



NAVAJO COUNTY

Board of Supervisors

Fern Benally • Alberto L. Peshlakai • Jason H. Whiting • Daryl Seymore • Dawnafe Whitesinger

"We are Navajo County"

August 13, 2024

American Oversight
Attn: Elizabeth Haddix
1030 15h Street NW, B255
Washington, DC 20005

Dear Ms. Haddix,

The records you requested are attached for request #2640.

If you have any further questions, please call our office at (928) 524-4053.

Thank you,

A handwritten signature in cursive script that reads "Melissa W. Buckley".

Melissa W. Buckley, Clerk of the Board

21

• 928.524.4053 • Fax: 928.524.4239 • P.O. Box 668 • Holbrook, AZ 86025 •

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• www.navajocountyaz.gov •

From: [Daryl Seymore](#)
To: [Bryan Layton](#)
Cc: [Rayleen Richards](#); [Melissa Buckley](#)
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA
Date: Thursday, July 25, 2024 2:06:01 PM

I am sharing this with you. I will ask if we have done this.
Thanks

Get [Outlook for Android](#)

From: Voter Integrity <VotesNav@proton.me>
Sent: Thursday, July 25, 2024 1:37:28 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

You don't often get email from votesnav@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Attn: BoS Daryl Seymore,

You are formally on Notice,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

This means that we have a major change that must be addressed immediately with regard to our voting processes and the system. ANY AND ALL "FEDERAL ONLY" ballots that have already been cast must be removed and discarded as not applicable. ANY AND ALL ballots that have been received by mail, or via a drop box, whereby the registrant has not already proven citizenship must legally be discarded and shall not be counted in this July 30 Primary Election.

To be clear, as this is now the law, ONLY U.S. CITIZENS AND CITIZENS OF ARIZONA MAY VOTE IN ELECTIONS IN ARIZONA. PERIOD!

We, the citizens of Navajo County demand that all mail-in ballots and ballots received in Drop Boxes be re-examined to be absolutely certain that the registrant is a citizen of both the United States and of the State of Arizona. ANY ballots marked "Federal Only" are to be discarded and shall not be counted! An examination and audit after the election which results in illegal ballots being found counted can and will be a cause of action to refuse certification of the election.

We hold the Navajo County Board of Supervisors, the Navajo County Recorder, and Recorder's Office, and the Navajo County Elections Department responsible to insure that ONLY U.S. AND ARIZONA RESIDENTS are allowed to vote in both the July 30 Primary, and the General Election held later this year for all ballots cast, mail-in, Drop Boxes, and cast in person on Election Day.

Sent with [Proton Mail](#) secure email.

From: [Jason Whiting](#)
To: [Bryan Layton](#); [Rayleen Richards](#)
Subject: Fwd: Audit logs
Date: Thursday, June 13, 2024 11:39:51 AM

Please see below and thanks

<!--[if !vml]-->



<!--[endif]-->

Jason E. Whiting
District III Supervisor
Work: 928.524.4053 Fax: 928.524.4239
Email: jason.whiting@navajocountyaz.gov
Web: www.navajocountyaz.gov
Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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Begin forwarded message:

From: Kelly Meixler <KellyMeixler@proton.me>
Date: June 13, 2024 at 11:38:38 AM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Cc: celia.laughlin@gmail.com
Subject: Audit logs

Caution: This email originated from outside of Navajo County.

Good Afternoon Jason,

I am reviewing this contract with ES&S and I have attached two short parts to this email. From my reading, in order to comply with Navajo County's contract with ES&S, the county is supposed to timely and properly install the most recent update of ES&S' updates as well as the all of the third party products.

Can you assure me with some record of this maintenance?

In addition to keeping up with ES&S's updates, did Election Director Rayleen Richards or someone else keep an audit log of updates to all the COTs? Do we have the warranties of these Third Party Products?

I can file a public records request, but I am grateful you are continuing to come to the table in good faith & show us what we need to dispel any election integrity issues.

I am still reviewing the certifications that you sent over, but I need to ask, why Navajo County is using VVSG 1.0?

VVSG 1.0 is an EAC standard issued in 2005. Which was pre-iPhone. Why are we using a system designed in 2005 and expecting it to have "military grade encryption?"

Why is Navajo County not choosing a system certified to VVSG 1.1 (2015) or VVSG 2.0 (2022)? I am including a link to the National Voluntary Laboratory Accreditation Program (NVLAP) that describes the evolution of the National Institute of Standards and Technology (NIST) voting system testing?

<https://www.nist.gov/nvlap/voting-system-testing-lap>

However, in layman's terms :

Would you trust the security of software from 2005 when we have highly developed artificial intelligence systems used domestically and internationally by malicious actors?

Also, I don't know why the EAC dated the certificate 11/17/22, when their website says certification date is 11/11/22? (<https://www.eac.gov/voting-equipment/evs-6300>) Please note the Pro V&V test report date is 10/19/2022.

There's an also advisory notice:

https://www.eac.gov/sites/default/files/voting_system/files/1-17-23%20Monmouth%20Co%20NJ%20Election%20Results2_9.pdf

I am going to keep reviewing, but I am still concerned as to proof that updates have been timely and that all the COTs have also been updated in compliance.

And the biggest question, why are we using technology from 2005 and not 2022?

Thank you,
Kelly Meixler



From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Fwd: HB2305 - 561R - Senate Fact Sheet
Date: Wednesday, July 17, 2024 7:48:23 AM

Goodmorning Rayleen,
Could you respond to Teena Parham regarding her request.
Thanks,
Daryl

From: Teena Parham <teenalp@icloud.com>
Sent: Wednesday, July 17, 2024 7:11:41 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: HB2305 - 561R - Senate Fact Sheet

[You don't often get email from teenalp@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside of Navajo County.

https://www.azleg.gov/legtext/56leg/1R/summary/S.2305ELEC_ASPASSED_COW.DOCX.htm

Hey Mr. Supervisor. I would like to volunteer to hand count. The above link shows it can be done.

Teena Parham
Overgaard

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Subject: Fwd: Lawsuit against SOS
Date: Wednesday, June 5, 2024 7:06:41 AM
Attachments: [ES&S incorrectly programmed PA vote.png](#)
[ES&S in compliant .png](#)
[2022.08.17 \(AL\) Declaration of Clay U. Parikh 4858-7223-2494 v.3.pdf](#)
[2022.08.17 \(AL\) Declaration of Clay U. Parikh 4858-7223-2494 v.3.pdf](#)



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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Begin forwarded message:

From: celiajoanlaughlin@proton.me
Date: June 5, 2024 at 7:00:53 AM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Subject: Fw: Re: Lawsuit against SOS

Caution: This email originated from outside of Navajo County.

Dear Jason,

To further support our distress and our lack of confidence in these ES&S machines, I have attached for your review, the Declarations made by Clay Parikh, a Master in Cybersecurity and a Certified Ethical Hacker, that not only was employed by the US Government for almost a decade testing these machines, but also tested the ES&S that our country is so beholden to.

Please note the extreme vulnerabilities that we are allowing into our County Elections that have disenfranchised many voters for a number of years. I have attached these before and me put on record in our Call to the Public meetings.

The Declarations are from Hanes vs Merrill in a Circuit Court in Montgomery County Alabama. Though the case was dismissed, it was dismissed not upon the merits of the claim against the machines, but that the complaint failed to state a claim upon which relief could be granted,

This does not negate the facts that the machines are not compliant with EAC and also, not secure or accurate. Our Elections need to be secure and accurate ARS 16-446.4

- An electronic voting system shall: 16-446. Specifications of electronic voting system 4. Be suitably designed for the purpose used and be of durable construction, and may be used safely, efficiently and accurately in the conduct of elections and counting ballots.

Furthermore, the GA State Elections Board are still ruminating over the case cited below. I've attached information to review that explains:

- GA- Joe Ricely and Kevin Moncla SEB [2023-025](#) Complaint in GA alleged and has been determined they had discovered 58,000 votes that had no images or ballots to account for those 58,000 "votes". Had no source justification and it's done automatically by the system. <https://frankspeech.com/Video/favorito-fraud-in-election-verified-by-certified-votes-with-no-source>

In addition to this, I also have included an example of ES&S literally FLIPPING votes for candidates caught live in North Hampton County, PA. I apologize for the formatting of this info but I have no more time for edits and wanted to get this to you immediately.

I appreciate the time you will take to provide this material, read through Clay's Declarations and understand that our County should prepare for a hand count. I will send more later regarding the cybersecurity threats the FBI has released recently that also go to support our requests for hand count. I simply don't have the time to do it here. We are looking to see the Board address this as an Item in the Agenda and would like to hear the Board speak on these issues as to what we are doing as a County to prepare for this upcoming election.

Again, thank you for your time and I look forward to hearing from you early next week on this. Thank you.

Sent from [Proton Mail](#) for iOS

On Tue, Jun 4, 2024 at 4:21 PM, <celiajoanlaughlin@proton.me> wrote:

Hi Jason,

This is what we are talking about. This is real. It's true and it's time to do something please.

<https://www.thegatewaypundit.com/2024/06/breaking-arizona-gop-files-bombshell-lawsuit-against-corrupt/>

Sent from [Proton Mail](#) for iOS

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Subject: Fwd: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: Sunday, June 2, 2024 4:48:40 PM
Attachments: [image001.png](#)

Did we follow his recommendations?

Begin forwarded message:

From: Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>
Subject: RE: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: May 24, 2024 at 8:30:38 AM MST
To: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>, Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>, Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>, Jason Moore <Jason.Moore@navajocountyaz.gov>, Teri Walker <teresa.walker@navajocountyaz.gov>

Bryan:

We should strongly consider added this letter to the Navajo County Elections Department web page. When people ask us why the Board and the County won't get rid of the tabulators and hand count all the ballots, or engage in some of the other demands they are making, we can direct them to this letter from the Secretary of State's Office and the statutory and legal constraints we face.

Brad Carlyon | Navajo County Attorney

We are Navajo County

100 East Code Talkers Drive
PO Box 668 | Holbrook AZ 86025
Phone (928) 524-4019

NavajoCountyAZ.gov | [facebook/NavajoCounty](https://facebook.com/NavajoCounty) | [facebook/NavCtyAttyOff](https://facebook.com/NavCtyAttyOff)

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From: Adrian Fontes <afontes@azsos.gov>
Sent: Thursday, May 23, 2024 11:10 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Fern Benally <fern.benally@navajocountyaz.gov>; Alberto Peshlakai <Alberto.Peshlakai@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Dawnafe Whitesinger <Dawnafe.Whitesinger@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>; Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit

Some people who received this message don't often get email from afontes@azsos.gov. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Navajo County Board of Supervisors,

Attached is a letter outlining my concerns with the legality of hand tabulation of an election and expanding the hand count audit. It's my hope this letter will put to rest the legality of these notions. I look forward to work with you, continuing to carry out safe, free, and transparent elections in Arizona.



Adrian Fontes
Arizona Secretary of State

Arizona Secretary of State | <https://azsos.gov>
1700 W. Washington St., 7th Fl. | Phoenix, AZ 85007
This message and any messages in response to the sender of this message may be subject to a public records request.

From: [Daryl Seymore](#)
To: [Jason Whiting](#)
Subject: Fwd: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:23:05 PM

Chairman,
Here is the email. The letter he gave to us at the meeting.
Daryl

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 11, 2024 6:47:01 AM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: Security Assessment for Election Machines and Processes

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Good morning Jason and Daryl,

Thank you for your time yesterday to discuss conducting a security assessment with regard to Navajo County's election machines and processes. As we discussed, this is an excellent means to determine that the machines and processes are safe and secure.

There isn't any downside to having a security assessment completed by a recognized expert in the field, such as the individual I mentioned, Clay Parikh. He is certified at many levels, including conducting the same type of security assessments on/at military and nuclear installations. He spent many years working as a leader for the testing laboratory that conducted all of tests to certify every major manufacturer of election systems machinery. I, personally do not know of anyone more capable of conducting such a security assessment for our election systems.

I have personally worked with Clay on previous security assessments on various high-security operations and sites for the military and will personally vouch for his integrity, honesty, and competence. My company, SBS Training Solutions, will be happy to assume the costs associated to bring Clay in to perform this assessment. The County will not be required to spend any monies with regard to Clay's time or efforts. The assessment will take no more than 2 business days to complete and should provide minimal disruption of any/all County business, other than asking questions of individuals, etc. We would strongly advise that any and all County IT personnel take part in this security assessment so that they may learn how to conduct many of the test themselves going forward as an ongoing security process development plan. This assessment will NOT require any "opening of the hood" of any of the machines. This will not violate any warranty factors with ES&S, with the poll pads, or any other systems utilized for the elections.

In my humble opinion, it would not be practical, (if even possible), to attempt to conduct this security assessment before the July 30 primary election as the County Elections Department is in the process of making ready for the upcoming Primary Election, 19 days hence. Therefore, I would suggest that we seek to have this security assessment take place between August 15 - August 30, giving time to complete the Primary elections and deal with any post-primary issues.

Conducting this security assessment is a big win/win for all concerned.

Please let me know if you have any questions or comments.

Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)
www.sbstrains.com

From: [Daryl Seymore](#)
To: [Jason Whiting](#)
Subject: Fwd: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:23:01 PM

Chairman,
Here is the email. The letter he gave to us at the meeting.
Daryl

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 11, 2024 6:47:01 AM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: Security Assessment for Election Machines and Processes

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

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Good morning Jason and Daryl,

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In my humble opinion, it would not be practical, (if even possible), to attempt to conduct this security assessment before the July 30 primary election as the County Elections Department is in the process of making ready for the upcoming Primary Election, 19 days hence. Therefore, I would suggest that we seek to have this security assessment take place between August 15 - August 30, giving time to complete the Primary elections and deal with any post-primary issues.

Conducting this security assessment is a big win/win for all concerned.

Please let me know if you have any questions or comments.

Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)
www.sbstrains.com

From: [Jason Whiting](#)
To: [Bryan Layton](#); [Rochelle Lacapa](#); [Melissa Buckley](#); [Brad Carlson](#)
Subject: Fwd: Today at the Board of Supervisors Meeting!
Date: Thursday, May 16, 2024 4:34:26 PM
Attachments: [arizona constitution.pdf](#)
[Letter to Navajo BOS 2.docx](#)
[Letter to Navajo BOS 2.docx](#)

Good afternoon,

Please see below email. I appreciate her emailing asking for a meeting. Can we make sure we read through the items and as she suggested prepare to set up a meeting with her. I don't believe she's in my district so it would be appropriate for me to tell the supervisor of that district and let them take lead, but of course I would be happy to be in the meeting as requested or take the meeting if that supervisor prefers.

Thanks,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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Begin forwarded message:

From: celiajoanlaughlin@proton.me
Date: May 16, 2024 at 4:03:41 PM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Subject: Fw: Today at the Board of Supervisors Meeting!

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

MAY 16, 2024

SUPERVISOR JASON WHITING

I am writing this email to follow your directions, specifically that you gave to me at the Board of Supervisors Meeting wherein you told me to speak to you, call your office and you would meet with me personally, regarding the Integrity of our Elections. I have several very important grievances and I also have new information from Courts across the country rolling in daily with new material evidence discovered, as well as recent judgements and decisions and rulings made this week in other courts around the country, pertaining to matters that affect the machines we are using here. And that seriously validates the citizens concerns.

I want to make an appointment with you specifically, because you said that if I reached out to you

that you personally, would see to it that we are answered and given a meeting.

You said that have answered my questions and that someone else is working on this with our party leaders. I had new information that I have not shared with anybody. I also know that you shut me down. This is not party related, as you simply assumed when you informed us that. you were dealing with party leadership. I had news that would possibly change a little bit of the trajectory in which these things were moving. Who would know...unless I said it. (It was not in Melissa Buckleys letter that I handed her, but I was given it right before the meeting which is why I needed more speaking time.

I am attaching documents with this email that I thought you may want to spend some time studying before we meet again, because you gravely denied me my AZSC A1S21 AND AZSC A1 S4 AND AZSC A1 S6 rights. You imposed upon my Right to Free Speech, my 1st Amendment Right, teetering on my 5th Amendment Right and my 14th Amendment Right and I was not OUT OF ORDER! AZSC A1 S21 is perpetual and not event limited.

https://share.icloud.com/photos/0bc_FAJYzOBEunV3b-_JcZzDw

<https://share.icloud.com/photos/015c97wKf4aaddHe3A-aHydgQ>

<https://share.icloud.com/photos/031kWT0z9qP5cZrAyxEVwqGhw>

So please, Definitely read up on this material before you ever tell your voters again, that we cannot express our thoughts or convictions in our Board of Supervisors Meetings, which is exactly the place to speak to our Board and get it on record. ... which I had spent numerous hours the night before. Simply trying to tighten up all the information I had to fit is just above 3 minutes took awhile.

You have had 2, OVER 2 years to address the citizens in this county and respond to what they have been asking for. Re-mapping was, at best a hoax. At worst? It was deceptive patronizing that resulted in giving one party more precincts with Democrat only voters and 2 EMPTY PRECINCTS, gaining only 5. Not Good. But I did not get to express that. And that is not on record. So you denied me THAT right.

THAT was your Solution? That is news!

I had THAT news in my hand, but since you oppressed me, interrupted me, humiliated me, obsonding me childishy, intimidated me, treated me with a lack of respect that I have not been treated before, in a public forum of all places. and you left me disarmed. I left out some pertinent information. After reading through the AZ Constitution and counseling with lawyers, I am now aware that this should not ever happen again.

You took that time away from me when you decided you were not allowing citizens to yield their time to someone else. We were actually going to save you time....as my speech was not going to take a full extra 3 minutes. So you basically LOST time in that Board Meeting with us. You spent MORE time on repeating yourself literally breaking our 1st Amendment Rights and telling us what we could and could not say, and less time allowing your citizens to creatively save time for the Board. You see? We were actually trying to help YOU for time. In the end, Our AZ Constitution and our US Constitution are beautifully written with divine wisdom and inspiration, to adequately secure peace and order between the government and the people, if both parties obey them. You were the party that did not obey them on Tuesday morning. If we stick to the Constitution and Roberts Rules of Order, ALL matters would simply fall into place with peace and tranquility.

Here are some things you may want to help out with. 1) Can we talk about the Preservation of 2022 Ballots,etc. beyond the 22 months coming soon. 2) When day can you meet before the net BOS? 3) Where? 4) What time?

CTCL GRANT REPORT:

https://share.icloud.com/photos/00bUjLAh6JlmjBXCiV8sCT_CA

Attached are some flyers that are going out in regard to the afore-mentioned meeting.

The Az. Constitution

Celia Laughlin
928-242-6003
Celia.laughlin@gmail.com

Sent with [Proton Mail](#) secure email.

----- Forwarded Message -----

From: votesnav@proton.me <votesnav=proton.me@vrmailer3.com>
Date: On Tuesday, May 14th, 2024 at 6:14 PM
Subject: Today at the Board of Supervisors Meeting!
To: celiajoanlaughlin@proton.me <celiajoanlaughlin@proton.me>

[View this email in your browser](#)

Voter Integrity Newsletter

Today at the BOS Meeting!!!

The BOS (Board of Supervisors) sets the rules in advance and post them online for all to see. The CALL TO THE PUBLIC, (as stated on the Agenda) *“Individuals may address the Board on any relevant issue for up to 3 minutes”*. Whiting opted to change the rules and violate our rights to free speech and to address our grievances as is guaranteed by the 1st amendment of the US constitution. He censored it if he didn't deem it as “new”, we were cut short or removed. He also said that there was a “forum” where we could address our grievances regarding the election subjects. We have not been informed that there is such a form. A one-on-one meeting is not a forum and a phone call to one of the board members of the election officials is not a forum of which would not be part of the public record. They do not want us on record.

Whiting violated his oath of office, the Arizona constitution, and the US constitution. He violated all our civil rights. Supervisor Whiting was wrong on so many levels and is unfit to be a supervisor. He needs to resign without delay! And all those who continue to trample on our right to free speech in this Navajo County Public Forum.

Upcoming Events

Meet The Candidates

Dream City Church
4703 Vallery Lane
Lakeside, AZ 85929

Thursday, May 16th 6pm

Board of Supervisors Meeting

Board of Supervisors Chambers
100 East Code Talkers Drive,
Holbrook, AZ

Tuesday, May 28th @ 9am

Check out the links below for clips and the meeting in full.

BOS Meeting 5-14-24
Video

Prayer by Jason Whiting

Belinda - Sheriffs

Click to [edit Email Preferences](#) or [Unsubscribe](#) from this list.

Voter Integrity
8765 bobcat drive
show low, az 85901 - United States
Telephone: 6366332251



From: [Donna Shurwin](#)
To: [Daryl Seymore](#)
Subject: Hand Counting an Election
Date: Tuesday, July 9, 2024 9:38:59 AM
Attachments: [MO Hand Count Manual.pdf](#)

You don't often get email from donnashurwin@gmail.com. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

So that you have an understanding of how hand counting an election works, here's an overview.

