01, 19-118, 19-118.01 AND
9 19-141, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND
10 REFERENDUM.

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

12 Section 1. Section 19-102, Arizona Revised Statutes, is
13 amended to read:

14 19-102. Initiative petition; circulators

15 A. The form of petition for a law or amendment to the
16 constitution of this state or county legislative measure, or
17 city or town ordinance, or amendment to a city or town charter
18 proposed by the initiative to be submitted directly to the
19 electors, shall be substantially in the form prescribed in
20 section 19-101, except that the title and body of such
21 petition shall read:

22 Initiative description

23 (Insert a description of not more than two
24 hundred words of the principal provisions of the
25 proposed measure or constitutional amendment.)

26 Notice: This is only a description of the proposed
27 measure (or constitutional amendment) prepared by the sponsor
28 of the measure. It may not include every provision contained
29 in the measure. Before signing, make sure the title and text
30 of the measure are attached. You have the right to read or
31 examine the title and text before signing.

32 Initiative Measure to be

33 Submitted Directly to Electors

34 We, the undersigned, citizens and qualified
35 electors of the state of Arizona, respectfully
36 demand that the following proposed law (or
37 amendment to the constitution, or other initiative
38 measure), shall be submitted to the qualified
39 electors of the state of Arizona (county, city or
40 town of _____) for their approval or
41 rejection at the next regular general election (or
42 county, city or town election) and each for
43 himself says: (terminate form same as a referendum
44 petition.)

1 B. Each petition sheet shall have printed on the top of
2 each sheet the following:

3 ~~It is unlawful to sign this petition~~
4 before it has a serial number.

5 C. Each petition sheet shall have printed in capital
6 letters in not less than twelve point bold-faced type in the
7 upper right-hand corner of the face of the petition sheet and
8 below the statement prescribed in subsection B of this section
9 the following:

10 ~~_____ paid circulator_____~~
11 volunteer.

12 D. A circulator of an initiative petition shall state
13 whether the circulator is a paid circulator or volunteer by
14 checking the appropriate line on the petition form before
15 circulating the petition for signatures. ON APPROACHING A
16 POTENTIAL PETITION SIGNER, A PAID CIRCULATOR SHALL VERBALLY
17 DISCLOSE THE CIRCULATOR'S FIRST NAME, THE STATE IN WHICH THE
18 CIRCULATOR LEGALLY RESIDES AND THAT THE CIRCULATOR IS A PAID
19 CIRCULATOR. A PAID CIRCULATOR ALSO SHALL WEAR A BADGE THAT IS
20 CLEARLY VISIBLE, THAT STATES THAT THE CIRCULATOR IS A PAID
21 CIRCULATOR AND THAT BEARS THE CIRCULATOR'S FIRST NAME AND LAST
22 INITIAL AND THE STATE IN WHICH THE CIRCULATOR LEGALLY RESIDES.

23 E. Signatures obtained on initiative petitions in
24 violation of subsection D of this section are void and shall
25 not be counted in determining the legal sufficiency of the
26 petition. The presence of signatures that are invalidated
27 under this subsection on a petition does not invalidate other
28 signatures on the petition that were obtained as prescribed by
29 this section.

30 Sec. 2. Section 19-102.01, Arizona Revised Statutes, is
31 amended to read:

32 19-102.01. Initiative petitions; standard of review

33 A. Constitutional and statutory requirements for
34 ~~statewide~~ initiative measures must be strictly construed and
35 persons using the initiative process must strictly comply with
36 those constitutional and statutory requirements.

37 B. The secretary of state shall make available a sample
38 initiative petition that strictly complies with the
39 requirements of section 19-121. Any committee that uses the
40 sample initiative petition provided by the secretary of state
41 shall be presumed to have strictly complied with the
42 requirements of section 19-121.

1 Sec. 3. Section 19-118, Arizona Revised Statutes, is
2 amended to read:

3 19-118. Registered circulators; requirements;
4 violation; classification; definition

5 A. For ~~statewide~~ initiative and referendum measures
6 ~~only~~, INCLUDING MEASURES GOVERNED BY SECTIONS 19-141, 19-142
7 AND 19-143, all circulators who are not residents of this
8 state and all paid circulators must register as circulators
9 with the secretary of state before circulating petitions
10 pursuant to this title. The committee that is circulating the
11 petition shall collect and submit the completed registration
12 applications to the secretary of state. The secretary of
13 state shall establish in the instructions and procedures
14 manual issued pursuant to section 16-452 a procedure for
15 registering circulators, including circulator registration
16 applications, and shall publish on a website maintained by the
17 secretary of state all information regarding circulators that
18 is required pursuant to this section. The secretary of state
19 OR OTHER FILING OFFICER, AS APPLICABLE, shall disqualify all
20 signatures collected by a circulator who fails to register
21 pursuant to this subsection as provided for in section
22 19-121.01, subsection A.

