

Senate Engrossed

ballot measures; circulators; revenue; disclosure

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1489

AN ACT

AMENDING SECTIONS 19-102, 19-102.01, 19-118, 19-118.01 AND 19-141, 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 19-102, Arizona Revised Statutes, is amended to
3 read:

4 19-102. Initiative petition; circulators

5 A. The form of petition for a law or amendment to the constitution
6 of this state or county legislative measure, or city or town ordinance, or
7 amendment to a city or town charter proposed by the initiative to be
8 submitted directly to the electors, shall be substantially in the form
9 prescribed in section 19-101, except that the title and body of such
10 petition shall read:

11 Initiative description

12 (Insert a description of not more than two hundred words
13 of the principal provisions of the proposed measure or
14 constitutional amendment.)

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

20 Initiative Measure to be Submitted Directly to Electors

21 We, the undersigned, citizens and qualified electors of
22 the state of Arizona, respectfully demand that the following
23 proposed law (or amendment to the constitution, or other
24 initiative measure), shall be submitted to the qualified
25 electors of the state of Arizona (county, city or town of
26 _____)
27 _____) for their approval or rejection at the next
28 regular general election (or county, city or town election)
29 and each for himself says: (terminate form same as a
30 referendum petition.)

31 B. Each petition sheet shall have printed on the top of each sheet
32 the following:

33 ~~It is unlawful to sign this petition before it has a~~
34 ~~serial number.~~

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

39 ~~_____ paid circulator_____ volunteer_____.~~

40 D. A circulator of an initiative petition shall state whether the
41 circulator is a paid circulator or volunteer by checking the appropriate
42 line on the petition form before circulating the petition for signatures.
43 ON APPROACHING A POTENTIAL PETITION SIGNER, A PAID CIRCULATOR SHALL
44 VERBALLY DISCLOSE THE STATE IN WHICH THE CIRCULATOR LEGALLY RESIDES AND
45 THAT THE CIRCULATOR IS A PAID CIRCULATOR. A PAID CIRCULATOR ALSO SHALL
WEAR A BADGE THAT IS CLEARLY VISIBLE, THAT STATES THAT THE CIRCULATOR IS A

1 PAID CIRCULATOR AND THAT BEARS THE STATE IN WHICH THE CIRCULATOR LEGALLY
2 RESIDES.

3 E. Signatures obtained on initiative petitions in violation of
4 subsection D of this section are void and shall not be counted in
5 determining the legal sufficiency of the petition. The presence of
6 signatures that are invalidated under this subsection on a petition does
7 not invalidate other signatures on the petition that were obtained as
8 prescribed by this section.

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

11 19-102.01. Initiative petitions; standard of review

12 A. Constitutional and statutory requirements for ~~statewide~~
13 initiative measures must be strictly construed and persons using the
14 initiative process must strictly comply with those constitutional and
15 statutory requirements.

16 B. The secretary of state shall make available a sample initiative
17 petition that strictly complies with the requirements of section 19-121.
18 Any committee that uses the sample initiative petition provided by the
19 secretary of state shall be presumed to have strictly complied with the
20 requirements of section 19-121.

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

23 19-118. Registered circulators; requirements; violation;
24 classification; definition

25 A. For ~~statewide~~ initiative and referendum measures ~~only~~, INCLUDING
26 MEASURES GOVERNED BY SECTIONS 19-141, 19-142 AND 19-143, all circulators
27 who are not residents of this state and all paid circulators must register
28 as circulators with the secretary of state before circulating petitions
29 pursuant to this title. The committee that is circulating the petition
30 shall collect and submit the completed registration applications to the
31 secretary of state. The secretary of state shall establish in the
32 instructions and procedures manual issued pursuant to section 16-452 a
33 procedure for registering circulators, including circulator registration
34 applications, and shall publish on a website maintained by the secretary
35 of state all information regarding circulators that is required pursuant
36 to this section. The secretary of state OR OTHER FILING OFFICER, AS
37 APPLICABLE, shall disqualify all signatures collected by a circulator who
38 fails to register pursuant to this subsection as provided for in section
39 19-121.01, subsection A.

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

42 1. The circulator's full name, residence address, telephone number
43 and email address.

44 2. The initiative or referendum petition on which the circulator
45 will gather signatures.