From: [Donna Shurwin](#)
To: [Jason Whiting](#)
Subject: How to Hand Count An Election
Date: Tuesday, July 9, 2024 9:45:50 AM
Attachments: [MO Hand Count Manual.pdf](#)

You don't often get email from donnashurwin@gmail.com. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

So that you have an opportunity to understand what it takes to hand count an election, here is an overview of what it takes.

From: [Daryl Seymore](#)
To: [Bryan Layton](#)
Subject: Re: Follow-up to Call to the Public
Date: Wednesday, June 12, 2024 9:29:01 AM
Attachments: [image010.png](#)
[image011.png](#)
[image009.png](#)
[image008.png](#)

Bryan,
I appreciate our discussion yesterday. Thanks for listening.

I am glad you are addressing the issues that were brought up at call to the public. It seems the demeanor of the group is changing, and it seems they feel we are listening.
Thanks for your efforts on election integrity.
Supervisor Seymore

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Tuesday, June 11, 2024 9:12:13 PM
Cc: Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>; Rochelle Lacapa <rochelle.lacapa@navajocountyaz.gov>
Subject: Follow-up to Call to the Public

Supervisors,

For your information and reference, we have already responded to some of the main follow-up requests presented at today's Call to the Public. As requested, we sent the requestor the certifications for ES&S (staff will also post these to the website shortly). The Board was also asked regarding the logs of the ES&S software. We let the requestor know that the report of activity on the ES&S system is available in the 'Elections' section under the subheading 'Election Results' and in the drop-down list for '2024' you'll see a file called "Elections Management Report".

Please let me know if you have any questions or concerns—regards,

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Tuesday, June 11, 2024 6:35 PM
To: Jason Wh

Appreciate your time today attending the Board meeting. I hope you'll have a chance to review the materials that have been posted to the County website in the 'Information and FAQs' subheading of the 'Elections' section. There are still a couple of your questions outstanding that staff are working on, but the majority have responses and there is a lot of new information posted there.

Regarding your question below, perhaps there is a misunderstanding. From what Bryan has shared, the DS200s and the PollPads have separate functions and are on completely separate systems. The DS200s are not connected to the internet and don't 'talk' to other computers. They also come programmed from ES&S. PollPads are securely connected to the internet for real-time voter verification. Regarding the voter in Whiteriver you mentioned, Bryan has looked into that and has more information that documents what happened.

Regards,

BRYAN LAYTON

County Manager
Navajo County

From: celiajoanlaughlin@proton.me <celiajoanlaughlin@proton.me>

Sent: Monday, June 10, 2024 10:36 PM

To: Jason Whiting <jason.whiting@navajocountyaz.gov>

Cc: Celia Laughlin <celia.laughlin@yahoo.com>; belinda@godswhls.com <belinda@godswhls.com>; KellyMeixler@proton.me <KellyMeixler@proton.me>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>

Subject: Re: Update on our conversation last week

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Jason,

After I've had time to process my thoughts on this, I noticed one thing that I had not initially noticed. It said that due to operator error on the DS 200 that the White river resident, I would have to ask who was the operator that caused the air? It could not have been the pole workers because they weren't operating the DS 200. It didn't happen to the ballot voter because it was at the pole pad where she was told she had already voted. So it would have to have taken place at the actual tabulator. The DS 200.

Knowing that, brings me to the conclusion that operator error seems to mean that the programmer of the DS 200 made the error. ENS has had to change their count results several times across the country because of programming error. Was this what caused that error and is this why you are pulling back the 200s?

If it was, I would just ask what the name of the programmer was. Of course I would keep this confidential, but just because I want to know if you know the name of the programmer.... If that's the case.

I really really am hoping that we're going to the right place with this. I feel like we are...only if we get the assessment of the 850 before the vote, but even so, it may get us to a hand count at the polling locations. I've got a really very successful hand count model to share with you that I know our poll workers and People within this community would LOVE to be a part of,

...and it would make this an absolutely exciting opportunity to “GET OUT TO VOTE!” And call on all citizens to become a part of the process!

Thank you Jason!

Sent from [Proton Mail](#) for iOS

On Mon, Jun 10, 2024 at 3:20 PM, Jason Whiting <jason.whiting@navajocountyaz.gov> wrote:

Good afternoon everyone,

Thank you for your time to meet last week and appreciate the discussion. When we meet last week we said we would be sure to touch base and provide an update early this week. That is the purpose of this email and I wanted to touch base on two of those items:

1. Questions regarding the DS200 tabulators—we have assembled responses to many of the questions and have prepared an updated Q&A handout which will be posted to the County website tomorrow in the 'Elections' section under 'Information and FAQs'. This should be posted by noon tomorrow. We will continue to work on the remaining questions.
2. Board consideration to discontinue use of DS200 tabulators and return to only using central count—after looking into the DS200s more, staff's opinion is that there is appropriate security and protections in-place. However, it is also the opinion of staff that the DS200 on-site tabulators have not helped us achieve the efficiencies here in Navajo County that we had anticipated. As you know, there was an instance of operator error at the Whiteriver location which caused confusion. For now, staff feels that the best way to tabulate ballots is to do it all at central count where everything is directly observed by law enforcement, republicans, democrats, and streamed live on the website. At tomorrow's BOS meeting, staff will ask the Board to vote to discontinue the use of DS200s. If the Board chooses to continue to use the DS200s, staff will focus on poll worker training and oversight to mitigate operator error.

Thanks again and I wanted to be sure to touch base with you and provide an update as we talked about.



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

Teamwork | Accountability | Integrity | Excellence | Innovation

From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Re: HB2305 - 561R - Senate Fact Sheet
Date: Wednesday, July 17, 2024 8:07:34 AM

Thanks

From: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Sent: Wednesday, July 17, 2024 8:00:51 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: RE: HB2305 - 561R - Senate Fact Sheet

Yes, I will have the her party chair contact her. Thank you!

From: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Sent: Wednesday, July 17, 2024 7:48 AM
To: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Subject: Fwd: HB2305 - 561R - Senate Fact Sheet

Goodmorning Rayleen,
Could you respond to Teena Parham regarding her request.
Thanks,
Daryl

From: Teena Parham <teenalp@icloud.com>
Sent: Wednesday, July 17, 2024 7:11:41 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: HB2305 - 561R - Senate Fact Sheet

[You don't often get email from teenalp@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside of Navajo County.

https://www.azleg.gov/legtext/56leg/1R/summary/S.2305ELEC_ASPASSED_COW.DOCX.htm

Hey Mr. Supervisor. I would like to volunteer to hand count. The above link shows it can be done.

Teena Parham

Overgaard

From: Daryl Seymore
To: [Adrian Fontes](#); [Jason Whiting](#); [Fern Benally](#); [Alberto Peshlakai](#); [Dawnafe Whitesinger](#)
Cc: [Michael Sample](#); [Rayleen Richards](#); [Brad Carlyon](#); [Melissa Buckley](#)
Subject: Re: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: Tuesday, May 28, 2024 3:19:20 PM
Attachments: [Outlook-kzyvbimk.png](#)

From: Adrian Fontes <afontes@azsos.gov>
Sent: Thursday, May 23, 2024 11:09:49 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Fern Benally <fern.benally@navajocountyaz.gov>; Alberto Peshlakai <Alberto.Peshlakai@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Dawnafe Whitesinger <Dawnafe.Whitesinger@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>; Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit

Some people who received this message don't often get email from afontes@azsos.gov. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Navajo County Board of Supervisors,

Attached is a letter outlining my concerns with the legality of hand tabulation of an election and expanding the hand count audit. It's my hope this letter will put to rest the legality of these notions. I look forward to work with you, continuing to carry out safe, free, and transparent elections in Arizona.



Adrian Fontes
Arizona Secretary of State

Arizona Secretary of State | <https://azsos.gov>

1700 W. Washington St., 7th Fl. | Phoenix, AZ 85007

This message and any messages in response to the sender of this message may be subject to a public records request.

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Cc: [Daryl Seymore](#); [Rochelle Lacapa](#)
Subject: Re: Ninth Circuit Court Ruling
Date: Friday, July 26, 2024 11:01:12 AM

Thank you

On Jul 26, 2024, at 10:29 AM, Bryan Layton
<Bryan.Layton@navajocountyaz.gov> wrote:

Chairman and Supervisor - just FYI that we have responded to Steve directly on this. Rochelle spent quite a bit of time yesterday working with the County Attorney's Office to clarify the ruling, and our understanding is consistent with others (as seen in the article below).

Please feel free the language below that Rochelle developed to respond to other inquiries on this topic.

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Friday, July 26, 2024 10:26 AM
To: SBStrains <SBStrains@proton.me>
Subject: Re: Ninth Circuit Court Ruling

Steve,

Appreciate you reaching out. We are aware of the 9th Circuit Court of Appeals ruling in the Mi Familia case and have taken steps to ensure Navajo County is in full compliance with the partial stay order entered by the 9th Circuit Court of Appeals as well as all State, and Federal laws. We found that the ruling is summarized pretty well in the following article:

<https://www.kawc.org/news/2024-07-18/decision-by-9th-court-provides-clarity-about-citizenship-and-voter-registration-in-arizona>

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 25, 2024 12:41 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>; County Manager <CountyManager@navajocountyaz.gov>
Subject: Ninth Circuit Court Ruling

Caution: This email originated from outside of Navajo County.

Good afternoon Daryl, Jason and Bryan,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

This means that we have a major change that must be addressed immediately with regard to our voting processes and the system. ANY AND ALL "FEDERAL ONLY" ballots that have already been cast must be removed and discarded as not applicable. ANY AND ALL ballots that have been received by mail, or via a drop box, whereby the registrant has not already proven citizenship must legally be discarded and shall not be counted in this July 30 Primary Election.

To be clear, as this is now the law, ONLY U.S. CITIZENS AND CITIZENS OF ARIZONA MAY VOTE IN ELECTIONS IN ARIZONA. PERIOD!

We, the citizens of Navajo County demand that all mail-in ballots and ballots received in Drop Boxes be re-examined to be absolutely certain that the registrant is a citizen of both the United States and of the State of Arizona. ANY ballots marked "Federal Only" are to be discarded and shall not be counted! An examination and audit after the election which results in illegal ballots being found counted can and will be a cause of action to refuse certification of the election.

We hold the Navajo County Board of Supervisors, the Navajo County Recorder, and Recorder's Office, and the Navajo County Elections Department responsible to insure that ONLY U.S. AND ARIZONA RESIDENTS are allowed to vote in both the July 30 Primary, and the General Election held later this year for all ballots cast, mail-in, Drop Boxes, and cast in person on Election Day.

Respectfully,

Steve Carvajal
CEO
SBS Training Solutions, LLC
www.sbstrains.com

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Cc: [Daryl Seymore](#); [Rochelle Lacapa](#)
Subject: Re: Ninth Circuit Court Ruling
Date: Friday, July 26, 2024 11:01:16 AM

Thank you

On Jul 26, 2024, at 10:29 AM, Bryan Layton
<Bryan.Layton@navajocountyaz.gov> wrote:

Chairman and Supervisor - just FYI that we have responded to Steve directly on this. Rochelle spent quite a bit of time yesterday working with the County Attorney's Office to clarify the ruling, and our understanding is consistent with others (as seen in the article below).

Please feel free the language below that Rochelle developed to respond to other inquiries on this topic.

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Friday, July 26, 2024 10:26 AM
To: SBStrains <SBStrains@proton.me>
Subject: Re: Ninth Circuit Court Ruling

Steve,

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<https://www.kawc.org/news/2024-07-18/decision-by-9th-court-provides-clarity-about-citizenship-and-voter-registration-in-arizona>

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 25, 2024 12:41 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>; County Manager <CountyManager@navajocountyaz.gov>
Subject: Ninth Circuit Court Ruling

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Respectfully,

Steve Carvajal
CEO
SBS Training Solutions, LLC
www.sbstrains.com

From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Re: ONLY CITIZENS MAY VOTE IN ARIZONA
Date: Thursday, July 25, 2024 2:42:22 PM

Thank you.

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From: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Sent: Thursday, July 25, 2024 2:31:37 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>; Michael Sample <Michael.Sample@navajocountyaz.gov>
Subject: RE: ONLY CITIZENS MAY VOTE IN ARIZONA

I am including Mike since this effects his office. They are aware of this, and Rochelle is putting together a statement to send out to the Supervisors.

From: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Sent: Thursday, July 25, 2024 2:06 PM
To: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

I am sharing this with you. I will ask if we have done this.

Thanks

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From: Voter Intergrity <VotesNav@proton.me>
Sent: Thursday, July 25, 2024 1:37:28 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

You don't often get email from votesnav@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Attn: BoS Daryl Seymore,

You are formally on Notice,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

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Sent with [Proton Mail](#) secure email.

From: [Jason Whiting](#)
To: [SBStrains](#)
Cc: [Daryl Seymore](#); [Bryan Layton](#); [Melissa Buckley](#)
Subject: Re: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:20:39 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Steve,

I wanted to follow up with you on this email. After we had breakfast it was my understanding that you would be sending an outline of what all you wanted to have happen and that the person you had been working with would send a list of what he wanted to do so we could review those items in preparation to continuing the conversation. I did get your below email but did not understand it to be the email that outlined what we talked about.

Can you have the person your working with provide you or send to us a list of the items they are hoping to be able to do?

I am sorry I should have asked after you sent this but assumed you would be sending the more detailed list of items. Can you do that by chance?

Thanks,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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On Jul 11, 2024, at 6:46 AM, SBStrains <SBStrains@proton.me> wrote:

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Good morning Jason and Daryl,

Thank you for your time yesterday to discuss conducting a security assessment with regard to Navajo County's election machines and processes. As we discussed, this is an excellent means to determine that the machines and processes are safe and secure.

There isn't any downside to having a security assessment completed by a recognized expert in the field, such as the individual I mentioned, Clay Parikh. He is certified at many levels, including conducting the same type of security assessments on/at military and nuclear installations. He spent many years working as a leader for the testing laboratory that conducted all of tests to certify every major manufacturer of election systems machinery. I, personally do not know of anyone more capable of conducting such a security assessment for our election systems.

I have personally worked with Clay on previous security assessments on various high-security operations and sites for the military and will personally vouch for his integrity, honesty, and competence. My company, SBS Training Solutions, will be happy to assume the costs associated to bring Clay in to perform this assessment. The County will not be required to spend any monies with regard to Clay's time or efforts. The assessment will take no more than 2 business days to complete and should provide minimal disruption of any/all County business, other than asking questions of individuals, etc. We would strongly advise that any and all County IT personnel take part in this security assessment so that they may learn how to conduct many of the test themselves going forward as an ongoing security process development plan. This assessment will NOT require any "opening of the hood" of any of the machines. This will not violate any warranty factors with ES&S, with the poll pads, or any other systems utilized for the elections.

In my humble opinion, it would not be practical, (if even possible), to attempt to conduct this security assessment before the July 30 primary election as the County Elections Department is in the process of making ready for the upcoming Primary Election, 19 days hence. Therefore, I would suggest that we seek to have this security assessment take place between August 15 - August 30, giving time to complete the Primary elections and deal with any post-primary issues.

Conducting this security assessment is a big win/win for all concerned.

Please let me know if you have any questions or comments.

Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)

www.sbstrains.com

From: [Jason Whiting](#)
To: [SBStrains](#)
Cc: [Daryl Seymore](#); [Bryan Layton](#); [Melissa Buckley](#)
Subject: Re: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:20:43 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Steve,

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Thanks,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

Teamwork | Accountability | Integrity | Excellence | Innovation

On Jul 11, 2024, at 6:46 AM, SBStrains <SBStrains@proton.me> wrote:

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

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Conducting this security assessment is a big win/win for all concerned.

Please let me know if you have any questions or comments.

Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)

www.sbstrains.com

From: [Jason Whiting](#)
To: celiajoanlaughlin@proton.me
Subject: Re: Today at the Board of Supervisors Meeting!
Date: Friday, May 17, 2024 12:37:28 PM
Attachments: [arizona_constitution.pdf](#)
[Letter to Navajo BOS 2.docx](#)
[Letter to Navajo BOS 2.docx](#)

Good afternoon,

Thank you for your email and the request for me to take some time and read through it and get back to you. I am certainly happy to read through what you have put together and will be in touch but wanted to thank you for sending this my way.

Sincerely,

<!--[if !vml]-->



Jason E. Whiting
District III Supervisor
Work: 928.524.4053 Fax: 928.524.4239
Email: jason.whiting@navajocountyaz.gov
Web: www.navajocountyaz.gov
Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
Teamwork | Accountability | Integrity | Excellence | Innovation



On May 16, 2024, at 4:03 PM, celiajoanlaughlin@proton.me wrote:

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

MAY 16, 2024

SUPERVISOR JASON WHITING

I am writing this email to follow your directions, specifically that you gave to me at the Board of Supervisors Meeting wherein you told me to speak to you, call your office and you would meet with me personally, regarding the Integrity of our Elections. I have several very important grievances and I also have new information from Courts across the country rolling in daily with new material evidence discovered, as well as recent judgements and decisions and rulings made this week in other courts around the country, pertaining to matters that affect the machines we are using here. And that seriously validates the citizens concerns.

I want to make an appointment with you specifically, because you said that if I reached out to you that you personally, would see to it that we are answered and given a meeting.

You said that have answered my questions and that someone else is working on this with our party leaders. I had new information that I have not shared with anybody. I also know that you shut me down. This is not party related, as you simply assumed when you informed us that. you were dealing with party leadership. I had news that would possibly change a little bit of the trajectory in which these things were moving. Who would know...unless I said it. (It was not in Melissa Buckleys letter that I handed her, but I was given it right before the meeting which is why I needed more speaking time.

I am attaching documents with this email that I thought you may want to spend some time studying before we meet again, because you gravely denied me my AZSC A1S21 AND AZSC A1 S4 AND AZSC A1 S6 rights. You imposed upon my Right to Free Speech, my 1st Amendment Right, teetering on my 5th Amendment Right and my 14th Amendment Right and I was not OUT OF ORDER! AZSC A1 S21 is perpetual and not event limited.

https://share.icloud.com/photos/0bc_FAJYzOBEunV3b-_JcZzDw
<https://share.icloud.com/photos/015c97wKf4aaddHe3A-aHydgQ>
<https://share.icloud.com/photos/031kWT0z9qP5cZrAyxEVwqGhw>

So please, Definitely read up on this material before you ever tell your voters again, that we cannot express our thoughts or convictions in our Board of Supervisors Meetings, which is exactly the place to speak to our Board and get it on record. ... which I had spent numerous hours the night before. Simply trying to tighten up all the information I had to fit is just above 3 minutes took awhile.

You have had 2, OVER 2 years to address the citizens in this county and respond to what they have been asking for. Re-mapping was, at best a hoax. At worst? It was deceptive patronizing that resulted in giving one party more precincts with Democrat only voters and 2 EMPTY PRECINCTS, gaining only 5. Not Good. But I did not get to express that. And that is not on record. So you denied me THAT right.

THAT was your Solution? That is news!

I had THAT news in my hand, but since you oppressed me, interrupted me, humiliated me, obsonding me childishly, intimidated me, treated me with a lack of respect that I have not been treated before, in a public forum of all places. and you left me disarmed. I left out some pertinent information. After reading through the AZ Constitution and counseling with lawyers, I am now aware that this should not ever happen again.

You took that time away from me when you decided you were not allowing citizens to yield their time to someone else. We were actually going to save you time....as my speech was not going to take a full extra 3 minutes. So you basically LOST time in that Board Meeting with us. You spent MORE time on repeating yourself literally breaking our 1st Amendment Rights and telling us what we could and could not say, and less time allowing your citizens to creatively save time for the Board. You see? We were actually trying to help YOU for time. In the end, Our AZ Constitution and our US Constitution are beautifully written with divine wisdom and inspiration, to adequately secure peace and order between the government and the people, if both parties obey them. You were the party that did not obey them on Tuesday morning. If we stick to the Constitution and Roberts Rules of Order, ALL matters would simply fall into place with peace and tranquility.

Here are some things you may want to help out with. 1) Can we talk about the Preservation of 2022 Ballots,etc. beyond the 22 months coming soon. 2) When day can you meet before the net BOS? 3) Where? 4) What time?

CTCL GRANT REPORT:

https://share.icloud.com/photos/00bUjLAh6JlmjBXCiV8sCT_CA

Attached are some flyers that are going out in regard to the afore-mentioned meeting.
The Az. Constitution

Celia Laughlin
928-242-6003
Celia.laughlin@gmail.com

Sent with [Proton Mail](#) secure email.

----- Forwarded Message -----

From: votesnav@proton.me <votesnav=proton.me@vrmailer3.com>
Date: On Tuesday, May 14th, 2024 at 6:14 PM
Subject: Today at the Board of Supervisors Meeting!
To: celiajuanlaughlin@proton.me <celiajuanlaughlin@proton.me>

[View this email in your browser](#)

Voter Integrity Newsletter

Today at the BOS Meeting!!!