23 B. The circulator registration application required by
24 subsection A of this section shall require the following:

25 1. The circulator's full name, residence address,
26 telephone number and email address.

27 2. The initiative or referendum petition on which the
28 circulator will gather signatures.

29 3. A statement that the circulator consents to the
30 jurisdiction of the courts of this state in resolving any
31 disputes concerning the circulation of petitions by that
32 circulator.

33 4. The address of the committee in this state for which
34 the circulator is gathering signatures and at which the
35 circulator will accept service of process related to disputes
36 concerning circulation of that circulator's petitions.
37 Service of process is effected under this section by
38 delivering a copy of the subpoena to that person individually,
39 by leaving a copy of the subpoena with a person of suitable
40 age or by mailing a copy of the subpoena to the committee by
41 certified mail to the address provided.

42 5. An affidavit from the registered circulator that is
43 signed by the circulator before a notary public and that
44 includes the following declaration:

1 I, _____ (print name) _____, under penalty of
2 a class 1 misdemeanor, acknowledge that I am
3 eligible to register as a circulator in the state
4 of Arizona, that all of the information provided
5 is correct to the best of my knowledge and that I
6 have read and understand Arizona election laws
7 applicable to the collection of signatures for
8 ~~a statewide~~ AN initiative or referendum.
9 C. Within five business days after submission and
10 review of a complete and correct circulator registration
11 application that complies with this section, the secretary of
12 state shall register and assign a circulator registration
13 number to the circulator.
14 D. A person may not register as a circulator pursuant
15 to this section if the person:
16 1. Has had a civil or criminal penalty imposed for a
17 violation of title 16 or this title within the immediately
18 preceding five years.
19 2. Has been convicted of treason or a felony and has
20 not been restored to civil rights as described in section
21 16-101, subsection A, paragraph 5.
22 3. Has been convicted of any criminal offense involving
23 fraud, forgery or identity theft.
24 E. If a registered circulator is properly served with a
25 subpoena to provide evidence in an action regarding
26 circulation of petitions and fails to appear or produce
27 documents as provided for in the subpoena, all signatures
28 collected by that circulator are deemed invalid. The party
29 serving the subpoena may request an order from the court
30 directing the secretary of state to remove any signatures
31 collected by the circulator as provided for in section
32 19-121.01, subsection A.
33 F. Any person may challenge the lawful registration of
34 circulators in the superior court of the county in which the
35 circulator is registered. A challenge may not be commenced
36 more than ten business days after the date that the secretary
37 of state's office has received, processed and made available
38 all final petition sheets individually numbered. The person
39 challenging signatures may amend that complaint after the
40 secretary of state has removed signatures and signature sheets
41 as prescribed in section 19-121.01. An action pursuant to
42 this section shall be advanced on the calendar and decided by
43 the court as soon as possible. Either party may appeal to the
44 supreme court within five calendar days after entry of
45 judgment. The prevailing party in an action to challenge the

1 registration of a circulator under this section is entitled to
2 reasonable attorney fees.

3 G. The removal or disqualification of any one or more
4 circulators does not invalidate the random sample of
5 signatures made pursuant to section 19-121.01, and the
6 secretary of state shall not be required to conduct any
7 additional random sampling of signatures.

8 H. A person who knowingly omits or misrepresents
9 information or provides false information on a circulator
10 registration application or who registers in violation of this
11 section is guilty of a class 1 misdemeanor.

12 I. For the purposes of this title, "paid circulator":

13 1. Means a natural person who receives monetary or
14 other compensation for obtaining signatures on ~~a statewide~~ AN
15 initiative or referendum petition or for circulating ~~statewide~~
16 initiative or referendum petitions for signatures.

17 2. Does not include a paid employee of any political
18 committee organized pursuant to title 16, chapter 6, unless
19 that employee has or will obtain two hundred or more
20 signatures on an initiative, referendum or recall petition in
21 an election cycle.