1 3. A statement that the circulator consents to the jurisdiction of
2 the courts of this state in resolving any disputes concerning the
3 circulation of petitions by that circulator.

4 4. The address of the committee in this state for which the
5 circulator is gathering signatures and at which the circulator will accept
6 service of process related to disputes concerning circulation of that
7 circulator's petitions. Service of process is effected under this section
8 by delivering a copy of the subpoena to that person individually, by
9 leaving a copy of the subpoena with a person of suitable age or by mailing
10 a copy of the subpoena to the committee by certified mail to the address
11 provided.

12 5. An affidavit from the registered circulator that is signed by
13 the circulator before a notary public and that includes the following
14 declaration:

15 I, (print name) , under penalty of a class 1
16 misdemeanor, acknowledge that I am eligible to register as a
17 circulator in the state of Arizona, that all of the
18 information provided is correct to the best of my knowledge
19 and that I have read and understand Arizona election laws
20 applicable to the collection of signatures for ~~a statewide~~ AN
21 initiative or referendum.

22 C. Within five business days after submission and review of a
23 complete and correct circulator registration application that complies
24 with this section, the secretary of state shall register and assign a
25 circulator registration number to the circulator.

26 D. A person may not register as a circulator pursuant to this
27 section if the person:

28 1. Has had a civil or criminal penalty imposed for a violation of
29 title 16 or this title within the immediately preceding five years.

30 2. Has been convicted of treason or a felony and has not been
31 restored to civil rights as described in section 16-101, subsection A,
32 paragraph 5.

33 3. Has been convicted of any criminal offense involving fraud,
34 forgery or identity theft.

35 E. If a registered circulator is properly served with a subpoena to
36 provide evidence in an action regarding circulation of petitions and fails
37 to appear or produce documents as provided for in the subpoena, all
38 signatures collected by that circulator are deemed invalid. The party
39 serving the subpoena may request an order from the court directing the
40 secretary of state to remove any signatures collected by the circulator as
41 provided for in section 19-121.01, subsection A.

1 F. Any person may challenge the lawful registration of circulators
2 in the superior court of the county in which the circulator is registered.
3 A challenge may not be commenced more than ten business days after the
4 date that the secretary of state's office has received, processed and made
5 available all final petition sheets individually numbered. The person
6 challenging signatures may amend that complaint after the secretary of
7 state has removed signatures and signature sheets as prescribed in section
8 19-121.01. An action pursuant to this section shall be advanced on the
9 calendar and decided by the court as soon as possible. Either party may
10 appeal to the supreme court within five calendar days after entry of
11 judgment. The prevailing party in an action to challenge the registration
12 of a circulator under this section is entitled to reasonable attorney
13 fees.

14 G. The removal or disqualification of any one or more circulators
15 does not invalidate the random sample of signatures made pursuant to
16 section 19-121.01, and the secretary of state shall not be required to
17 conduct any additional random sampling of signatures.

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

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

22 1. Means a natural person who receives monetary or other
23 compensation for obtaining signatures on ~~a statewide~~ AN initiative or
24 referendum petition or for circulating ~~statewide~~ initiative or referendum
25 petitions for signatures.

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

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

32 19-118.01. Signature collection; prohibited payments;
33 violation; classification

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

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

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

42 19-141. Initiative and referendum in counties, cities and
43 towns

44 A. This chapter applies to the legislation of cities, towns and
45 counties, except as specifically provided to the contrary in this article.

1 The duties required of the secretary of state as to state legislation
2 shall be performed in connection with such legislation by the city or town
3 clerk, county officer in charge of elections or person performing the
4 duties ~~as such~~ OF THAT OFFICE. The duties required of the governor shall
5 be performed by the mayor or the chairman of the board of supervisors, the
6 duties required of the attorney general shall be performed by the city,
7 town or county attorney, and the printing and binding of measures and
8 arguments shall be paid for by the city, town or county in like manner as
9 payment is provided for by the state with respect to state legislation.
10 The provisions of section 19-124 with respect to the legislative council
11 analysis do not apply in connection with initiatives and referenda in
12 cities, towns and counties. The printing shall be done in the same manner
13 as other municipal or county printing is done.

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

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

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

1 THIS DISCLOSURE SHALL BE PROVIDED IN THE INITIATIVE OR REFERENDUM
2 DESCRIPTION PRESCRIBED BY SECTION 19-101 OR 19-102.

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

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