The BOS (Board of Supervisors) sets the rules in advance and post them online for all to see. The CALL TO THE PUBLIC, (as stated on the Agenda) *“Individuals may address the Board on any relevant issue for up to 3 minutes”*. Whiting opted to change the rules and violate our rights to free speech and to address our grievances as is guaranteed by the 1st amendment of the US constitution. He censored it if he didn't deem it as “new”, we were cut short or removed. He also said that there was a “forum” where we could address our grievances regarding the election subjects. We have not been informed that there is such a form. A one-on-one meeting is not a forum and a phone call to one of the board members of the election officials is not a forum of which would not be part of the public record. They do not want us on record.

Whiting violated his oath of office, the Arizona constitution, and the US constitution. He violated all our civil rights. Supervisor Whiting was wrong on so many levels and is unfit to be a supervisor. He needs to resign without delay! And all those who continue to trample on our right to free speech in this Navajo County Public Forum.

Upcoming Events

Meet The Candidates

Dream City Church
4703 Vallery Lane
Lakeside, AZ 85929

Thursday, May 16th 6pm

Board of Supervisors Meeting

Board of Supervisors Chambers
100 East Code Talkers Drive,
Holbrook, AZ

Tuesday, May 28th @ 9am

Check out the links below for clips and the meeting in full.

BOS Meeting 5-14-24
Video

Prayer by Jason Whiting

Belinda - Sheriffs

Click to [edit Email Preferences](#) or [Unsubscribe](#) from this list.

Voter Integrity
8765 bobcat drive
show low, az 85901 - United States
Telephone: 6366332251



From: [Jason Whiting](mailto:jason.whiting@proton.me)
To: celiajoanlaughlin@proton.me
Cc: [Celia Laughlin](mailto:celia.laughlin@godswhls.com); belinda@godswhls.com; [Kelly Meixler](mailto:kellymeixler@proton.me); [Bryan Layton](mailto:bryan.layton@proton.me)
Subject: Re: Update on our conversation last week
Date: Tuesday, June 11, 2024 8:51:18 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[State Certification Letter 2019.pdf](#)
[ESS EVS6300 Test Report 03 2022.pdf](#)
[State Certification Letter 2023.pdf](#)
[Federal Certification Letter 2022.pdf](#)
[Federal Certification Letter 2019.pdf](#)
[State Certification Letter 2020.pdf](#)

Good evening Celia,

Appreciate your time today attending the Board meeting. I hope you'll have a chance to review the materials that have been posted to the County website in the 'Information and FAQs' subheading of the 'Elections' section. There are still a couple of your questions outstanding that staff are working on, but the majority have responses and there is a lot of new information posted there.

Regarding your question below, perhaps there is a misunderstanding. From what Bryan has shared, the DS200s and the PollPads have separate functions and are on completely separate systems. The DS200s are not connected to the internet and don't 'talk' to other computers. They also come programmed from ES&S. PollPads are securely connected to the internet for real-time voter verification. Regarding the voter in Whiteriver you mentioned, Bryan has looked into that and has more information that documents what happened.

As requested today, attached are the certifications for ES&S (staff will have posted these to the website). The Board was also asked regarding the logs of the ES&S software. A report of activity on the ES&S system is available in the 'Elections' section under the subheading 'Election Results'. Expand the drop-down list for '2024' and you'll see a file called "Elections Management Report".

Regards,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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On Jun 10, 2024, at 10:36 PM, celiajoanlaughlin@proton.me wrote:

Caution: This email originated from outside of Navajo County.

Dear Jason,

After I've had time to process my thoughts on this, I noticed one thing that I had not initially noticed. It said that due to operator error on the DS 200 that the White river resident, I would have to ask who was the operator that caused the air? It could not have been the pole workers because they weren't operating the DS 200. It didn't happen to the ballot voter because it was at the pole pad where she was told she had already voted. So it would have to have taken place at the actual tabulator. The DS 200.

Knowing that, brings me to the conclusion that operator error seems to mean that the programmer of the DS 200 made the error. ENS has had to change their count results several times across the country because of programming error. Was this what caused that error and is this why you are pulling back the 200s?

If it was, I would just ask what the name of the programmer was. Of course I would keep this confidential, but just because I want to know if you know the name of the programmer.... If that's the case.

I really really am hoping that we're going to the right place with this. I feel like we are...only if we get the assessment of the 850 before the vote, but even so, it may get us to a hand count at the polling locations. I've got a really very successful hand count model to share with you that I know our poll workers and People within this community would LOVE to be a part of, ...and it would make this an absolutely exciting opportunity to "GET OUT TO VOTE!" And call on all citizens to become a part of the process!

Thank you Jason!

Sent from [Proton Mail](#) for iOS

On Mon, Jun 10, 2024 at 3:20 PM, Jason Whiting
<jason.whiting@navajocountyaz.gov> wrote:

Good afternoon everyone,

Thank you for your time to meet last week and appreciate the discussion. When we meet last week we said we would be sure to touch base and provide an update early this week. That is the purpose of this email and I wanted to touch base on two of those items:

1. Questions regarding the DS200 tabulators—we have assembled responses to many of the questions and have prepared an updated Q&A handout which will be posted to the County website tomorrow in the 'Elections' section under 'Information and FAQs'. This should be posted by noon tomorrow. We will continue to work on the remaining questions.
2. Board consideration to discontinue use of DS200 tabulators and return to only using central count—after looking into the DS200s more, staff's opinion is that there is appropriate security and protections in-place. However, it is also the opinion of staff that the DS200 on-site tabulators have not helped us achieve the efficiencies here in Navajo County that we had anticipated. As you know, there was an instance of operator error at the Whiteriver location which caused confusion. For now, staff feels that the best way to tabulate ballots is to do it all at central count where everything is directly observed by law enforcement, republicans, democrats, and streamed live on the website. At tomorrow's BOS meeting, staff will ask the Board to vote to discontinue the use of DS200s. If the Board chooses to continue to use the DS200s, staff will focus on poll worker training and oversight to mitigate operator error.

Thanks again and I wanted to be sure to touch base with you and provide an update as we talked about.

<image007.jpeg>

Jason E. Whiting
District III Supervisor

<image008.png> <image009.png> <image010.png>

Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov
<image011.png>

Web: www.navajocountyaz.gov
Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapiet](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Reports
Date: Monday, July 1, 2024 2:09:38 PM
Attachments: [2024 Session Recap.pdf](#)
[2024 Ballot Referrals.pdf](#)
[2024 Primary Election Candidates - Updated June 28, 2024.pdf](#)

Caution: This email originated from outside of Navajo County.

Good afternoon! I've attached a few things:

- The more in-depth recap of the 2024 legislative session..
- A list of the ballot referrals the legislature sent to the November ballot - This includes the items approved in the 2023 *and* 2024 legislative sessions.
- An updated list of the 2024 Primary Election candidates - This includes some new write-in candidates.

I hope you find this helpful in your efforts to better understand the legislative session and process, as well as what and who will be on the ballot this year. Have a great week!

James

James Candland
Clarus Companies
www.claruscompanies.com
480-620-7882

From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapier](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Update and Tracking Lists
Date: Friday, May 17, 2024 12:00:00 PM
Attachments: [May 17, 2024 Legislative Update.pdf](#)
[2024 Primary Election Candidates - Updated May 13, 2024 \(1\).pdf](#)
[EACO 5-17-24.pdf](#)
[Water 5-17-24.pdf](#)

Caution: This email originated from outside of Navajo County.

Good Morning,

Another short week for the legislature, but not without its fireworks! The senate heard the controversial border bill with a lot of debate, but the Republicans were one member short so they were not able to vote the bill on third read. The House adjourned until June 4th, but the Senate will work over the next few weeks. Not much on the budget, still nothing moving at this time, despite rumors that the immigration measure may spur on some budget movement by the Gov's office. I hope you have a great weekend!

James

James Candland
Clarus Consulting
480-620-7882 Cell
www.claruscompanies.com

From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapier](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Update and Tracking Lists
Date: Friday, May 10, 2024 2:21:21 PM
Attachments: [May 10, 2024 Legislative Update.pdf](#)
[2024 Primary Election Candidates - Updated May 10, 2024.pdf](#)
[EACO 5-10-24.pdf](#)
[Water 5-10-24.pdf](#)

Caution: This email originated from outside of Navajo County.

Good Afternoon,

The Senate had some fireworks this week holding a joint House and Senate hearing on Speaker Toma's border bill, HCR2060. There was a lot of passionate speeches on the pros and cons of the bill, but it is headed for a floor vote in the senate next week. The House didn't meet for floor action, but will resume on Wednesday. It is my understanding that the Gov's office and Senate/House leadership staff are meeting on the budget, and that is hopeful. I have also attached a new version of the primary election candidates for you to have and review. Please let me know if you have any questions or concerns. I hope you have a great weekend, and Happy Mother's Day to all the Mom's out there!

James

James Candland
Clarus Consulting
480-620-7882 Cell
www.claruscompanies.com

From: [Daryl Seymore](#)
To: [Bryan Layton](#)
Cc: [Rayleen Richards](#); [Melissa Buckley](#)
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA
Date: Thursday, July 25, 2024 2:06:01 PM

I am sharing this with you. I will ask if we have done this.
Thanks

Get [Outlook for Android](#)

From: Voter Integrity <VotesNav@proton.me>
Sent: Thursday, July 25, 2024 1:37:28 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

You don't often get email from votesnav@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Attn: BoS Daryl Seymore,

You are formally on Notice,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

This means that we have a major change that must be addressed immediately with regard to our voting processes and the system. ANY AND ALL "FEDERAL ONLY" ballots that have already been cast must be removed and discarded as not applicable. ANY AND ALL ballots that have been received by mail, or via a drop box, whereby the registrant has not already proven citizenship must legally be discarded and shall not be counted in this July 30 Primary Election.

To be clear, as this is now the law, ONLY U.S. CITIZENS AND CITIZENS OF ARIZONA MAY VOTE IN ELECTIONS IN ARIZONA. PERIOD!

We, the citizens of Navajo County demand that all mail-in ballots and ballots received in Drop Boxes be re-examined to be absolutely certain that the registrant is a citizen of both the United States and of the State of Arizona. ANY ballots marked "Federal Only" are to be discarded and shall not be counted! An examination and audit after the election which results in illegal ballots being found counted can and will be a cause of action to refuse certification of the election.

We hold the Navajo County Board of Supervisors, the Navajo County Recorder, and Recorder's Office, and the Navajo County Elections Department responsible to insure that ONLY U.S. AND ARIZONA RESIDENTS are allowed to vote in both the July 30 Primary, and the General Election held later this year for all ballots cast, mail-in, Drop Boxes, and cast in person on Election Day.

Sent with [Proton Mail](#) secure email.

From: [Jason Whiting](#)
To: [Bryan Layton](#); [Rayleen Richards](#)
Subject: Fwd: Audit logs
Date: Thursday, June 13, 2024 11:39:51 AM

Please see below and thanks

<!--[if !vml]-->



<!--[endif]-->

Jason E. Whiting
District III Supervisor
Work: 928.524.4053 Fax: 928.524.4239
Email: jason.whiting@navajocountyaz.gov
Web: www.navajocountyaz.gov
Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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Begin forwarded message:

From: Kelly Meixler <KellyMeixler@proton.me>
Date: June 13, 2024 at 11:38:38 AM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Cc: celia.laughlin@gmail.com
Subject: Audit logs

Caution: This email originated from outside of Navajo County.

Good Afternoon Jason,

I am reviewing this contract with ES&S and I have attached two short parts to this email. From my reading, in order to comply with Navajo County's contract with ES&S, the county is supposed to timely and properly install the most recent update of ES&S' updates as well as the all of the third party products.

Can you assure me with some record of this maintenance?

In addition to keeping up with ES&S's updates, did Election Director Rayleen Richards or someone else keep an audit log of updates to all the COTs? Do we have the warranties of these Third Party Products?

I can file a public records request, but I am grateful you are continuing to come to the table in good faith & show us what we need to dispel any election integrity issues.

I am still reviewing the certifications that you sent over, but I need to ask, why Navajo County is using VVSG 1.0?

VVSG 1.0 is an EAC standard issued in 2005. Which was pre-iPhone. Why are we using a system designed in 2005 and expecting it to have "military grade encryption?"

Why is Navajo County not choosing a system certified to VVSG 1.1 (2015) or VVSG 2.0 (2022)? I am including a link to the National Voluntary Laboratory Accreditation Program (NVLAP) that describes the evolution of the National Institute of Standards and Technology (NIST) voting system testing?

<https://www.nist.gov/nvlap/voting-system-testing-lap>

However, in layman's terms :

Would you trust the security of software from 2005 when we have highly developed artificial intelligence systems used domestically and internationally by malicious actors?

Also, I don't know why the EAC dated the certificate 11/17/22, when their website says certification date is 11/11/22? (<https://www.eac.gov/voting-equipment/evs-6300>) Please note the Pro V&V test report date is 10/19/2022.

There's an also advisory notice:

https://www.eac.gov/sites/default/files/voting_system/files/1-17-23%20Monmouth%20Co%20NJ%20Election%20Results2_9.pdf

I am going to keep reviewing, but I am still concerned as to proof that updates have been timely and that all the COTs have also been updated in compliance.

And the biggest question, why are we using technology from 2005 and not 2022?

Thank you,
Kelly Meixler



From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Fwd: HB2305 - 561R - Senate Fact Sheet
Date: Wednesday, July 17, 2024 7:48:23 AM

Goodmorning Rayleen,
Could you respond to Teena Parham regarding her request.
Thanks,
Daryl

From: Teena Parham <teenalp@icloud.com>
Sent: Wednesday, July 17, 2024 7:11:41 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: HB2305 - 561R - Senate Fact Sheet

[You don't often get email from teenalp@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside of Navajo County.

https://www.azleg.gov/legtext/56leg/1R/summary/S.2305ELEC_ASPASSED_COW.DOCX.htm

Hey Mr. Supervisor. I would like to volunteer to hand count. The above link shows it can be done.

Teena Parham
Overgaard

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Subject: Fwd: Lawsuit against SOS
Date: Wednesday, June 5, 2024 7:06:41 AM
Attachments: [ES&S incorrectly programmed PA vote.png](#)
[ES&S in es&s.png](#)
[2022.09.17 \(AL\) Declaration of Security for Rank# 1050-7223-2494 v.3.pdf](#)
[2022.09.17 \(AL\) Declaration of Security for Rank# 1050-7223-2494 v.3.pdf](#)



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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Begin forwarded message:

From: celiajoanlaughlin@proton.me
Date: June 5, 2024 at 7:00:53 AM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Subject: Fw: Re: Lawsuit against SOS

Caution: This email originated from outside of Navajo County.

Dear Jason,

To further support our distress and our lack of confidence in these ES&S machines, I have attached for your review, the Declarations made by Clay Parikh, a Master in Cybersecurity and a Certified Ethical Hacker, that not only was employed by the US Government for almost a decade testing these machines, but also tested the ES&S that our country is so beholden to.

Please note the extreme vulnerabilities that we are allowing into our County Elections that have disenfranchised many voters for a number of years. I have attached these before and me put on record in our Call to the Public meetings.

The Declarations are from Hanes vs Merrill in a Circuit Court in Montgomery County Alabama. Though the case was dismissed, it was dismissed not upon the merits of the claim against the machines, but that the complaint failed to state a claim upon which relief could be granted,

This does not negate the facts that the machines are not compliant with EAC and also, not secure or accurate. Our Elections need to be secure and accurate ARS 16-446.4

- An electronic voting system shall: 16-446. Specifications of electronic voting system 4. Be suitably designed for the purpose used and be of durable construction, and may be used safely, efficiently and accurately in the conduct of elections and counting ballots.

Furthermore, the GA State Elections Board are still ruminating over the case cited below. I've attached information to review that explains:

- GA- Joe Ricely and Kevin Moncla SEB [2023-025](#) Complaint in GA alleged and has been determined they had discovered 58,000 votes that had no images or ballots to account for those 58,000 "votes". Had no source justification and it's done automatically by the system. <https://frankspeech.com/Video/favorito-fraud-in-election-verified-by-certified-votes-with-no-source>

In addition to this, I also have included an example of ES&S literally FLIPPING votes for candidates caught live in North Hampton County, PA. I apologize for the formatting of this info but I have no more time for edits and wanted to get this to you immediately.

I appreciate the time you will take to provide this material, read through Clay's Declarations and understand that our County should prepare for a hand count. I will send more later regarding the cybersecurity threats the FBI has released recently that also go to support our requests for hand count. I simply don't have the time to do it here. We are looking to see the Board address this as an Item in the Agenda and would like to hear the Board speak on these issues as to what we are doing as a County to prepare for this upcoming election.

Again, thank you for your time and I look forward to hearing from you early next week on this. Thank you.

Sent from [Proton Mail](#) for iOS

On Tue, Jun 4, 2024 at 4:21 PM, <celiajoanlaughlin@proton.me> wrote:

Hi Jason,

This is what we are talking about. This is real. It's true and it's time to do something please.

<https://www.thegatewaypundit.com/2024/06/breaking-arizona-gop-files-bombshell-lawsuit-against-corrupt/>

Sent from [Proton Mail](#) for iOS

**IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA**

Tommy Hanes, David Calderwood, MD,
and Focus on America,

Plaintiffs,

v.

John H. Merrill, as Alabama Secretary of
State, Bill English, Wes Allen, Clay
Crenshaw, Jeff Elrod, and Will Barfoot, as
members of the Alabama Electronic Voting
Committee,

Defendants.

Case Number: CV-2022-9000595.00

**DECLARATION OF
CLAY U. PARIKH**

I, CLAY U. PARIKH, declare under penalty of perjury that the following is true and correct:

1. I have personal knowledge of the matters set forth below and would testify competently to them if called upon to do so.
2. I have a Master of Science in Cyber Security, Computer Science from the University of Alabama in Huntsville. I have a Bachelor of Science in Computer Science, Systems Major from the University of North Carolina at Wilmington. In February 2007 I obtained the Certified Information Systems Security Professional (CISSP) certification and have continually maintained good standing. I also hold the following certifications; Certified Ethical Hacker (CEH) and Certified Hacking Forensic Investigator (CHFI).
3. Since December of 2003, I have continually worked in the areas of Information Assurance (IA), Information Security and Cyber Security. I have performed and led teams in Vulnerability Management, Security Test and Evaluation (ST&E) and system

accreditation. I have supported both civil and department of defense agencies within the U.S. government as well as international customers, such as NATO. I have served as the Information Security Manager for enterprise operations at Marshall Space Flight Center, where I ensured all NASA programs and projects aboard the center met NASA enterprise security standards. I was also responsible in part for ensuring the Marshall Space Flight Center maintained its Authority To Operate (ATO) within the NASA agency. I have also served as the Deputy Cyber Manager for the Army Corps of Engineers where I led and managed several teams directly in; Vulnerability Management, Assessment and Authorization (A&A), Vulnerability Scanning, Host Based Security System (HBSS), Ports Protocols and Service Management, and an Information System Security Manager (ISSM) team for cloud projects. I also have performed internal digital forensic audits. During this time span, I also worked at the Army Threat Systems Management Office (TSMO) as a member of the Threat Computer Network Operations Team (TCNOT). I provided key Computer Network Operations (CNO) support by performing validated threat CNO penetration testing and systems security analysis. TCNOT is the highest level of implementation of the CNO Team concept.

4. From 2008 to 2017, I also worked through a professional staffing company for several testing laboratories that tested electronic voting machines. These laboratories included Wyle Laboratories, which later turned into National Technical Systems (NTS) and Pro V&V. My duties were to perform security tests on vendor voting systems for certification. Certification was either to be obtained from the Election Assistance Commission (EAC) or a specific state's Secretary of State's requirements.

5. In this declaration, based on my professional experience, I will define and describe the weaknesses with the EAC or state certification process as well as general vulnerabilities that exist with nearly all electronic voting systems. I will also define the risk analysis and assessment of electronic voting systems and their relationship to the voting process in its entirety, pre-voting day, voting day and post-election.

6. *Asset value* – Encyclopedia Britannica defines Information System (IS) as, “an integrated set of components for collecting, storing, and processing data and for providing information, knowledge, and digital products.” The Computer Security Resource Center (CSRC) at the National Institute of Standards and Technology (“NIST”) defines IS as “[a] discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information.” Electronic voting systems by definition are Information Systems. The Information Systems Audit and Control Association, now known simply as ISACA, is a highly respected international professional association focused on information technology (IT) governance. According to ISACA the first steps in information security strategic planning in any form of business are risk management and risk evaluation. Identification, valuation and categorization of information system assets are critical tasks of the process to properly develop and deploy the required security control for the specified IT assets. This valuation and categorization of assets is standard practice for all federal agencies and most large corporations. IS assets are generally categorized as; High, Medium or Low based on their value to the organization. Assets categorized as High are critical to the operation and success of the organization. Their loss or compromise would greatly

damage or harm the organization. Assets categorized as High have stricter security requirements than those lower categorized assets because of their importance and value to an organization.