22 Sec. 4. Section 19-118.01, Arizona Revised Statutes, is
23 amended to read:

24 19-118.01. Signature collection; prohibited payments;
25 violation; classification

26 A. A person shall not pay or receive money or any other
27 thing of value based on the number of signatures collected on
28 ~~a statewide~~ AN initiative or referendum petition. Signatures
29 that are obtained by a paid circulator who violates this
30 section are void and shall not be counted in determining the
31 legal sufficiency of the petition.

32 B. A violation of this section is a class 1
33 misdemeanor.

34 Sec. 5. Section 19-141, Arizona Revised Statutes, is
35 amended to read:

36 19-141. Initiative and referendum in counties, cities
37 and towns

38 A. This chapter applies to the legislation of cities,
39 towns and counties, except as specifically provided to the
40 contrary in this article. The duties required of the
41 secretary of state as to state legislation shall be performed
42 in connection with such legislation by the city or town clerk,
43 county officer in charge of elections or person performing the
44 duties ~~as such~~ OF THAT OFFICE. The duties required of the
45 governor shall be performed by the mayor or the chairman of

1 the board of supervisors, the duties required of the attorney
2 general shall be performed by the city, town or county
3 attorney, and the printing and binding of measures and
4 arguments shall be paid for by the city, town or county in
5 like manner as payment is provided for by the state with
6 respect to state legislation. The provisions of section
7 19-124 with respect to the legislative council analysis do not
8 apply in connection with initiatives and referenda in cities,
9 towns and counties. The printing shall be done in the same
10 manner as other municipal or county printing is done.

11 B. Distribution of pamphlets shall be made to every
12 household containing a registered voter in the city, town or
13 county by the city or town clerk or by the county officer in
14 charge of elections by mail before the earliest date for
15 receipt by registered voters of any requested early ballot for
16 the election at which the measures are to be voted on. If the
17 pamphlet is not mailed before the earliest date for receipt of
18 a requested early ballot, the officer in charge of elections
19 shall provide a notice with the early ballots stating when the
20 pamphlets will be mailed and where and when the pamphlets may
21 be accessed or viewed. Any contract for pamphlet publication
22 or mailing, or both, shall provide for the contractor to pay a
23 penalty for each day of mailing that occurs on or after the
24 earliest date for receipt of requested early ballots. The
25 penalty shall be ~~one cent~~ \$.01 for each household with a
26 registered voter for each day of late mailing, and the monies
27 shall be paid to the office of the officer in charge of
28 elections. Pamphlets shall not be mailed or carried less than
29 ten days before the election at which the measures are to be
30 voted ~~upon~~ ON.

31 C. Arguments supporting or opposing municipal or county
32 initiative and referendum measures shall be filed with the
33 city or town clerk or the county officer in charge of
34 elections not less than ninety days before the election at
35 which they are to be voted ~~upon~~ ON.

36 D. The procedure with respect to municipal and county
37 legislation shall be as nearly as practicable the same as the
38 procedure relating to initiative and referendum provided for
39 the state at large, except the procedure for verifying
40 signatures on initiative or referendum petitions may be
41 established by a city or town by charter or ordinance. ANY
42 MUNICIPAL OR COUNTY INITIATIVE OR REFERENDUM MEASURE THAT
43 PROPOSES A MANDATORY EXPENDITURE, ESTABLISHES A FUND FOR ANY
44 SPECIFIC PURPOSE OR ALLOCATES FUNDING FOR ANY SPECIFIC PURPOSE
45 MUST PROVIDE A DISCLOSURE OF THE EXPENDITURE, FUND OR

1 ALLOCATION AND THE SOURCE OF INCREASED REVENUES SUFFICIENT TO
2 COVER THE ENTIRE IMMEDIATE AND FUTURE COSTS OF THE PROPOSAL.
3 THIS DISCLOSURE SHALL BE PROVIDED IN THE INITIATIVE OR
4 REFERENDUM DESCRIPTION PRESCRIBED BY SECTION 19-101 OR 19-102.

5 E. References in this section to duties to be performed
6 by city or town officers apply only with respect to municipal
7 legislation, and references to duties to be performed by
8 county officers apply only with respect to county legislation.

9 F. The duties required of the county recorder with
10 respect to state legislation shall also be performed by the
11 county recorder with respect to municipal or county
12 legislation.

13 2. The Secretary of State shall submit this proposition to the
14 voters at the next general election as provided by article IV, part 1,
15 section 1, Constitution of Arizona.