7. In January 2017 the Department of Homeland Security (DHS) designated the election infrastructure used in federal elections as a component of U.S. critical infrastructure after a series of publicly reported cyber attacks on state and local election systems.¹ The voting process is critical to our nation, from the federal level down to the local municipality. Citizens vote not only for their mayor, governor and president, they also vote to amend their state constitutions, grant funding to civic projects, elect local sheriffs, judges, etc. The categorization of any information system directly involved in the voting process must be considered High.

8. In my professional experience, which includes working with the Voting System Test Labs (VSTL) that certify elections equipment in Alabama and other states, none of the electronic voting machine vendors apply this recognized and appropriate risk management and evaluation process to their electronic voting systems. Moreover, nor do they guide their customers through the process which would help protect their electronic voting systems from unauthorized manipulation that could alter election outcomes. Vendors only show their compliance to Voluntary Voting System Guidelines (VVSG) which, as described below, are inadequate to protect systems like electronic voting systems which are categorized as High.

¹ <https://sgp.fas.org/crs/misc/IF10677.pdf>

9. *Standards in VSSG* -- The VVSG standards are a minimal set of standards that are often vague and weak when compared to industry best practices that apply to High asset value systems such as electronic voting systems. For example, in the Department of Defense (DoD), when verifying system configuration compliance, the security requirements selected to be checked are based on the category of the system and its classification. As referenced in Department of Defense Instruction, DODI 8500.2 This same basic approach used by DoD is also used by other agencies such as Health and Human Services and the financial services industry.

10. The current VVSG 2.0 was finalized and dated February 10th, 2021. Any certified electronic system used in an election prior to that date was based on VVSG 1.1. Examples of where VVSG 1.1 falls below other recognized best practices include: VVSG 1.1 Vol 1 (section 7) states “Implement encryption using NIST approved algorithms with a security strength of at least 112 bits within a FIPS 140-2 level 1 or higher.” Most federal agencies require a minimum 128 bit security strength, with 256 bits preferred. DoD is currently at 256 bit requirement. Another area where VVSG 1.1 lagged was password length and complexity. When access to an information system is done by utilizing user name and password, the length and complexity of the password are extremely important. These two attributes help ensure that the account is only accessed and utilized by the authorized user, not a malicious attacker. Complexity is the use of incorporating special characters, numbers, as well as limiting sequence patterns in the password. The complexity and length of the password help protect against password cracking tools. Kali Linux is a Linux distribution common to both hackers and security

professionals. There are over a dozen password cracking tools on Kali alone. This includes the top 5 or most popular; John the Ripper, Hydra (one I used a lot in the VSTLs), Cain & Abel, Ophcrack and Hashcat. The VVSG, both versions 1.1 and 1.0, are vague and give no real minimum on password length. I observed many vendors stating a length of at least 8 characters and no mention of complexity. While many federal agencies had a minimum of 12 characters and enforced complexity. At the time the 12 character limit was also Microsoft's operating system recommended setting for length. DoD minimum password length is 15 characters.

11. In my professional opinion the latest VSSG 2.0 version still lacks in the proper level of security requirements. The latest updates in VVSG 2.0 purportedly included "improved cybersecurity requirements". Improved cybersecurity requirements should be detailed and specific to the standards set forth. However, VVSG 2.0 states "[t]he VVSG 2.0 is a departure from past versions in that a set of principles and associated guidelines were first developed to describe how, at a high-level, voting systems should be designed, developed, and how they should operate." "High-level" meaning a general description, is not the level of detail required to secure IS systems.

12. A prime example of the lack of detail in VVSG 2.0 is dealing with encryption. Of the 326 pages of version 2.0, "encryption" is only mentioned 10 times, 3 times outside of the context of being used within definitions. Encryption is only mentioned twice in the discussion sections. The discussion section is where the "meat" or details are contained. Requirement 9.1.6 in VVSG 2.0 "Cryptographic E2E verifiable" (E2E means "end to end") states "Due to the lack of E2E verifiable voting systems available within the

current market, there are no verified E2E cryptographic protocols. A standard public process for approval of the E2E cryptographic protocols will need to be established outside of the VVSG." In other words, all the current electronic voting systems lack this security measure. In effect, the VVSG 2.0 standards simply "kick the can down the road". This is unacceptable from any type of requirements perspective, let alone cyber security requirements. End to End encryption is available in plenty of other commercially available products. There is no excuse as to why such measures are not incorporated in electronic voting systems.

13. I was asked by Wyle labs on two occasions to meet with the EAC and NIST team who were down auditing the VSTL for their annual certification. During the first meeting I was shocked that the auditors didn't even know what the CISSP certification was. The CISSP is the gold standard of security certifications. At both of these meetings I expressed my concern about the subpar requirements of the VVSG for voting systems which should be categorized as High and have stricter requirements. They jotted down some notes but seemed more concerned with asking me my opinion on their grant to South Alabama concerning the construction of a Vulnerability database (DB) and other such projects. Lastly, concerning the VVSG standards, why are the requirements even being upgraded if no one follows the newer version of the standard. All the latest versions of electronic voting systems are still certified in accordance with VVSG 1.0 when 1.1 has been out since 2015.²

² <https://www.eac.gov/voting-equipment/certified-voting-systems>

14. *Certification Process* -- The lack of appropriate security requirements within the VVSG is only the first weak link in the certification process for voting systems. The certification process itself is flawed. For example, I found that the testing laboratories had electronic voting systems submitted for certifications at different federal, state or county levels. Some voting systems were submitted to the labs for federal certification and would be tested against all the EAC (VVSG) standards, while other voting systems that were submitted for state or county certification did not have to meet all of the EAC standards. Most electronic voting systems submitted for state or county certification seemed to have hand- or cherry-picked requirements from the EAC standard and then maybe some other requirements were thrown into the mix. It seems that the Secretaries of State can pick what requirements they want. Whether or not they have authority to do this, there are two points that should be made. One, security tests should be complete and thorough, not cherry picked. Security tests should be developed to cover all vulnerabilities or attack vectors a system may have. Two, are these “state” and “county” systems also not used in federal elections? It is highly unlikely any municipality or state will have multiple voting systems, one for each type or level of election (i.e., one for state, another one for federal).

15. From day one when I walked into the very first laboratory Wyle, I was limited in the type of security tests I could perform. As a cyber security professional, I apply a holistic approach to security testing. This means testing every type of attack, whether from a physical or technical vector or combination of both. Such attacks range from picking locks and testing tamper seals to abusing poor operating system configurations or

remote exploits. All the testing labs I worked for had a culture of only testing to the EAC VVSG's requirements which ignore many threat vectors. For example, when I first started laying out the type of tests in 2008 I wanted to perform, I was told by Wyle "whoa, whoa, whoa, slow down". Then I was told we are just testing to ensure that the voting systems meet the EAC VVSG's requirements. I was also told that some of the more detailed / higher level tests I mentioned would probably be done elsewhere *after the system was certified*. To my knowledge no such following on testing was ever performed. Additionally, security testing at the labs was kept separate from the other testing conducted. They were often scheduled after most of the other testing was done. This often left little time in the project schedule to conduct the security tests, which in turn often limited the type of security test to be conducted. While these labs might be good testing laboratories, for any other basic certifications they definitely were NOT well suited for security tests or cyber security certifications.

16. ***Levels of security tests*** While the employees at all the labs were very good at test procedures and many were good with software and programming none that I observed or worked with had any adequate cyber security training or security background. This left only one person, myself, to develop all security tests and execute most of the security testing. This forced me to leave some of the very basic security tests for the lab staff to conduct. This also meant I now had to explain and teach the lab staff about the hardware and products used, along with how to test them. For example, many of the voting systems utilize what are known as "wafer locks", the type of lock on desk drawers. I had to explain how wafer locks work and the basics to picking them. I also had to show and

explain to the lab staff about tamper seals and how to test them. In the earlier years of when I started testing, many of the voting systems didn't even implement or use tamper seals or security ties. These basic tests were separate from the test cases I developed and went unsupervised. Therefore, I have no way knowing if they were executed properly or even conducted at all. Additionally, the labs I worked with did not know about or how to implement a risk analysis and assessment process. Risk analysis and assessment is a primary tenet of risk management. I repeatedly told the labs that implementing this process would help justify not only the certification labs findings but also the tests they conducted. Eventually, after a couple of years of continually mentioning it to one of the labs they did develop a framework. As for vendors and risk analysis and assessment, those few who did eventually do it, only did rudimentary assessments. They were based on compliance checks only. Usually, to answer a Center for Internet Security (CIS) or Department of Defense Security Technical Implementation Guides (STIG) benchmark.

17. Most of the security tests developed for and executed by the test labs were basic security tests, what I would categorize as one step above vulnerability and compliance scanning. For some perspective, vulnerability and compliance scans are conducted on information systems for accreditation. They are part of the A&A process. Assessment & Authorization (formerly Certification and Accreditation (C&A)), is the process of determining whether risk management controls are correctly implemented (e.g. NIST Risk Management Framework) and authorizing the information system to operate on an organization's network, and in support of organizational missions. These scans are two means or tools to verify security compliance. Systems that require strict or have high

security standards require much more rigorous security tests. For example, when the TSMO organization conducts “threat” tests they are executed after A&A testing has completed. Another example on the lack of appropriate testing, is conducting too few tests for a particular requirement or vulnerability. Depending on the system vulnerability there could be just one or multiple attack vectors. This means there could be several security tests required to test just one vulnerability. Generally, there was only one test per VVSG requirement due to time and schedule restraints. Additionally, if a vulnerability is found through testing, appropriate cyber security procedures require follow on security tests to be developed and executed. For example, after conducting a vulnerability scan several critical, high or medium findings are found. Security tests should be developed to see if the vulnerabilities found can be exploited and if so, determine whether those vulnerabilities compromise the system. In my experience, the testing labs often never executed these follow-on tests.

18. ***System Integrity*** The CIA triad is a common model that forms the basis for the development of security systems. The three letters in CIA triad stand for Confidentiality, Integrity, and Availability.³ Depending on the system and its role, these three attributes can vary in importance or weight. When evaluating these attributes for the role to which voting systems play within our community, Integrity would rate first. Followed by Confidentiality, then Availability. The integrity of one’s ballot and accuracy of the vote count are the most important requirements for the system. Data should not be modified or

³ <https://www.isc2.org/Certifications/CISSP/CISSP-Student-Glossary#https://www.fortinet.com/resources/cyberglossary/cia-triad#>

compromised in any way. Integrity can only be brought about by strict quality and security standards. Two of the most well-known vendors for electronic voting systems are Dominion Voting Systems (DVS) and Election Systems and Software (ES&S). When evaluating and testing their systems I often found that they lacked adherence to common cybersecurity best practices. And like nearly every other vendor that was tested they simply sought to meet the substandard VVSG requirements and made no attempt to meet stricter security requirements that would help enforce the integrity of their voting systems.

19. ***Best practices*** I will cover some examples I observed that apply to nearly every vendor, including ES&S and Dominion, tested by the labs. These examples will indicate a lack of quality and the failure to incorporate industry best practices into electronic voting systems, including those systems used in Alabama. Every voting system vendor submits a Technical Data Package (TDP) to the testing laboratory. The TDP includes all the vendor's documentation for the voting system, from hardware specifications, to build documentation, to Standard Operating Procedures (SOP), to user guides, etc. I observed that while Dominion and ES&S provided the more complete TDPs, meaning they had all the required documents, their documentation was often lacking. For example, there were conflicting statements about antivirus (AV) software. Some documentation stating that AV was optional, other documentation stating it was required. There was nothing explaining how to update the AV definitions. ES&S systems did run AV scans, however, the scans produced warnings. These warnings were never addressed and there was no procedure listed in the documentation to cover how to handle these warnings. Producing

warnings from antivirus software in a newly built system, in a test lab no less, is not a good thing. It indicates that the vendor lacks proper system development and quality testing procedures, meaning their products could be prone to unnecessary vulnerabilities. I observed that some ES&S releases had AV versions on all the systems that did not match the version stated in the TDP. I also observed virus definitions that were two years behind on newly built ES&S systems. ES&S is not alone in having outdated AV definitions. For example, I reviewed the Antrim County, Michigan November 2020 Election Incident in which Dominion's electronic voting machines were involved. In the "Analysis of the Antrim County, Michigan November 2020 Election Incident" by J. Alex Halderman March 26, 2021 Section 5.7 "Claims Regarding Security Problems" states that "The system is running Windows 10 version 1607, which was released in 2016, and it appears not to have had any updates installed for at least two years. The antivirus definitions are similarly out of date."

20. The Operating System (OS) configurations and compliance were sub-par for both Dominion and ES&S. Dominion systems were often worse, sometimes scoring around 50%, meaning it passed only 50% of the Operating System (OS) security checks. ES&S systems scored slightly better hitting around 60-70% for the OS. By DoD standards 90% is the minimum for passing. One of the configuration issues usually identified on the voting systems being tested was unknown ports and services running on the system. Information systems should always have a documented list of the services required to run on the system. An industry best practice is to disable all unnecessary ports and services not required for the system's operational role. After conducting vulnerability scans, I

often found ES&S systems had many more services running on the systems than they had documented in their TDP. I usually had to ask a test lab employee to follow up with the vendor to get answers, so that we could verify that the voting system was built in accordance to the TDP and that those were valid services. Most of the time I never received an explanation. Another issue I observed was that TDP documentation provided poor configuration guidance to customers. In one of the ES&S's ES&S Voting System (EVS) TDP documents I remember reading something about strong password methodology being utilized. It required the password to be at least 8 characters long and include at least one number, one upper case letter, one lower case letter and contain no spaces. I remember taking note to make that a question "strong methodology?" and to see what feedback I got on this from the vendor, as the industry standard at the time was 12 characters, with complexity.

21. Even when newer versions of a voting system were submitted for testing, I observed that voting machine vendors still didn't seem to follow best practices. One good example was with an ES&S system. This particular system was submitted as a "non-EAC (State) modification" to a previous EVS version. The new version added "Regional Results Laptop(s)". These laptops were to be located between the DS200 tabulators used to scan and tabulate ballots at the precinct or county level and the Election Management System (EMS) located at the central location. Regional Results is a standalone application that is deployed at the regional results collection centers. The application is supposed to establish a secure connection to the central results transfer server, and read

the election media with results from the different polling places. It then is supposed to securely transfer the results over to the central server.

22. While I understand the operational need or desire for the regional results collection centers, implementing them opens up at least one more possible attack vector to manipulate election results. While the compliance scan score for this particular component of the voting system was above 80%, one of the highest I have seen for a voting system, it was still not a passable score compared to other systems with a High asset value. First, as these systems are laptops, small, mobile and fairly easy to obscure from view, their physical security should be paramount. I do not recall any of the standard cable and locking devices for laptops being implemented at the lab. Also, as the system could be lifted and tampered with elsewhere, protecting the BIOS and hard drive are a priority, because these two components are pretty much the only defense against a malicious person who has physical access to the system. While I believe the test lab implemented BIOS passwords, it was only suggested in the TDP. The VSTL had seen me exploit this attack vector on multiple occasions and thus implemented the passwords. The TDP however, only suggested implementing the two types of BIOS passwords to prevent against “Trivial” attacks. An attacker with access to the BIOS, bypassing normal startup procedures, is not trivial. There are so many different types of attacks that you can execute on a system with this type of access. Stating in the TDP that it is “Trivial” is misleading to your customer. Customers may or may not follow a vendor’s suggestion, as this security implementation, while needed, takes additional time to implement and is an added burden to maintain.

23. While these regional laptops had better compliance scan results than the other components, the OS configuration was horrible. OS auditing is where the operating system is configured to log system and security events. OS auditing was not being done at all on these regional laptops. I was dumbfounded at the failure to perform this basic cyber security practice. I took notes on this issue while testing the voting system. My notes state “The no auditing thing. Someone explain how auditing is done if OS is doing none.” As I have worked in the IT field a long time, I needed someone to explain this one to me. The operating system is the base for all auditing; even if applications on the system, e.g., the voting system vendors’ software, are running their own auditing functions and applications, those vendor software functions and applications cannot access OS information, and record something from, e.g., an OS log file, that was never created. To summarize about my observation about Regional Results Laptop, I will share this extract from my personal notes on the system: “Several physical security issues exist with the Regional Results reporting system. Considering the system is just a standalone laptop hard drive encryption should seriously be considered. The hard line phone modem adapter has no security seals or tamper guards in place. It would be easy for a tap to be installed within the device and go undetected. There are several valid and possible wireless attacks for both standard and broadband connections, to include but not limited to man in the middle.”

24. With new versions of electronic voting systems there often came new technology. Some vendors started introducing tablets, utilizing Bluetooth, etc. One vendor’s tablet had the admin password for accessing the admin options hardcoded (unchangeable by the

user) and didn't meet industry standard complexity rules. One tablet had a security kiosk application to control access to the installed apps. I quickly crashed the security kiosk application by performing different hardware reboot and reset options. With the security kiosk bypassed we could look through the tablet. Even though the vendor's voting system application couldn't function, it revealed that the voting system vendor had left APK files (Android Package file) from the installation of their applications, on the tablet. Leaving installation packages on a system is a very bad practice. It is forbidden in DoD. Worse yet, within the APK files we found static passwords in the code, another very bad practice. While these passwords didn't give access directly to the voting/ballot counting systems, it did give access to backend servers.

25. Lastly, when talking about new technologies being introduced to voting systems, I must mention cloud technology. One of the VSTLs was tasked directly by the government to review and check draft overseas voting system standards and requirements. This was not an actual test for a voting system certification it was just to evaluate the standards and practicality of the draft requirements. Within the standards, one requirement was to perform a penetration test. One state that already did online voting was to run a simulated state race for the lab to test with. In my little bit of reconnaissance as part of the pen test, I quickly discovered that the servers hosting the election were located outside of the United States. I brought this to the attention of the VSTL employees and stated they ought to notify that state of this issue. The lab was not concerned as it was "outside" of the scope of their work. That state had contracted with a

company within the U.S. but, I do not believe they knew that their data would actually reside outside of the U.S. I felt this should have been reported to at least the state.

26. I also observed that new versions of voting systems also brought new exploits. The system images were always outdated. The operating systems and the applications contained significant vulnerabilities. Some applications were at or near end of life (EOL) meaning it was no longer supported by the vendor which leads to critical security failures. On one ES&S system the Java version listed was literally months away from EOL. For examples as the consequences of continuing to employ outdated systems, I will address four general exploits that I found on voting systems submitted to the VSTLs. These exploits were all well-known and had readymade tools available to execute the attack. I will not identify or go into too specific of detail for security reasons. The main point here is that these exploits were all successfully executed. A system, any system, submitted to a testing laboratory for certification, any certification, should be ready for the production environment. Ready for the “real world” means the systems cannot contain serious vulnerabilities. The first exploit, “Microsoft Windows Unquoted Service Path Enumeration” is a vulnerability that allows an attacker to craft a malicious file to place within the working directory of the untrusted application. Once the application is run the malware is activated. This vulnerability has affected several applications to include Symantec (Norton Antivirus). I ran follow-up tests with Metasploit which is a well known exploit framework tool. I ran three modules, two were successful. The one module that wasn’t successful, most likely was because I did not craft a payload for it. The second exploit, “SSLv3 Encryption Vulnerability (POODLE)” the vulnerability is

found in the way Secure Sockets Layer (SSL)⁴ 3.0 handles block cipher mode padding. The attack demonstrates how an attacker can exploit this vulnerability to decrypt and extract information from inside an encrypted transaction. In other words, your secure connection isn't secure. Another exploit was a spoofing vulnerability due to a weakness in the Secure Channel (SChannel) Transport Layer Security (TLS)⁵ protocol implementation. A man-in-the-middle attacker can exploit this vulnerability to impersonate a victim on any other server that uses the same credentials. In the last exploit example, a quick scan was conducted on the Secure File Transfer Protocol (SFTP) server's outward facing Internet Protocol (IP) address. A Secure Shell (SSH)⁶ connection was visible so using Hydra (a tool common on hacking platforms) with a dictionary attack⁷ to establish a connection. The test was originally done when the password length was only 8 characters in length. The password length was then increased to 12 characters. While this greatly increased the time needed to successfully make a connection, it was still fairly easy to connect to the system. This sampling of vulnerable exploits was from various ES&S systems submitted. In my experience, Dominion and other vendors usually did not do as well on vulnerability scan results. Again, the point I am trying to make is

⁴ Secure Sockets Layer (SSL) is a security protocol that provides privacy, authentication, and integrity to Internet communications. SSL eventually evolved into Transport Layer Security (TLS).

⁵ TLS is a cryptographic protocol that provides end-to-end security of data sent between applications over the Internet.

⁶ SSH is a three layer (transport, authentication, and connection) protocol for encrypted, secure communication between clients and servers over a network.

⁷ A dictionary attack is a systematic method of guessing a password by trying many common words and their simple variations, usually from a file or files with a list of all English words and permutations using alphanumeric characters.

that if the better vendor's systems are exploitable, none of the voting systems should be in use.

27. The common weak point I usually observed on ES&S systems was the SFTP server which is used to transmit election data. With the system having a "world" facing IP, the system is susceptible to attacks from anywhere. Firewall logs, which can help detect malicious attacks, are generated and sent to the server but nothing is done with them. There is no clear guidance on how to analyze firewall logs. Additionally, there is no real time analysis which is vital considering the attempts observed at the VSTL to access the system. Within minutes of the IP going live, the system would be under attack.

28. ***Pre, Voting, Post*** -- After the VSTL finishes testing and submits their report, either the EAC or the secretary of state certify the voting system. Then either the state or county will purchase the systems. This is where the real risks are at. The lack of global supply chain management by the vendors in the production of the electronic voting systems is one issue. However, safe and secure storage are also a vital part of supply chain management. The safe and secure storage does not end once the item is purchased and delivered to the customer. I know personally that not all municipalities apply the proper security for storing systems such as electronic voting systems, that are categorized at this level of importance. After a presentation at DefCon one year, on security tests conducted on the California voting systems, by the University of Pennsylvania I was in a VIP session with the lecturer and several others. One gentleman was from a county election office and pretty much admitted their systems were locked in nothing more than a large broom closet. It didn't even have a secondary deadbolt lock. Also, he believed the

janitor for the building even had a key. I tell this story because even though I know the system that scans my own ballot when I vote here in Alabama, the DS200, has a relatively secure boot sequence and BIOS, from a design perspective. It can still easily be bypassed with two simple physical visits to the system. A test I wanted to perform at the VSTL but I was not allowed.

29. In the nine years I tested voting systems, I only recall one system which actually did an integrity check when the system started up. Most of the vendors, in their TDP documentation, suggest to customers to acquire and install an application like Tripwire (a file integrity application). This begs the question that if the voting system images are so controlled that the customers can't even do OS updates without violating their contracts, how can they (the customer) install a third-party application? Dominion and ES&S supposedly have a way for the customer to create a "Trusted" build if they want. They have scripts that the customer can run to verify the integrity of the system. Based on my professional experience this method is inadequate to verify the integrity of a system like electronic voting systems because scripts are prone to run time errors which can lead to failures or false results. ES&S has Quick Hash Procedure or Trusted Hash List. In my opinion, after reading the TDP documentation on it, the procedure is over complicated and not secure. The Texas Secretary of State's investigation into ES&S confirmed my opinion on the hash verification process. Section 5.2 of the Mechler report stated there was a bug in the hash verification script, and that even if missing one of the required

files, it would still show successful verification.⁸ This issue and others found in the Texas investigation can potentially affect 105 systems in Montgomery County, Alabama, alone. This means the integrity of over 100 voting systems in Alabama can't be verified.

30. One thing is certain, that pre-voting day when the systems are pulled out of storage they should be inspected and checked for any signs of being tampered with. This includes both physical and technical checks. In many of the TDPs I have read about “for future capabilities” not incorporated in this version; translation, there are additional attack vectors that could be compromised on the systems, which the vendors have not addressed or mitigated. For a tester this means having to check motherboards, inspect configurations for the different connection options to ensure the others can't be active, etc. Even just giving the customer an option for the type of communication channel they can use, presents a risk. For example, ES&S states you can connect via ethernet, wireless, broadband or dial-up. When the customer selects one option, that doesn't mean the others just magically go away. Dominion provides a recent example of this. From "Forensic Examination Proves Vote Manipulation and Illegal Destruction of Records on Dominion Voting Machines" By: Jeffrey O'Donnell and Dr. Walter C. Daugherity April 21, 2022, the following excerpt "Alarming, the voting system had internal Wi-Fi/Bluetooth wireless adapters allowing unauthorized external connectivity, including to the Internet.² ... ²Thirty-five machines in the system were found to have these adapters installed." The state of Alabama tries to assure us that their ES&S electronic voting systems are safe and

⁸ https://drive.google.com/file/d/1u5RM5PA29qU8mR_9qrAXRrDXHFRdL1bT/view

secure because they are standalone and air gapped. Even air gapped systems can be hacked. There are multiple Advanced Persistent Threats (APT) within the last decade that can do this. A few examples are FANNY, Red October and Turla. The latest way by an APT called PowerHammer can actually exfiltrate data out the power cable.⁹ Malware can also easily be preinstalled locally and just manipulate data before it is exported from the system.

31. Recently I witnessed how vulnerable these standalone systems are in Alabama. Questions were raised in a county commissioners meeting, concerning electronic voting systems. A couple of election officials wanted to ensure their county was making every effort to ensure that they were compliant and secure with their voting process. In late July, I was asked by one of the officials to come down, observe and point out any areas that might need improvement. I asked several questions and was provided a list of questions that were asked at the commissioner meeting along with the responses. I was then shown a new standalone Election Reporting Manager (ERM) laptop that was provided by the state. This was one of the “hardened” computers provided by the Secretary of State¹⁰. I asked the election official if he could power it up and let me see it operating. At that time he stated that the county didn’t have any of the USB drives, that ES&S hadn’t sent them yet. My question to the election official was why were the election definitions coming from ES&S and not the state or why weren’t they being

⁹ <https://arxiv.org/pdf/1804.04014.pdf>

¹⁰ <https://www.al.com/news/2022/05/alabamas-new-hardened-laptop-rule-for-vote-counting-could-slow-process-in-jefferson-county.html>

created by the county? He informed me that was the way the process worked when he got there.

32. I then asked if he had a way to validate or verify the system to ensure it had not been tampered with. If he had a way to ensure it was a trusted build. He stated he did not. I then explained about separation of duties and how he should have the ability to validate the system's integrity. I then just asked him to power up and show me what he could do on the system. I observed several things, the first being BitLocker was not enabled. This indicates the hard drive is not encrypted. This is a must for a laptop rated at a high security level. The next observation was that the only account he or anyone had was for his election role. So, if there were any issues during an election no one would have administrative access in order to fix the problem. Other observations were; there appeared to be no antivirus software installed. The OS was Windows 10 Enterprise (1809). This OS hit end of servicing May 11th, 2021. The system indicated the OS was installed February 18th, 2022. This means the OS being installed was already end of life (EOL) when installed. The current number of possible vulnerabilities for this OS version is at 203. The database that would be used to record and tally all the votes is PostgreSQL 9.1 (x86). The 9.1 version was released on 2011-09-11. This version conservatively has 80 possible vulnerabilities (135 total count for that version). From the vendor's website "You are currently viewing PostgreSQL security vulnerabilities for an unsupported version. If you are still using PostgreSQL 9.1, you should upgrade as soon as possible." As noted above, the Secretary of State stated publicly that these laptops are "hardened". This "hardened" computer contains around 300 possible vulnerabilities.

33. Based on my experience, this system can easily be compromised. Which calls into question the logic stated in the news article cited at footnote 10 concerning the security of original vote data. The article also has other inaccuracies and incorrect statements made by the Secretary of State and chair of the Electronic Voting Committee. According to the article, the SOS said the new computers provide “additional safeguard against hackers”. The election official also showed me a letter where the SOS said the “purpose of this security related update ...” Installing an non-supported OS and an outdated database with around 300 vulnerabilities in total, does not improve security. Another incorrect statement was made by the chair of the EVC. He is quoted in the article stating “The new laptops do not have the capability of being connected to the Internet,” this is incorrect. I was shown the system purchase order sent by the state. The system has an Intel Wi-Fi 6 AX201 2x2 .11ax 160MHz + Bluetooth 5.1 card installed. It may be disabled. I could not verify this from my observation due to restrictions on the election official’s account. However, according to the purchase order it clearly has the capability to have Wi-Fi and Bluetooth connections.

34. One final point about pre-election or pre-voting. This year in an effort of transparency to the Alabama voters, the state allowed citizens to observe the pre-voting day tests they conduct on the electronic voting systems. While I personally did not attend, I was at a public meeting that occurred after the tests. This meeting was a question and answer period with some of the political candidates. One woman spoke up about what she witnessed at the pre-election testing session. A ballot was photo copied, the edges of the ballot were messed with and then that copied ballot was ran through the system and

counted. The candidate then started to say if he was elected, he would fix that. At this point I had to interject and tell them that there are requirements about ballots paper, ink, watermarks, etc. and that VSTLs check to make sure these requirements are met so that illegitimate ballots are prevented from being processed if the electronic voting tabulator is configured properly. ES&S has specific documentation and guidelines regarding ballot making which require certain types of paper, ink and ballot format otherwise the ballots won't work or be counted in their systems. In fact nearly all the voting system vendors claim that ballots scanned are checked and verified to ensure they are not forged or counterfeit. So, if a photo copied ballot made it through an ES&S system something is very wrong.

35. During testing when I reviewed the TDPs, and I brought up a lot of problems to the VSTLs about the clarity of the instructions in the TDPs for the average election worker. They were often puzzled why I was making an issue of certain things within the documentation. I explained to them that no matter what IT or IS product you sell as a vendor, the customer usually doesn't have the same technical knowledge or they probably won't follow the guidance you provide to them in your documentation, especially if it is complicated or takes extra time. I know most working at the polling place are volunteers. A prime example is from my own polling place in Huntsville, AL. I often see that the tamper seals aren't in place on the ballot scanning systems as suggested by the vendor in the TDPs. I also know that the election workers are probably simply unaware because the city didn't inform them about this requirement or the city didn't ensure that this measure was done. A certain level of transparency about security

measures and knowledge should be given to voters about the physical security steps taken to ensure the integrity of the voting process. Voters should have a feeling of confidence or trust in the process. Sort of like seeing that tamper seal stuck on the gas pump, helping you know when you swipe your credit card that your number probably won't be stolen or at least the gas station made an attempt to protect you and your money.

36. State and county post-election standard process and procedures when dealing with electronic voting systems seem to also have several security issues. As previously stated, electronic voting systems are information systems (IS). Some of the Industry best practices for IS, concerning system logs, are that they have restricted access permissions, that they are backed up off the local system and they are retained for a certain period of time. After reviewing several recent forensics reports on voting systems and the follow-on analysis reports, it is clear that critical auditing data was not properly stored, deleted or overwritten. This is a major concern. Systems categorized as high must have audit log retention. Those logs must have safeguards to protect their integrity. As the voting process plays such a critical role in our society, we should safeguard all data associated with it. This not only includes securing and retaining ballots for a specified time, it also includes retaining back up images of those IS involved in the process. In normal IT operations if an important system, virtual or hardware, is going to be updated or reimaged logs are backed up and a backup image is created in case the new system has issues. After an election is completed, all voting systems should have a forensic image created and stored. This will allow for follow on auditing and ensure that the system was not compromised in any way. This capability will give voters confidence in the election

process. Voting systems should then be stored with tamper seals in place to ensure any access to the system can be detected.

37. To summarize our democratic voting process is critical to our Constitutional Republic. The federal and state requirements for voting systems do not meet the standards required for systems of this importance. I have observed that the electronic voting system vendors just try to meet a bare minimum standard. The whole process, from beginning to end, dealing with electronic voting systems; pre-voting, voting day to post election are filled with security flaws.

38. Given my education, experience as a security professional and my first-hand knowledge of testing nearly every vendor voting system product, along with recent reports and findings from past elections, which I have reviewed, I have concluded that these electronic voting systems present critical vulnerabilities to our election process and endanger our national security. My conclusion is that electronic voting systems should not be used in U.S. elections.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17 day of August, 2022.


Clay U. Parikh

**IN THE CIRCUIT COURT OF
MONTGOMERY COUNTY, ALABAMA**

Tommy Hanes, David Calderwood, MD,
and Focus on America,

Plaintiffs,

v.

John H. Merrill, as Alabama Secretary of
State, Bill English, Wes Allen, Clay
Crenshaw, Jeff Elrod, and Will Barfoot, as
members of the Alabama Electronic Voting
Committee,

Defendants.

Case Number: CV-2022-9000595.00

**DECLARATION OF
CLAY U. PARIKH**

I, CLAY U. PARIKH, declare under penalty of perjury that the following is true and correct:

1. I have personal knowledge of the matters set forth below and would testify competently to them if called upon to do so.
2. I have a Master of Science in Cyber Security, Computer Science from the University of Alabama in Huntsville. I have a Bachelor of Science in Computer Science, Systems Major from the University of North Carolina at Wilmington. In February 2007 I obtained the Certified Information Systems Security Professional (CISSP) certification and have continually maintained good standing. I also hold the following certifications; Certified Ethical Hacker (CEH) and Certified Hacking Forensic Investigator (CHFI).
3. Since December of 2003, I have continually worked in the areas of Information Assurance (IA), Information Security and Cyber Security. I have performed and led teams in Vulnerability Management, Security Test and Evaluation (ST&E) and system

accreditation. I have supported both civil and department of defense agencies within the U.S. government as well as international customers, such as NATO. I have served as the Information Security Manager for enterprise operations at Marshall Space Flight Center, where I ensured all NASA programs and projects aboard the center met NASA enterprise security standards. I was also responsible in part for ensuring the Marshall Space Flight Center maintained its Authority To Operate (ATO) within the NASA agency. I have also served as the Deputy Cyber Manager for the Army Corps of Engineers where I led and managed several teams directly in; Vulnerability Management, Assessment and Authorization (A&A), Vulnerability Scanning, Host Based Security System (HBSS), Ports Protocols and Service Management, and an Information System Security Manager (ISSM) team for cloud projects. I also have performed internal digital forensic audits. During this time span, I also worked at the Army Threat Systems Management Office (TSMO) as a member of the Threat Computer Network Operations Team (TCNOT). I provided key Computer Network Operations (CNO) support by performing validated threat CNO penetration testing and systems security analysis. TCNOT is the highest level of implementation of the CNO Team concept.

4. From 2008 to 2017, I also worked through a professional staffing company for several testing laboratories that tested electronic voting machines. These laboratories included Wyle Laboratories, which later turned into National Technical Systems (NTS) and Pro V&V. My duties were to perform security tests on vendor voting systems for certification. Certification was either to be obtained from the Election Assistance Commission (EAC) or a specific state's Secretary of State's requirements.

5. In this declaration, based on my professional experience, I will define and describe the weaknesses with the EAC or state certification process as well as general vulnerabilities that exist with nearly all electronic voting systems. I will also define the risk analysis and assessment of electronic voting systems and their relationship to the voting process in its entirety, pre-voting day, voting day and post-election.

6. *Asset value* – Encyclopedia Britannica defines Information System (IS) as, “an integrated set of components for collecting, storing, and processing data and for providing information, knowledge, and digital products.” The Computer Security Resource Center (CSRC) at the National Institute of Standards and Technology (“NIST”) defines IS as “[a] discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information.” Electronic voting systems by definition are Information Systems. The Information Systems Audit and Control Association, now known simply as ISACA, is a highly respected international professional association focused on information technology (IT) governance. According to ISACA the first steps in information security strategic planning in any form of business are risk management and risk evaluation. Identification, valuation and categorization of information system assets are critical tasks of the process to properly develop and deploy the required security control for the specified IT assets. This valuation and categorization of assets is standard practice for all federal agencies and most large corporations. IS assets are generally categorized as; High, Medium or Low based on their value to the organization. Assets categorized as High are critical to the operation and success of the organization. Their loss or compromise would greatly

damage or harm the organization. Assets categorized as High have stricter security requirements than those lower categorized assets because of their importance and value to an organization.

7. In January 2017 the Department of Homeland Security (DHS) designated the election infrastructure used in federal elections as a component of U.S. critical infrastructure after a series of publicly reported cyber attacks on state and local election systems.¹ The voting process is critical to our nation, from the federal level down to the local municipality. Citizens vote not only for their mayor, governor and president, they also vote to amend their state constitutions, grant funding to civic projects, elect local sheriffs, judges, etc. The categorization of any information system directly involved in the voting process must be considered High.

8. In my professional experience, which includes working with the Voting System Test Labs (VSTL) that certify elections equipment in Alabama and other states, none of the electronic voting machine vendors apply this recognized and appropriate risk management and evaluation process to their electronic voting systems. Moreover, nor do they guide their customers through the process which would help protect their electronic voting systems from unauthorized manipulation that could alter election outcomes. Vendors only show their compliance to Voluntary Voting System Guidelines (VVSG) which, as described below, are inadequate to protect systems like electronic voting systems which are categorized as High.

¹ <https://sgp.fas.org/crs/misc/IF10677.pdf>

9. *Standards in VSSG* -- The VVSG standards are a minimal set of standards that are often vague and weak when compared to industry best practices that apply to High asset value systems such as electronic voting systems. For example, in the Department of Defense (DoD), when verifying system configuration compliance, the security requirements selected to be checked are based on the category of the system and its classification. As referenced in Department of Defense Instruction, DODI 8500.2 This same basic approach used by DoD is also used by other agencies such as Health and Human Services and the financial services industry.

10. The current VVSG 2.0 was finalized and dated February 10th, 2021. Any certified electronic system used in an election prior to that date was based on VVSG 1.1. Examples of where VVSG 1.1 falls below other recognized best practices include: VVSG 1.1 Vol 1 (section 7) states “Implement encryption using NIST approved algorithms with a security strength of at least 112 bits within a FIPS 140-2 level 1 or higher.” Most federal agencies require a minimum 128 bit security strength, with 256 bits preferred. DoD is currently at 256 bit requirement. Another area where VVSG 1.1 lagged was password length and complexity. When access to an information system is done by utilizing user name and password, the length and complexity of the password are extremely important. These two attributes help ensure that the account is only accessed and utilized by the authorized user, not a malicious attacker. Complexity is the use of incorporating special characters, numbers, as well as limiting sequence patterns in the password. The complexity and length of the password help protect against password cracking tools. Kali Linux is a Linux distribution common to both hackers and security

professionals. There are over a dozen password cracking tools on Kali alone. This includes the top 5 or most popular; John the Ripper, Hydra (one I used a lot in the VSTLs), Cain & Abel, Ophcrack and Hashcat. The VVSG, both versions 1.1 and 1.0, are vague and give no real minimum on password length. I observed many vendors stating a length of at least 8 characters and no mention of complexity. While many federal agencies had a minimum of 12 characters and enforced complexity. At the time the 12 character limit was also Microsoft's operating system recommended setting for length. DoD minimum password length is 15 characters.

11. In my professional opinion the latest VSSG 2.0 version still lacks in the proper level of security requirements. The latest updates in VVSG 2.0 purportedly included "improved cybersecurity requirements". Improved cybersecurity requirements should be detailed and specific to the standards set forth. However, VVSG 2.0 states "[t]he VVSG 2.0 is a departure from past versions in that a set of principles and associated guidelines were first developed to describe how, at a high-level, voting systems should be designed, developed, and how they should operate." "High-level" meaning a general description, is not the level of detail required to secure IS systems.

12. A prime example of the lack of detail in VVSG 2.0 is dealing with encryption. Of the 326 pages of version 2.0, "encryption" is only mentioned 10 times, 3 times outside of the context of being used within definitions. Encryption is only mentioned twice in the discussion sections. The discussion section is where the "meat" or details are contained. Requirement 9.1.6 in VVSG 2.0 "Cryptographic E2E verifiable" (E2E means "end to end") states "Due to the lack of E2E verifiable voting systems available within the

current market, there are no verified E2E cryptographic protocols. A standard public process for approval of the E2E cryptographic protocols will need to be established outside of the VVSG." In other words, all the current electronic voting systems lack this security measure. In effect, the VVSG 2.0 standards simply "kick the can down the road". This is unacceptable from any type of requirements perspective, let alone cyber security requirements. End to End encryption is available in plenty of other commercially available products. There is no excuse as to why such measures are not incorporated in electronic voting systems.

13. I was asked by Wyle labs on two occasions to meet with the EAC and NIST team who were down auditing the VSTL for their annual certification. During the first meeting I was shocked that the auditors didn't even know what the CISSP certification was. The CISSP is the gold standard of security certifications. At both of these meetings I expressed my concern about the subpar requirements of the VVSG for voting systems which should be categorized as High and have stricter requirements. They jotted down some notes but seemed more concerned with asking me my opinion on their grant to South Alabama concerning the construction of a Vulnerability database (DB) and other such projects. Lastly, concerning the VVSG standards, why are the requirements even being upgraded if no one follows the newer version of the standard. All the latest versions of electronic voting systems are still certified in accordance with VVSG 1.0 when 1.1 has been out since 2015.²

² <https://www.eac.gov/voting-equipment/certified-voting-systems>

14. *Certification Process* -- The lack of appropriate security requirements within the VVSG is only the first weak link in the certification process for voting systems. The certification process itself is flawed. For example, I found that the testing laboratories had electronic voting systems submitted for certifications at different federal, state or county levels. Some voting systems were submitted to the labs for federal certification and would be tested against all the EAC (VVSG) standards, while other voting systems that were submitted for state or county certification did not have to meet all of the EAC standards. Most electronic voting systems submitted for state or county certification seemed to have hand- or cherry-picked requirements from the EAC standard and then maybe some other requirements were thrown into the mix. It seems that the Secretaries of State can pick what requirements they want. Whether or not they have authority to do this, there are two points that should be made. One, security tests should be complete and thorough, not cherry picked. Security tests should be developed to cover all vulnerabilities or attack vectors a system may have. Two, are these “state” and “county” systems also not used in federal elections? It is highly unlikely any municipality or state will have multiple voting systems, one for each type or level of election (i.e., one for state, another one for federal).

15. From day one when I walked into the very first laboratory Wyle, I was limited in the type of security tests I could perform. As a cyber security professional, I apply a holistic approach to security testing. This means testing every type of attack, whether from a physical or technical vector or combination of both. Such attacks range from picking locks and testing tamper seals to abusing poor operating system configurations or

remote exploits. All the testing labs I worked for had a culture of only testing to the EAC VVSG's requirements which ignore many threat vectors. For example, when I first started laying out the type of tests in 2008 I wanted to perform, I was told by Wyle "whoa, whoa, whoa, slow down". Then I was told we are just testing to ensure that the voting systems meet the EAC VVSG's requirements. I was also told that some of the more detailed / higher level tests I mentioned would probably be done elsewhere *after the system was certified*. To my knowledge no such following on testing was ever performed. Additionally, security testing at the labs was kept separate from the other testing conducted. They were often scheduled after most of the other testing was done. This often left little time in the project schedule to conduct the security tests, which in turn often limited the type of security test to be conducted. While these labs might be good testing laboratories, for any other basic certifications they definitely were NOT well suited for security tests or cyber security certifications.

16. ***Levels of security tests*** While the employees at all the labs were very good at test procedures and many were good with software and programming none that I observed or worked with had any adequate cyber security training or security background. This left only one person, myself, to develop all security tests and execute most of the security testing. This forced me to leave some of the very basic security tests for the lab staff to conduct. This also meant I now had to explain and teach the lab staff about the hardware and products used, along with how to test them. For example, many of the voting systems utilize what are known as "wafer locks", the type of lock on desk drawers. I had to explain how wafer locks work and the basics to picking them. I also had to show and

explain to the lab staff about tamper seals and how to test them. In the earlier years of when I started testing, many of the voting systems didn't even implement or use tamper seals or security ties. These basic tests were separate from the test cases I developed and went unsupervised. Therefore, I have no way knowing if they were executed properly or even conducted at all. Additionally, the labs I worked with did not know about or how to implement a risk analysis and assessment process. Risk analysis and assessment is a primary tenet of risk management. I repeatedly told the labs that implementing this process would help justify not only the certification labs findings but also the tests they conducted. Eventually, after a couple of years of continually mentioning it to one of the labs they did develop a framework. As for vendors and risk analysis and assessment, those few who did eventually do it, only did rudimentary assessments. They were based on compliance checks only. Usually, to answer a Center for Internet Security (CIS) or Department of Defense Security Technical Implementation Guides (STIG) benchmark.

17. Most of the security tests developed for and executed by the test labs were basic security tests, what I would categorize as one step above vulnerability and compliance scanning. For some perspective, vulnerability and compliance scans are conducted on information systems for accreditation. They are part of the A&A process. Assessment & Authorization (formerly Certification and Accreditation (C&A)), is the process of determining whether risk management controls are correctly implemented (e.g. NIST Risk Management Framework) and authorizing the information system to operate on an organization's network, and in support of organizational missions. These scans are two means or tools to verify security compliance. Systems that require strict or have high

security standards require much more rigorous security tests. For example, when the TSMO organization conducts “threat” tests they are executed after A&A testing has completed. Another example on the lack of appropriate testing, is conducting too few tests for a particular requirement or vulnerability. Depending on the system vulnerability there could be just one or multiple attack vectors. This means there could be several security tests required to test just one vulnerability. Generally, there was only one test per VVSG requirement due to time and schedule restraints. Additionally, if a vulnerability is found through testing, appropriate cyber security procedures require follow on security tests to be developed and executed. For example, after conducting a vulnerability scan several critical, high or medium findings are found. Security tests should be developed to see if the vulnerabilities found can be exploited and if so, determine whether those vulnerabilities compromise the system. In my experience, the testing labs often never executed these follow-on tests.

18. ***System Integrity*** The CIA triad is a common model that forms the basis for the development of security systems. The three letters in CIA triad stand for Confidentiality, Integrity, and Availability.³ Depending on the system and its role, these three attributes can vary in importance or weight. When evaluating these attributes for the role to which voting systems play within our community, Integrity would rate first. Followed by Confidentiality, then Availability. The integrity of one’s ballot and accuracy of the vote count are the most important requirements for the system. Data should not be modified or

³ <https://www.isc2.org/Certifications/CISSP/CISSP-Student-Glossary#https://www.fortinet.com/resources/cyberglossary/cia-triad#>

compromised in any way. Integrity can only be brought about by strict quality and security standards. Two of the most well-known vendors for electronic voting systems are Dominion Voting Systems (DVS) and Election Systems and Software (ES&S). When evaluating and testing their systems I often found that they lacked adherence to common cybersecurity best practices. And like nearly every other vendor that was tested they simply sought to meet the substandard VVSG requirements and made no attempt to meet stricter security requirements that would help enforce the integrity of their voting systems.

19. ***Best practices*** I will cover some examples I observed that apply to nearly every vendor, including ES&S and Dominion, tested by the labs. These examples will indicate a lack of quality and the failure to incorporate industry best practices into electronic voting systems, including those systems used in Alabama. Every voting system vendor submits a Technical Data Package (TDP) to the testing laboratory. The TDP includes all the vendor's documentation for the voting system, from hardware specifications, to build documentation, to Standard Operating Procedures (SOP), to user guides, etc. I observed that while Dominion and ES&S provided the more complete TDPs, meaning they had all the required documents, their documentation was often lacking. For example, there were conflicting statements about antivirus (AV) software. Some documentation stating that AV was optional, other documentation stating it was required. There was nothing explaining how to update the AV definitions. ES&S systems did run AV scans, however, the scans produced warnings. These warnings were never addressed and there was no procedure listed in the documentation to cover how to handle these warnings. Producing

warnings from antivirus software in a newly built system, in a test lab no less, is not a good thing. It indicates that the vendor lacks proper system development and quality testing procedures, meaning their products could be prone to unnecessary vulnerabilities. I observed that some ES&S releases had AV versions on all the systems that did not match the version stated in the TDP. I also observed virus definitions that were two years behind on newly built ES&S systems. ES&S is not alone in having outdated AV definitions. For example, I reviewed the Antrim County, Michigan November 2020 Election Incident in which Dominion's electronic voting machines were involved. In the "Analysis of the Antrim County, Michigan November 2020 Election Incident" by J. Alex Halderman March 26, 2021 Section 5.7 "Claims Regarding Security Problems" states that "The system is running Windows 10 version 1607, which was released in 2016, and it appears not to have had any updates installed for at least two years. The antivirus definitions are similarly out of date."

20. The Operating System (OS) configurations and compliance were sub-par for both Dominion and ES&S. Dominion systems were often worse, sometimes scoring around 50%, meaning it passed only 50% of the Operating System (OS) security checks. ES&S systems scored slightly better hitting around 60-70% for the OS. By DoD standards 90% is the minimum for passing. One of the configuration issues usually identified on the voting systems being tested was unknown ports and services running on the system. Information systems should always have a documented list of the services required to run on the system. An industry best practice is to disable all unnecessary ports and services not required for the system's operational role. After conducting vulnerability scans, I

often found ES&S systems had many more services running on the systems than they had documented in their TDP. I usually had to ask a test lab employee to follow up with the vendor to get answers, so that we could verify that the voting system was built in accordance to the TDP and that those were valid services. Most of the time I never received an explanation. Another issue I observed was that TDP documentation provided poor configuration guidance to customers. In one of the ES&S's ES&S Voting System (EVS) TDP documents I remember reading something about strong password methodology being utilized. It required the password to be at least 8 characters long and include at least one number, one upper case letter, one lower case letter and contain no spaces. I remember taking note to make that a question "strong methodology?" and to see what feedback I got on this from the vendor, as the industry standard at the time was 12 characters, with complexity.

21. Even when newer versions of a voting system were submitted for testing, I observed that voting machine vendors still didn't seem to follow best practices. One good example was with an ES&S system. This particular system was submitted as a "non-EAC (State) modification" to a previous EVS version. The new version added "Regional Results Laptop(s)". These laptops were to be located between the DS200 tabulators used to scan and tabulate ballots at the precinct or county level and the Election Management System (EMS) located at the central location. Regional Results is a standalone application that is deployed at the regional results collection centers. The application is supposed to establish a secure connection to the central results transfer server, and read

the election media with results from the different polling places. It then is supposed to securely transfer the results over to the central server.

22. While I understand the operational need or desire for the regional results collection centers, implementing them opens up at least one more possible attack vector to manipulate election results. While the compliance scan score for this particular component of the voting system was above 80%, one of the highest I have seen for a voting system, it was still not a passable score compared to other systems with a High asset value. First, as these systems are laptops, small, mobile and fairly easy to obscure from view, their physical security should be paramount. I do not recall any of the standard cable and locking devices for laptops being implemented at the lab. Also, as the system could be lifted and tampered with elsewhere, protecting the BIOS and hard drive are a priority, because these two components are pretty much the only defense against a malicious person who has physical access to the system. While I believe the test lab implemented BIOS passwords, it was only suggested in the TDP. The VSTL had seen me exploit this attack vector on multiple occasions and thus implemented the passwords. The TDP however, only suggested implementing the two types of BIOS passwords to prevent against “Trivial” attacks. An attacker with access to the BIOS, bypassing normal startup procedures, is not trivial. There are so many different types of attacks that you can execute on a system with this type of access. Stating in the TDP that it is “Trivial” is misleading to your customer. Customers may or may not follow a vendor’s suggestion, as this security implementation, while needed, takes additional time to implement and is an added burden to maintain.

23. While these regional laptops had better compliance scan results than the other components, the OS configuration was horrible. OS auditing is where the operating system is configured to log system and security events. OS auditing was not being done at all on these regional laptops. I was dumbfounded at the failure to perform this basic cyber security practice. I took notes on this issue while testing the voting system. My notes state “The no auditing thing. Someone explain how auditing is done if OS is doing none.” As I have worked in the IT field a long time, I needed someone to explain this one to me. The operating system is the base for all auditing; even if applications on the system, e.g., the voting system vendors’ software, are running their own auditing functions and applications, those vendor software functions and applications cannot access OS information, and record something from, e.g., an OS log file, that was never created. To summarize about my observation about Regional Results Laptop, I will share this extract from my personal notes on the system: “Several physical security issues exist with the Regional Results reporting system. Considering the system is just a standalone laptop hard drive encryption should seriously be considered. The hard line phone modem adapter has no security seals or tamper guards in place. It would be easy for a tap to be installed within the device and go undetected. There are several valid and possible wireless attacks for both standard and broadband connections, to include but not limited to man in the middle.”

24. With new versions of electronic voting systems there often came new technology. Some vendors started introducing tablets, utilizing Bluetooth, etc. One vendor’s tablet had the admin password for accessing the admin options hardcoded (unchangeable by the

user) and didn't meet industry standard complexity rules. One tablet had a security kiosk application to control access to the installed apps. I quickly crashed the security kiosk application by performing different hardware reboot and reset options. With the security kiosk bypassed we could look through the tablet. Even though the vendor's voting system application couldn't function, it revealed that the voting system vendor had left APK files (Android Package file) from the installation of their applications, on the tablet. Leaving installation packages on a system is a very bad practice. It is forbidden in DoD. Worse yet, within the APK files we found static passwords in the code, another very bad practice. While these passwords didn't give access directly to the voting/ballot counting systems, it did give access to backend servers.

25. Lastly, when talking about new technologies being introduced to voting systems, I must mention cloud technology. One of the VSTLs was tasked directly by the government to review and check draft overseas voting system standards and requirements. This was not an actual test for a voting system certification it was just to evaluate the standards and practicality of the draft requirements. Within the standards, one requirement was to perform a penetration test. One state that already did online voting was to run a simulated state race for the lab to test with. In my little bit of reconnaissance as part of the pen test, I quickly discovered that the servers hosting the election were located outside of the United States. I brought this to the attention of the VSTL employees and stated they ought to notify that state of this issue. The lab was not concerned as it was "outside" of the scope of their work. That state had contracted with a

company within the U.S. but, I do not believe they knew that their data would actually reside outside of the U.S. I felt this should have been reported to at least the state.

26. I also observed that new versions of voting systems also brought new exploits. The system images were always outdated. The operating systems and the applications contained significant vulnerabilities. Some applications were at or near end of life (EOL) meaning it was no longer supported by the vendor which leads to critical security failures. On one ES&S system the Java version listed was literally months away from EOL. For examples as the consequences of continuing to employ outdated systems, I will address four general exploits that I found on voting systems submitted to the VSTLs. These exploits were all well-known and had readymade tools available to execute the attack. I will not identify or go into too specific of detail for security reasons. The main point here is that these exploits were all successfully executed. A system, any system, submitted to a testing laboratory for certification, any certification, should be ready for the production environment. Ready for the “real world” means the systems cannot contain serious vulnerabilities. The first exploit, “Microsoft Windows Unquoted Service Path Enumeration” is a vulnerability that allows an attacker to craft a malicious file to place within the working directory of the untrusted application. Once the application is run the malware is activated. This vulnerability has affected several applications to include Symantec (Norton Antivirus). I ran follow-up tests with Metasploit which is a well known exploit framework tool. I ran three modules, two were successful. The one module that wasn’t successful, most likely was because I did not craft a payload for it. The second exploit, “SSLv3 Encryption Vulnerability (POODLE)” the vulnerability is

found in the way Secure Sockets Layer (SSL)⁴ 3.0 handles block cipher mode padding. The attack demonstrates how an attacker can exploit this vulnerability to decrypt and extract information from inside an encrypted transaction. In other words, your secure connection isn't secure. Another exploit was a spoofing vulnerability due to a weakness in the Secure Channel (SChannel) Transport Layer Security (TLS)⁵ protocol implementation. A man-in-the-middle attacker can exploit this vulnerability to impersonate a victim on any other server that uses the same credentials. In the last exploit example, a quick scan was conducted on the Secure File Transfer Protocol (SFTP) server's outward facing Internet Protocol (IP) address. A Secure Shell (SSH)⁶ connection was visible so using Hydra (a tool common on hacking platforms) with a dictionary attack⁷ to establish a connection. The test was originally done when the password length was only 8 characters in length. The password length was then increased to 12 characters. While this greatly increased the time needed to successfully make a connection, it was still fairly easy to connect to the system. This sampling of vulnerable exploits was from various ES&S systems submitted. In my experience, Dominion and other vendors usually did not do as well on vulnerability scan results. Again, the point I am trying to make is

⁴ Secure Sockets Layer (SSL) is a security protocol that provides privacy, authentication, and integrity to Internet communications. SSL eventually evolved into Transport Layer Security (TLS).

⁵ TLS is a cryptographic protocol that provides end-to-end security of data sent between applications over the Internet.

⁶ SSH is a three layer (transport, authentication, and connection) protocol for encrypted, secure communication between clients and servers over a network.

⁷ A dictionary attack is a systematic method of guessing a password by trying many common words and their simple variations, usually from a file or files with a list of all English words and permutations using alphanumeric characters.

that if the better vendor's systems are exploitable, none of the voting systems should be in use.

27. The common weak point I usually observed on ES&S systems was the SFTP server which is used to transmit election data. With the system having a "world" facing IP, the system is susceptible to attacks from anywhere. Firewall logs, which can help detect malicious attacks, are generated and sent to the server but nothing is done with them. There is no clear guidance on how to analyze firewall logs. Additionally, there is no real time analysis which is vital considering the attempts observed at the VSTL to access the system. Within minutes of the IP going live, the system would be under attack.

28. ***Pre, Voting, Post*** -- After the VSTL finishes testing and submits their report, either the EAC or the secretary of state certify the voting system. Then either the state or county will purchase the systems. This is where the real risks are at. The lack of global supply chain management by the vendors in the production of the electronic voting systems is one issue. However, safe and secure storage are also a vital part of supply chain management. The safe and secure storage does not end once the item is purchased and delivered to the customer. I know personally that not all municipalities apply the proper security for storing systems such as electronic voting systems, that are categorized at this level of importance. After a presentation at DefCon one year, on security tests conducted on the California voting systems, by the University of Pennsylvania I was in a VIP session with the lecturer and several others. One gentleman was from a county election office and pretty much admitted their systems were locked in nothing more than a large broom closet. It didn't even have a secondary deadbolt lock. Also, he believed the

janitor for the building even had a key. I tell this story because even though I know the system that scans my own ballot when I vote here in Alabama, the DS200, has a relatively secure boot sequence and BIOS, from a design perspective. It can still easily be bypassed with two simple physical visits to the system. A test I wanted to perform at the VSTL but I was not allowed.

29. In the nine years I tested voting systems, I only recall one system which actually did an integrity check when the system started up. Most of the vendors, in their TDP documentation, suggest to customers to acquire and install an application like Tripwire (a file integrity application). This begs the question that if the voting system images are so controlled that the customers can't even do OS updates without violating their contracts, how can they (the customer) install a third-party application? Dominion and ES&S supposedly have a way for the customer to create a "Trusted" build if they want. They have scripts that the customer can run to verify the integrity of the system. Based on my professional experience this method is inadequate to verify the integrity of a system like electronic voting systems because scripts are prone to run time errors which can lead to failures or false results. ES&S has Quick Hash Procedure or Trusted Hash List. In my opinion, after reading the TDP documentation on it, the procedure is over complicated and not secure. The Texas Secretary of State's investigation into ES&S confirmed my opinion on the hash verification process. Section 5.2 of the Mechler report stated there was a bug in the hash verification script, and that even if missing one of the required

files, it would still show successful verification.⁸ This issue and others found in the Texas investigation can potentially affect 105 systems in Montgomery County, Alabama, alone. This means the integrity of over 100 voting systems in Alabama can't be verified.

30. One thing is certain, that pre-voting day when the systems are pulled out of storage they should be inspected and checked for any signs of being tampered with. This includes both physical and technical checks. In many of the TDPs I have read about “for future capabilities” not incorporated in this version; translation, there are additional attack vectors that could be compromised on the systems, which the vendors have not addressed or mitigated. For a tester this means having to check motherboards, inspect configurations for the different connection options to ensure the others can't be active, etc. Even just giving the customer an option for the type of communication channel they can use, presents a risk. For example, ES&S states you can connect via ethernet, wireless, broadband or dial-up. When the customer selects one option, that doesn't mean the others just magically go away. Dominion provides a recent example of this. From "Forensic Examination Proves Vote Manipulation and Illegal Destruction of Records on Dominion Voting Machines" By: Jeffrey O'Donnell and Dr. Walter C. Daugherity April 21, 2022, the following excerpt "Alarminglly, the voting system had internal Wi-Fi/Bluetooth wireless adapters allowing unauthorized external connectivity, including to the Internet.² ... ²Thirty-five machines in the system were found to have these adapters installed.” The state of Alabama tries to assure us that their ES&S electronic voting systems are safe and

⁸ https://drive.google.com/file/d/1u5RM5PA29qU8mR_9qrAXRrDXHFRdL1bT/view

secure because they are standalone and air gapped. Even air gapped systems can be hacked. There are multiple Advanced Persistent Threats (APT) within the last decade that can do this. A few examples are FANNY, Red October and Turla. The latest way by an APT called PowerHammer can actually exfiltrate data out the power cable.⁹ Malware can also easily be preinstalled locally and just manipulate data before it is exported from the system.

31. Recently I witnessed how vulnerable these standalone systems are in Alabama. Questions were raised in a county commissioners meeting, concerning electronic voting systems. A couple of election officials wanted to ensure their county was making every effort to ensure that they were compliant and secure with their voting process. In late July, I was asked by one of the officials to come down, observe and point out any areas that might need improvement. I asked several questions and was provided a list of questions that were asked at the commissioner meeting along with the responses. I was then shown a new standalone Election Reporting Manager (ERM) laptop that was provided by the state. This was one of the “hardened” computers provided by the Secretary of State¹⁰. I asked the election official if he could power it up and let me see it operating. At that time he stated that the county didn’t have any of the USB drives, that ES&S hadn’t sent them yet. My question to the election official was why were the election definitions coming from ES&S and not the state or why weren’t they being

⁹ <https://arxiv.org/pdf/1804.04014.pdf>

¹⁰ <https://www.al.com/news/2022/05/alabamas-new-hardened-laptop-rule-for-vote-counting-could-slow-process-in-jefferson-county.html>

created by the county? He informed me that was the way the process worked when he got there.

32. I then asked if he had a way to validate or verify the system to ensure it had not been tampered with. If he had a way to ensure it was a trusted build. He stated he did not. I then explained about separation of duties and how he should have the ability to validate the system's integrity. I then just asked him to power up and show me what he could do on the system. I observed several things, the first being BitLocker was not enabled. This indicates the hard drive is not encrypted. This is a must for a laptop rated at a high security level. The next observation was that the only account he or anyone had was for his election role. So, if there were any issues during an election no one would have administrative access in order to fix the problem. Other observations were; there appeared to be no antivirus software installed. The OS was Windows 10 Enterprise (1809). This OS hit end of servicing May 11th, 2021. The system indicated the OS was installed February 18th, 2022. This means the OS being installed was already end of life (EOL) when installed. The current number of possible vulnerabilities for this OS version is at 203. The database that would be used to record and tally all the votes is PostgreSQL 9.1 (x86). The 9.1 version was released on 2011-09-11. This version conservatively has 80 possible vulnerabilities (135 total count for that version). From the vendor's website "You are currently viewing PostgreSQL security vulnerabilities for an unsupported version. If you are still using PostgreSQL 9.1, you should upgrade as soon as possible." As noted above, the Secretary of State stated publicly that these laptops are "hardened". This "hardened" computer contains around 300 possible vulnerabilities.

33. Based on my experience, this system can easily be compromised. Which calls into question the logic stated in the news article cited at footnote 10 concerning the security of original vote data. The article also has other inaccuracies and incorrect statements made by the Secretary of State and chair of the Electronic Voting Committee. According to the article, the SOS said the new computers provide “additional safeguard against hackers”. The election official also showed me a letter where the SOS said the “purpose of this security related update ...” Installing an non-supported OS and an outdated database with around 300 vulnerabilities in total, does not improve security. Another incorrect statement was made by the chair of the EVC. He is quoted in the article stating “The new laptops do not have the capability of being connected to the Internet,” this is incorrect. I was shown the system purchase order sent by the state. The system has an Intel Wi-Fi 6 AX201 2x2 .11ax 160MHz + Bluetooth 5.1 card installed. It may be disabled. I could not verify this from my observation due to restrictions on the election official’s account. However, according to the purchase order it clearly has the capability to have Wi-Fi and Bluetooth connections.

34. One final point about pre-election or pre-voting. This year in an effort of transparency to the Alabama voters, the state allowed citizens to observe the pre-voting day tests they conduct on the electronic voting systems. While I personally did not attend, I was at a public meeting that occurred after the tests. This meeting was a question and answer period with some of the political candidates. One woman spoke up about what she witnessed at the pre-election testing session. A ballot was photo copied, the edges of the ballot were messed with and then that copied ballot was ran through the system and

counted. The candidate then started to say if he was elected, he would fix that. At this point I had to interject and tell them that there are requirements about ballots paper, ink, watermarks, etc. and that VSTLs check to make sure these requirements are met so that illegitimate ballots are prevented from being processed if the electronic voting tabulator is configured properly. ES&S has specific documentation and guidelines regarding ballot making which require certain types of paper, ink and ballot format otherwise the ballots won't work or be counted in their systems. In fact nearly all the voting system vendors claim that ballots scanned are checked and verified to ensure they are not forged or counterfeit. So, if a photo copied ballot made it through an ES&S system something is very wrong.

35. During testing when I reviewed the TDPs, and I brought up a lot of problems to the VSTLs about the clarity of the instructions in the TDPs for the average election worker. They were often puzzled why I was making an issue of certain things within the documentation. I explained to them that no matter what IT or IS product you sell as a vendor, the customer usually doesn't have the same technical knowledge or they probably won't follow the guidance you provide to them in your documentation, especially if it is complicated or takes extra time. I know most working at the polling place are volunteers. A prime example is from my own polling place in Huntsville, AL. I often see that the tamper seals aren't in place on the ballot scanning systems as suggested by the vendor in the TDPs. I also know that the election workers are probably simply unaware because the city didn't inform them about this requirement or the city didn't ensure that this measure was done. A certain level of transparency about security

measures and knowledge should be given to voters about the physical security steps taken to ensure the integrity of the voting process. Voters should have a feeling of confidence or trust in the process. Sort of like seeing that tamper seal stuck on the gas pump, helping you know when you swipe your credit card that your number probably won't be stolen or at least the gas station made an attempt to protect you and your money.

36. State and county post-election standard process and procedures when dealing with electronic voting systems seem to also have several security issues. As previously stated, electronic voting systems are information systems (IS). Some of the Industry best practices for IS, concerning system logs, are that they have restricted access permissions, that they are backed up off the local system and they are retained for a certain period of time. After reviewing several recent forensics reports on voting systems and the follow-on analysis reports, it is clear that critical auditing data was not properly stored, deleted or overwritten. This is a major concern. Systems categorized as high must have audit log retention. Those logs must have safeguards to protect their integrity. As the voting process plays such a critical role in our society, we should safeguard all data associated with it. This not only includes securing and retaining ballots for a specified time, it also includes retaining back up images of those IS involved in the process. In normal IT operations if an important system, virtual or hardware, is going to be updated or reimaged logs are backed up and a backup image is created in case the new system has issues. After an election is completed, all voting systems should have a forensic image created and stored. This will allow for follow on auditing and ensure that the system was not compromised in any way. This capability will give voters confidence in the election

process. Voting systems should then be stored with tamper seals in place to ensure any access to the system can be detected.

37. To summarize our democratic voting process is critical to our Constitutional Republic. The federal and state requirements for voting systems do not meet the standards required for systems of this importance. I have observed that the electronic voting system vendors just try to meet a bare minimum standard. The whole process, from beginning to end, dealing with electronic voting systems; pre-voting, voting day to post election are filled with security flaws.

38. Given my education, experience as a security professional and my first-hand knowledge of testing nearly every vendor voting system product, along with recent reports and findings from past elections, which I have reviewed, I have concluded that these electronic voting systems present critical vulnerabilities to our election process and endanger our national security. My conclusion is that electronic voting systems should not be used in U.S. elections.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17 day of August, 2022.


Clay U. Parikh



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confident, and want the machines gone.

They sued in December, arguing Pennsylvania's top election official shouldn't have certified the machines in the first place on the grounds that the devices were "insecure, unreliable, inaccessible to users with disabilities, and not remotely compliant with state ballot requirements."

The lawsuit, which asks Commonwealth Court to direct the state to decertify the ExpressVote XL devices, said the same machines also caused problems in Philadelphia, with voters saying they had trouble reading the paper ballot cards that show a summary of the user's vote.

Unlike some other voting machines that will be used this year in Pennsylvania that need a separate scanner to tabulate the completed printout ballots, the ExpressVote XL — manufactured by Elections Systems & Software of Omaha, Neb. — marks a voter's choice and tabulates it all in one.

This is how it works: A voter inserts a blank, paper card into the machine, then selects their preferred candidates on the touch screen. Once finished, the voter presses "print" on the touch screen, and the paper card appears with the voter's selections behind a clear window.

The voter is instructed to make sure the ballot



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screen. The machine prints those votes onto a ballot card, displays them to the inspector, and then tabulates them internally.

In the November election that went wrong, two state judges were running in retention elections, where voters had to choose, with a yes or no vote, whether to keep them on the bench.

But in the run-up to that election, an employee of the county's election machine vendor, Election Systems & Software, incorrectly programmed the machines in a way that produced an incorrect text record on the printed ballot card.

A voter wouldn't notice the misprint unless they had split their votes, voting "yes" for one judge and "no" for the other. If a voter voted this way, they would see that the text on their printed ballot would display their "yes" or "no" vote under the opposite judge's race than they had intended.

The error recorded on ExpressVote's card — no results, as county an

The progr
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not check

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From: [Jason Whiting](#)
To: [Bryan Layton](#)
Subject: Fwd: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: Sunday, June 2, 2024 4:48:40 PM
Attachments: [image001.png](#)

Did we follow his recommendations?

Begin forwarded message:

From: Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>
Subject: RE: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: May 24, 2024 at 8:30:38 AM MST
To: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>, Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>, Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>, Jason Moore <Jason.Moore@navajocountyaz.gov>, Teri Walker <teresa.walker@navajocountyaz.gov>

Bryan:

We should strongly consider added this letter to the Navajo County Elections Department web page. When people ask us why the Board and the County won't get rid of the tabulators and hand count all the ballots, or engage in some of the other demands they are making, we can direct them to this letter from the Secretary of State's Office and the statutory and legal constraints we face.

Brad Carlyon | Navajo County Attorney

We are Navajo County

100 East Code Talkers Drive
PO Box 668 | Holbrook AZ 86025
Phone (928) 524-4019

NavajoCountyAZ.gov | [facebook/NavajoCounty](https://facebook.com/NavajoCounty) | [facebook/NavCtyAttyOff](https://facebook.com/NavCtyAttyOff)

Teamwork | Accountability | Integrity | Excellence | Innovation

From: Adrian Fontes <afontes@azsos.gov>
Sent: Thursday, May 23, 2024 11:10 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Fern Benally <fern.benally@navajocountyaz.gov>; Alberto Peshlakai <Alberto.Peshlakai@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Dawnafe Whitesinger <Dawnafe.Whitesinger@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>; Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit

Some people who received this message don't often get email from afontes@azsos.gov. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Navajo County Board of Supervisors,

Attached is a letter outlining my concerns with the legality of hand tabulation of an election and expanding the hand count audit. It's my hope this letter will put to rest the legality of these notions. I look forward to work with you, continuing to carry out safe, free, and transparent elections in Arizona.



Adrian Fontes
Arizona Secretary of State

Arizona Secretary of State | <https://azsos.gov>
1700 W. Washington St., 7th Fl. | Phoenix, AZ 85007

This message and any messages in response to the sender of this message may be subject to a public records request.



ADRIAN

FONTES

SECRETARY OF STATE

From: [Daryl Seymore](#)
To: [Jason Whiting](#)
Subject: Fwd: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:23:05 PM

Chairman,
Here is the email. The letter he gave to us at the meeting.
Daryl

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 11, 2024 6:47:01 AM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: Security Assessment for Election Machines and Processes

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Good morning Jason and Daryl,

Thank you for your time yesterday to discuss conducting a security assessment with regard to Navajo County's election machines and processes. As we discussed, this is an excellent means to determine that the machines and processes are safe and secure.

There isn't any downside to having a security assessment completed by a recognized expert in the field, such as the individual I mentioned, Clay Parikh. He is certified at many levels, including conducting the same type of security assessments on/at military and nuclear installations. He spent many years working as a leader for the testing laboratory that conducted all of tests to certify every major manufacturer of election systems machinery. I, personally do not know of anyone more capable of conducting such a security assessment for our election systems.

I have personally worked with Clay on previous security assessments on various high-security operations and sites for the military and will personally vouch for his integrity, honesty, and competence. My company, SBS Training Solutions, will be happy to assume the costs associated to bring Clay in to perform this assessment. The County will not be required to spend any monies with regard to Clay's time or efforts. The assessment will take no more than 2 business days to complete and should provide minimal disruption of any/all County business, other than asking questions of individuals, etc. We would strongly advise that any and all County IT personnel take part in this security assessment so that they may learn how to conduct many of the test themselves going forward as an ongoing security process development plan. This assessment will NOT require any "opening of the hood" of any of the machines. This will not violate any warranty factors with ES&S, with the poll pads, or any other systems utilized for the elections.

In my humble opinion, it would not be practical, (if even possible), to attempt to conduct this security assessment before the July 30 primary election as the County Elections Department is in the process of making ready for the upcoming Primary Election, 19 days hence. Therefore, I would suggest that we seek to have this security assessment take place between August 15 - August 30, giving time to complete the Primary elections and deal with any post-primary issues.

Conducting this security assessment is a big win/win for all concerned.

Please let me know if you have any questions or comments.

Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)
www.sbstrains.com

From: [Daryl Seymore](#)
To: [Jason Whiting](#)
Subject: Fwd: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:23:01 PM

Chairman,
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Daryl

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 11, 2024 6:47:01 AM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: Security Assessment for Election Machines and Processes

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

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Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)
www.sbstrains.com

From: [Jason Whiting](#)
To: [Bryan Layton](#); [Rochelle Lacapa](#); [Melissa Buckley](#); [Brad Carlyon](#)
Subject: Fwd: Today at the Board of Supervisors Meeting!
Date: Thursday, May 16, 2024 4:34:26 PM
Attachments: [arizona...son.pdf](#)
[Letter to...docx](#)
[Letter to...docx](#)

Good afternoon,

Please see below email. I appreciate her emailing asking for a meeting. Can we make sure we read through the items and as she suggested prepare to set up a meeting with her. I don't believe she's in my district so it would be appropriate for me to tell the supervisor of that district and let them take lead, but of course I would be happy to be in the meeting as requested or take the meeting if that supervisor prefers.

Thanks,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
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Begin forwarded message:

From: celiajoanlaughlin@proton.me
Date: May 16, 2024 at 4:03:41 PM MST
To: Jason Whiting <jason.whiting@navajocountyaz.gov>
Subject: Fw: Today at the Board of Supervisors Meeting!

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

MAY 16, 2024

SUPERVISOR JASON WHITING

I am writing this email to follow your directions, specifically that you gave to me at the Board of Supervisors Meeting wherein you told me to speak to you, call your office and you would meet with me personally, regarding the Integrity of our Elections. I have several very important grievances and I also have new information from Courts across the country rolling in daily with new material evidence discovered, as well as recent judgements and decisions and rulings made this week in other courts around the country, pertaining to matters that affect the machines we are using here. And that seriously validates the citizens concerns.

I want to make an appointment with you specifically, because you said that if I reached out to you

that you personally, would see to it that we are answered and given a meeting.

You said that have answered my questions and that someone else is working on this with our party leaders. I had new information that I have not shared with anybody. I also know that you shut me down. This is not party related, as you simply assumed when you informed us that. you were dealing with party leadership. I had news that would possibly change a little bit of the trajectory in which these things were moving. Who would know...unless I said it. (It was not in Melissa Buckleys letter that I handed her, but I was given it right before the meeting which is why I needed more speaking time.

I am attaching documents with this email that I thought you may want to spend some time studying before we meet again, because you gravely denied me my AZSC A1S21 AND AZSC A1 S4 AND AZSC A1 S6 rights. You imposed upon my Right to Free Speech, my 1st Amendment Right, teetering on my 5th Amendment Right and my 14th Amendment Right and I was not OUT OF ORDER! AZSC A1 S21 is perpetual and not event limited.

https://share.icloud.com/photos/0bc_FAJYzOBEunV3b-JcZzDw

<https://share.icloud.com/photos/015c97wKf4aaddHe3A-aHydgQ>

<https://share.icloud.com/photos/031kWT0z9qP5cZrAyxEVwqGhw>

So please, Definitely read up on this material before you ever tell your voters again, that we cannot express our thoughts or convictions in our Board of Supervisors Meetings, which is exactly the place to speak to our Board and get it on record. ... which I had spent numerous hours the night before. Simply trying to tighten up all the information I had to fit is just above 3 minutes took awhile.

You have had 2, OVER 2 years to address the citizens in this county and respond to what they have been asking for. Re-mapping was, at best a hoax. At worst? It was deceptive patronizing that resulted in giving one party more precincts with Democrat only voters and 2 EMPTY PRECINCTS, gaining only 5. Not Good. But I did not get to express that. And that is not on record. So you denied me THAT right.

THAT was your Solution? That is news!

I had THAT news in my hand, but since you oppressed me, interrupted me, humiliated me, obsonding me childishly, intimidated me, treated me with a lack of respect that I have not been treated before, in a public forum of all places. and you left me disarmed. I left out some pertinent information. After reading through the AZ Constitution and counseling with lawyers, I am now aware that this should not ever happen again.

You took that time away from me when you decided you were not allowing citizens to yield their time to someone else. We were actually going to save you time....as my speech was not going to take a full extra 3 minutes. So you basically LOST time in that Board Meeting with us. You spent MORE time on repeating yourself literally breaking our 1st Amendment Rights and telling us what we could and could not say, and less time allowing your citizens to creatively save time for the Board. You see? We were actually trying to help YOU for time. In the end, Our AZ Constitution and our US Constitution are beautifully written with divine wisdom and inspiration, to adequately secure peace and order between the government and the people, if both parties obey them. You were the party that did not obey them on Tuesday morning. If we stick to the Constitution and Roberts Rules of Order, ALL matters would simply fall into place with peace and tranquility.

Here are some things you may want to help out with. 1) Can we talk about the Preservation of 2022 Ballots,etc. beyond the 22 months coming soon. 2) When day can you meet before the net BOS? 3) Where? 4) What time?

CTCL GRANT REPORT:

https://share.icloud.com/photos/00bUjLAh6JlmjBXCiV8sCT_CA

Attached are some flyers that are going out in regard to the afore-mentioned meeting.

The Az. Constitution

Celia Laughlin
928-242-6003
Celia.laughlin@gmail.com

Sent with [Proton Mail](#) secure email.

----- Forwarded Message -----

From: votesnav@proton.me <votesnav=proton.me@vrmailer3.com>
Date: On Tuesday, May 14th, 2024 at 6:14 PM
Subject: Today at the Board of Supervisors Meeting!
To: celiajoanlaughlin@proton.me <celiajoanlaughlin@proton.me>

[View this email in your browser](#)

Voter Integrity Newsletter

Today at the BOS Meeting!!!

The BOS (Board of Supervisors) sets the rules in advance and post them online for all to see. The CALL TO THE PUBLIC, (as stated on the Agenda) *“Individuals may address the Board on any relevant issue for up to 3 minutes”*. Whiting opted to change the rules and violate our rights to free speech and to address our grievances as is guaranteed by the 1st amendment of the US constitution. He censored it if he didn't deem it as “new”, we were cut short or removed. He also said that there was a “forum” where we could address our grievances regarding the election subjects. We have not been informed that there is such a form. A one-on-one meeting is not a forum and a phone call to one of the board members of the election officials is not a forum of which would not be part of the public record. They do not want us on record.

Whiting violated his oath of office, the Arizona constitution, and the US constitution. He violated all our civil rights. Supervisor Whiting was wrong on so many levels and is unfit to be a supervisor. He needs to resign without delay! And all those who continue to trample on our right to free speech in this Navajo County Public Forum.

Upcoming Events

Meet The Candidates

Dream City Church
4703 Vallery Lane
Lakeside, AZ 85929

Thursday, May 16th 6pm

Board of Supervisors Meeting

Board of Supervisors Chambers
100 East Code Talkers Drive,
Holbrook, AZ

Tuesday, May 28th @ 9am

Check out the links below for clips and the meeting in full.

BOS Meeting 5-14-24
Video

Prayer by Jason Whiting

Belinda - Sheriffs

Click to [edit Email Preferences](#) or [Unsubscribe](#) from this list.

Voter Integrity

8765 bobcat drive

show low, az 85901 - United States

Telephone: 6366332251



Preamble

We the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution.

ARTICLE I. STATE BOUNDARIES

1. Designation of boundaries

The boundaries of the State of Arizona shall be as follows, namely: Beginning at a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers, as fixed by the Gadsden Treaty between the United States and Mexico, being in latitude thirty-two degrees, twenty-nine minutes, forty-four and forty-five one-hundredths seconds north and longitude one hundred fourteen degrees, forty-eight minutes, forty-four and fifty-three one-hundredths seconds west of Greenwich; thence along and with the international boundary line between the United States and Mexico in a southeastern direction to Monument Number 127 on said boundary line in latitude thirty-one degrees, twenty minutes north; thence east along and with said parallel of latitude, continuing on said boundary line to an intersection with the meridian of longitude one hundred nine degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being identical with the southwestern corner of New Mexico; thence north along and with said meridian of longitude and the west boundary of New Mexico to an intersection with the parallel of latitude thirty-seven degrees north, being the common corner of Colorado, Utah, Arizona, and New Mexico; thence west along and with said parallel of latitude and the south boundary of Utah to an intersection with the meridian of longitude one hundred fourteen degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being on the east boundary line of the State of Nevada; thence south along and with said meridian of longitude and the east boundary of said State of Nevada, to the center of the Colorado River; thence down the mid-channel of said Colorado River in a southern direction along and with the east boundaries of Nevada, California, and the Mexican Territory of Lower California, successively, to the place of beginning.

2. Alteration of state boundaries

Section 2. The legislature, in cooperation with the properly constituted authority of any adjoining state, is empowered to change, alter, and redefine the state boundaries, such change, alteration and redefinition to become effective only upon approval of the Congress of the United States.

ARTICLE II. DECLARATION OF RIGHTS

1. Fundamental principles; recurrence to

Section 1. A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.

2. Political power; purpose of government

Section 2. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

2.1. Victims' Bill of Rights

Section 2.1. (A) To preserve and protect victims' rights to justice and due process, a victim of crime has a right:

1. To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.
2. To be informed, upon request, when the accused or convicted person is released from custody or has escaped.
3. To be present at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
4. To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
5. To refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.
6. To confer with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.
7. To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.
8. To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
9. To be heard at any proceeding when any post-conviction release from confinement is being considered.
10. To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.
11. To have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.
12. To be informed of victims' constitutional rights.

(B) A victim's exercise of any right granted by this section shall not be grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

(C) "Victim" means a person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused.

(D) The legislature, or the people by initiative or referendum, have the authority to enact substantive and procedural laws to define, implement, preserve and protect the rights

guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.

(E) The enumeration in the constitution of certain rights for victims shall not be construed to deny or disparage others granted by the legislature or retained by victims.

3. Supreme law of the land

Section 3. The Constitution of the United States is the supreme law of the land.

4. Due process of law

Section 4. No person shall be deprived of life, liberty, or property without due process of law.

5. Right of petition and of assembly

Section 5. The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.

6. Freedom of speech and press

Section 6. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

7. Oaths and affirmations

Section 7. The mode of administering an oath, or affirmation, shall be such as shall be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

8. Right to privacy

Section 8. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

9. Irrevocable grants of privileges, franchises or immunities

Section 9. No law granting irrevocably any privilege, franchise, or immunity shall be enacted.

10. Self-incrimination; double jeopardy

Section 10. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

11. Administration of justice

Section 11. Justice in all cases shall be administered openly, and without unnecessary delay.

12. Liberty of conscience; appropriations for religious purposes prohibited; religious freedom

Section 12. The liberty of conscience secured by the provisions of this constitution shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated

for or applied to any religious worship, exercise, or instruction, or to the support of any religious establishment. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned touching his religious belief in any court of justice to affect the weight of his testimony.

13. Equal privileges and immunities

Section 13. No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

14. Habeas corpus

Section 14. The privilege of the writ of habeas corpus shall not be suspended by the authorities of the state.

15. Excessive bail; cruel and unusual punishment

Section 15. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

16. Corruption of blood; forfeiture of estate

Section 16. No conviction shall work corruption of blood, or forfeiture of estate.

17. Eminent domain; just compensation for private property taken; public use as judicial question

Section 17. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches, on or across the lands of others for mining, agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having first been made, paid into court for the owner, secured by bond as may be fixed by the court, or paid into the state treasury for the owner on such terms and conditions as the legislature may provide, and no right of way shall be appropriated to the use of any corporation other than municipal, until full compensation therefore be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

18. Imprisonment for debt

Section 18. There shall be no imprisonment for debt, except in cases of fraud.

19. Bribery or illegal rebating; witnesses; self-incrimination no defense

Section 19. Any person having knowledge or possession of facts that tend to establish the guilt of any other person or corporation charged with bribery or illegal rebating, shall not be excused from giving testimony or producing evidence, when legally called upon to

do so, on the ground that it may tend to incriminate him under the laws of the state; but no person shall be prosecuted or subject to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may so testify or produce evidence.

20. Military power subordinate to civil power

Section 20. The military shall be in strict subordination to the civil power.

21. Free and equal elections

Section 21. All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

22. Bailable offenses

Section 22. A. All persons charged with crime shall be bailable by sufficient sureties, except:

1. For capital offenses, sexual assault, sexual conduct with a minor under fifteen years of age or molestation of a child under fifteen years of age when the proof is evident or the presumption great.
2. For felony offenses committed when the person charged is already admitted to bail on a separate felony charge and where the proof is evident or the presumption great as to the present charge.
3. For felony offenses if the person charged poses a substantial danger to any other person or the community, if no conditions of release which may be imposed will reasonably assure the safety of the other person or the community and if the proof is evident or the presumption great as to the present charge.
4. For serious felony offenses as prescribed by the legislature if the person charged has entered or remained in the United States illegally and if the proof is evident or the presumption great as to the present charge.

B. The purposes of bail and any conditions of release that are set by a judicial officer include:

1. Assuring the appearance of the accused.
2. Protecting against the intimidation of witnesses.
3. Protecting the safety of the victim, any other person or the community.

23. Trial by jury; number of jurors specified by law

Section 23. The right of trial by jury shall remain inviolate. Juries in criminal cases in which a sentence of death or imprisonment for thirty years or more is authorized by law shall consist of twelve persons. In all criminal cases the unanimous consent of the jurors shall be necessary to render a verdict. In all other cases, the number of jurors, not less than six, and the number required to render a verdict, shall be specified by law.

24. Rights of accused in criminal prosecutions

Section 24. In criminal prosecutions, the accused shall have the right to appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the

county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

25. Bills of attainder; ex post facto laws; impairment of contract obligations

Section 25. No bill of attainder, ex-post-facto law, or law impairing the obligation of a contract, shall ever be enacted.

26. Bearing arms

Section 26. The right of the individual citizen to bear arms in defense of himself or the state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.

27. Standing army; quartering soldiers

Section 27. No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

28. Treason

Section 28. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

29. Hereditary emoluments, privileges or powers; perpetuities or entailments

Section 29. No hereditary emoluments, privileges, or powers shall be granted or conferred, and no law shall be enacted permitting any perpetuity or entailment in this state.

30. Indictment or information; preliminary examination

Section 30. No person shall be prosecuted criminally in any court of record for felony or misdemeanor, otherwise than by information or indictment; no person shall be prosecuted for felony by information without having had a preliminary examination before a magistrate or having waived such preliminary examination.

31. Damages for death or personal injuries

Section 31. No law shall be enacted in this state limiting the amount of damages to be recovered for causing the death or injury of any person.

32. Constitutional provisions mandatory

Section 32. The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

33. Reservation of rights

Section 33. The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.

34. Industrial pursuits by state and municipal corporations

Section 34. The state of Arizona and each municipal corporation within the state of Arizona shall have the right to engage in industrial pursuits.

35. Actions by illegal aliens prohibited

Section 35. A person who is present in this state in violation of federal immigration law related to improper entry by an alien shall not be awarded punitive damages in any action in any court in this state.

ARTICLE III. DISTRIBUTION OF POWERS

Distribution of Powers

The powers of the government of the state of Arizona shall be divided into three separate departments, the legislative, the executive, and the judicial; and, except as provided in this constitution, such departments shall be separate and distinct, and no one of such departments shall exercise the powers properly belonging to either of the others.

ARTICLE IV. LEGISLATIVE DEPARTMENT

PART 1. INITIATIVE AND REFERENDUM

1. Legislative authority; initiative and referendum

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

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

(3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or five per centum of the qualified electors, may order the submission to the people at the polls of any measure, or item, section, or part of any measure, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health, or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, except such as require earlier operation to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays, and also approved by the governor; and should such measure be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three-fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.

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

(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors, and shall become law when

approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure approved by a majority of the votes cast thereon or to a referendum measure decided by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon or to repeal a referendum measure decided by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative measure approved by a majority of the votes cast thereon, or to amend a referendum measure decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure.

(6) (D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure approved by a majority of the votes cast thereon, or by a referendum measure decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds.

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

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town, and county as to all local, city, town, or county matters on which such incorporated cities, towns, and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns, and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen per centum of the qualified electors may propose measures on such local, city, town, or county matters, and ten per centum of the electors may propose the referendum on legislation enacted within and by such city, town, or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk, or corresponding officer in the case of petitions for or on county, city, or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town, or county measures, of the city, town, or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title

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

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

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

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

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and declaring such measures or amendments as are approved by a majority of those voting thereon to be law.

(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any measure except that the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure approved by a majority of the votes cast thereon or any referendum measure decided by a majority of the votes cast thereon unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure.

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

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

2. [Penalty for violation of initiative and referendum provisions](#)

Section 2. The legislature shall provide a penalty for any wilful violation of any of the provisions of the preceding section.

PART 2. THE LEGISLATURE

1. Senate; house of representatives; members; special session upon petition of members; congressional and legislative boundaries; citizen commissions

Section 1. (1) The senate shall be composed of one member elected from each of the thirty legislative districts established pursuant to this section.

The house of representatives shall be composed of two members elected from each of the thirty legislative districts established pursuant to this section.

(2) Upon the presentation to the governor of a petition bearing the signatures of not less than two-thirds of the members of each house, requesting a special session of the legislature and designating the date of convening, the governor shall promptly call a special session to assemble on the date specified. At a special session so called the subjects which may be considered by the legislature shall not be limited.

(3) By February 28 of each year that ends in one, an independent redistricting commission shall be established to provide for the redistricting of congressional and state legislative districts. The independent redistricting commission shall consist of five members. No more than two members of the independent redistricting commission shall be members of the same political party. Of the first four members appointed, no more than two shall reside in the same county. Each member shall be a registered Arizona voter who has been continuously registered with the same political party or registered as unaffiliated with a political party for three or more years immediately preceding appointment, who is committed to applying the provisions of this section in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the redistricting process. Within the three years previous to appointment, members shall not have been appointed to, elected to, or a candidate for any other public office, including precinct committeeman or committeewoman but not including school board member or officer, and shall not have served as an officer of a political party, or served as a registered paid lobbyist or as an officer of a candidate's campaign committee.

(4) The commission on appellate court appointments shall nominate candidates for appointment to the independent redistricting commission, except that, if a politically balanced commission exists whose members are nominated by the commission on appellate court appointments and whose regular duties relate to the elective process, the commission on appellate court appointments may delegate to such existing commission (hereinafter called the commission on appellate court appointments' designee) the duty of nominating members for the independent redistricting commission, and all other duties assigned to the commission on appellate court appointments in this section.

(5) By January 8 of years ending in one, the commission on appellate court appointments or its designee shall establish a pool of persons who are willing to serve on and are qualified for appointment to the independent redistricting commission. The pool of candidates shall consist of twenty-five nominees, with ten nominees from each of the two largest political parties in Arizona based on party registration, and five who are not registered with either of the two largest political parties in Arizona.

(6) Appointments to the independent redistricting commission shall be made in the order set forth below. No later than January 31 of years ending in one, the highest ranking officer elected by the Arizona house of representatives shall make one appointment to the independent redistricting commission from the pool of nominees, followed by one

appointment from the pool made in turn by each of the following: the minority party leader of the Arizona house of representatives, the highest ranking officer elected by the Arizona senate, and the minority party leader of the Arizona senate. Each such official shall have a seven-day period in which to make an appointment. Any official who fails to make an appointment within the specified time period will forfeit the appointment privilege. In the event that there are two or more minority parties within the house or the senate, the leader of the largest minority party by statewide party registration shall make the appointment.

(7) Any vacancy in the above four independent redistricting commission positions remaining as of March 1 of a year ending in one shall be filled from the pool of nominees by the commission on appellate court appointments or its designee. The appointing body shall strive for political balance and fairness.

(8) At a meeting called by the secretary of state, the four independent redistricting commission members shall select by majority vote from the nomination pool a fifth member who shall not be registered with any party already represented on the independent redistricting commission and who shall serve as chair. If the four commissioners fail to appoint a fifth member within fifteen days, the commission on appellate court appointments or its designee, striving for political balance and fairness, shall appoint a fifth member from the nomination pool, who shall serve as chair.

(9) The five commissioners shall then select by majority vote one of their members to serve as vice-chair.

(10) After having been served written notice and provided with an opportunity for a response, a member of the independent redistricting commission may be removed by the governor, with the concurrence of two-thirds of the senate, for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.

(11) If a commissioner or chair does not complete the term of office for any reason, the commission on appellate court appointments or its designee shall nominate a pool of three candidates within the first thirty days after the vacancy occurs. The nominees shall be of the same political party or status as was the member who vacated the office at the time of his or her appointment, and the appointment other than the chair shall be made by the current holder of the office designated to make the original appointment. The appointment of a new chair shall be made by the remaining commissioners. If the appointment of a replacement commissioner or chair is not made within fourteen days following the presentation of the nominees, the commission on appellate court appointments or its designee shall make the appointment, striving for political balance and fairness. The newly appointed commissioner shall serve out the remainder of the original term.

(12) Three commissioners, including the chair or vice-chair, constitute a quorum. Three or more affirmative votes are required for any official action. Where a quorum is present, the independent redistricting commission shall conduct business in meetings open to the public, with 48 or more hours public notice provided.

(13) A commissioner, during the commissioner's term of office and for three years thereafter, shall be ineligible for Arizona public office or for registration as a paid lobbyist.

(14) The independent redistricting commission shall establish congressional and legislative districts. The commencement of the mapping process for both the

congressional and legislative districts shall be the creation of districts of equal population in a grid-like pattern across the state. Adjustments to the grid shall then be made as necessary to accommodate the goals as set forth below:

A. Districts shall comply with the United States Constitution and the United States voting rights act;

B. Congressional districts shall have equal population to the extent practicable, and state legislative districts shall have equal population to the extent practicable;

C. Districts shall be geographically compact and contiguous to the extent practicable;

D. District boundaries shall respect communities of interest to the extent practicable;

E. To the extent practicable, district lines shall use visible geographic features, city, town and county boundaries, and undivided census tracts;

F. To the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals.

(15) Party registration and voting history data shall be excluded from the initial phase of the mapping process but may be used to test maps for compliance with the above goals.

The places of residence of incumbents or candidates shall not be identified or considered.

(16) The independent redistricting commission shall advertise a draft map of congressional districts and a draft map of legislative districts to the public for comment, which comment shall be taken for at least thirty days. Either or both bodies of the legislature may act within this period to make recommendations to the independent redistricting commission by memorial or by minority report, which recommendations shall be considered by the independent redistricting commission. The independent redistricting commission shall then establish final district boundaries.

(17) The provisions regarding this section are self-executing. The independent redistricting commission shall certify to the secretary of state the establishment of congressional and legislative districts.

(18) Upon approval of this amendment, the department of administration or its successor shall make adequate office space available for the independent redistricting commission. The treasurer of the state shall make \$6,000,000 available for the work of the independent redistricting commission pursuant to the year 2000 census. Unused monies shall be returned to the state's general fund. In years ending in eight or nine after the year 2001, the department of administration or its successor shall submit to the legislature a recommendation for an appropriation for adequate redistricting expenses and shall make available adequate office space for the operation of the independent redistricting commission. The legislature shall make the necessary appropriations by a majority vote.

(19) The independent redistricting commission, with fiscal oversight from the department of administration or its successor, shall have procurement and contracting authority and may hire staff and consultants for the purposes of this section, including legal representation.

(20) The independent redistricting commission shall have standing in legal actions regarding the redistricting plan and the adequacy of resources provided for the operation of the independent redistricting commission. The independent redistricting commission shall have sole authority to determine whether the Arizona attorney general or counsel hired or selected by the independent redistricting commission shall represent the people of Arizona in the legal defense of a redistricting plan.

(21) Members of the independent redistricting commission are eligible for reimbursement of expenses pursuant to law, and a member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses.

(22) Employees of the department of administration or its successor shall not influence or attempt to influence the district-mapping decisions of the independent redistricting commission.

(23) Each commissioner's duties established by this section expire upon the appointment of the first member of the next redistricting commission. The independent redistricting commission shall not meet or incur expenses after the redistricting plan is completed, except if litigation or any government approval of the plan is pending, or to revise districts if required by court decisions or if the number of congressional or legislative districts is changed.

2. Qualifications of members of legislature

Section 2. No person shall be a member of the Legislature unless he shall be a citizen of the United States at the time of his election, nor unless he shall be at least twenty-five years of age, and shall have been a resident of Arizona at least three years and of the county from which he is elected at least one year before his election.

3. Sessions of legislature; special sessions; limitation of subjects for consideration

Section 3. The sessions of the legislature shall be held annually at the capitol of the state, and shall commence on the second Monday of January of each year. The governor may call a special session, whenever in his judgment it is advisable. In calling a special session, the governor shall specify the subjects to be considered, and at such special session no laws shall be enacted except such as relate to the subjects mentioned in the call.

4. Disqualification for membership in Legislature

Section 4. No person holding any public office of profit or trust under the authority of the United States, or of this state, shall be a member of the legislature; Provided, that appointments in the state militia and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not work disqualification for membership within the meaning of this section.

5. Ineligibility of members of legislature to other public offices

Section 5. No member of the legislature, during the term for which he shall have been elected or appointed shall be eligible to hold any other office or be otherwise employed by the state of Arizona or, any county or incorporated city or town thereof. This prohibition shall not extend to the office of school trustee, nor to employment as a teacher or instructor in the public school system.

6. Privilege from arrest; civil process

Section 6. Members of the legislature shall be privileged from arrest in all cases except treason, felony, and breach of the peace, and they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

7. Freedom of debate

Section 7. No member of the legislature shall be liable in any civil or criminal prosecution for words spoken in debate.

8. Organization; officers; rules of procedure

Section 8. Each house, when assembled, shall choose its own officers, judge of the election and qualification of its own members, and determine its own rules of procedure.

9. Quorum; compelling attendance; adjournment

Section 9. The majority of the members of each house shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe. Neither house shall adjourn for more than three days, nor to any place other than that in which it may be sitting, without the consent of the other.

10. Journal of proceedings; roll call

Section 10. Each house shall keep a journal of its proceedings, and at the request of two members the ayes and nays on roll call on any question shall be entered.

11. Disorderly behavior; expulsion of members

Section 11. Each house may punish its members for disorderly behavior, and may, with the concurrence of two-thirds of its members, expel any member.

12. Procedure on bills; approval or disapproval by governor

Section 12. Every bill shall be read by sections on three different days, unless in case of emergency, two-thirds of either house deem it expedient to dispense with this rule. The vote on the final passage of any bill or joint resolution shall be taken by ayes and nays on roll call. Every measure when finally passed shall be presented to the governor for his approval or disapproval.

13. Subject and title of bills

Section 13. Every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be embraced in the title.

14. Legislation by reference prohibited

Section 14. No Act or section thereof shall be revised or amended by mere reference to the title of such act, but the act or section as amended shall be set forth and published at full length.

15. Passage of bills by majority; signing of bills

Section 15. A majority of all members elected to each house shall be necessary to pass any bill, and all bills so passed shall be signed by the presiding officer of each house in open session.

16. Right to protest

Section 16. Any member of the legislature shall have the right to protest and have the reasons of his protest entered on the journal.

17. Extra compensation prohibited; increase or decrease of compensation during term of office

Section 17. The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer, other than a justice of the peace, be increased or diminished during his term of office; provided, however, that when any legislative increase or decrease in compensation of the members of any court or the clerk thereof, or of any board or commission composed of two or more officers or persons whose respective terms of office are not coterminous, has heretofore or shall hereafter become effective as to any member or clerk of such court, or any member of such board or commission, it shall be effective from such date as to each thereof.

18. Suits against state

Section 18. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

19. Local or special laws

Section 19. No local or special laws shall be enacted in any of the following cases, that is to say:

1. Granting divorces.
2. Locating or changing county seats.
3. Changing rules of evidence.
4. Changing the law of descent or succession.
5. Regulating the practice of courts of justice.
6. Limitation of civil actions or giving effect to informal or invalid deeds.
7. Punishment of crimes and misdemeanors.
8. Laying out, opening, altering, or vacating roads, plats, streets, alleys, and public squares.
9. Assessment and collection of taxes.
10. Regulating the rate of interest on money.
11. The conduct of elections.
12. Affecting the estates of deceased persons or of minors.
13. Granting to any corporation, association, or individual, any special or exclusive privileges, immunities, or franchises.
14. Remitting fines, penalties, and forfeitures.
15. Changing names of persons or places.
16. Regulating the jurisdiction and duties of justices of the peace.
17. Incorporation of cities, towns, or villages, or amending their charters.
18. Relinquishing any indebtedness, liability, or obligation to this State.
19. Summoning and empanelling of juries.

20. When a general law can be made applicable.

20. Appropriation bills

Section 20. The general appropriation bill shall embrace nothing but appropriations for the different departments of the state, for state institutions, for public schools, and for interest on the public debt. All other appropriations shall be made by separate bills, each embracing but one subject.

21. Term limits of members of state legislature

Section 21. The members of the first legislature shall hold office until the first Monday in January, 1913. The terms of office of the members of succeeding legislatures shall be two years. No state senator shall serve more than four consecutive terms in that office, nor shall any state representative serve more than four consecutive terms in that office. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993. No legislator, after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until he has been out of office for no less than one full term.

22. Juvenile justice; certain chronic and violent juvenile offenders prosecuted as adults; community alternatives for certain juvenile offenders; public proceedings and records

Section 22. In order to preserve and protect the right of the people to justice and public safety, and to ensure fairness and accountability when juveniles engage in unlawful conduct, the legislature, or the people by initiative or referendum, shall have the authority to enact substantive and procedural laws regarding all proceedings and matters affecting such juveniles. The following rights, duties, and powers shall govern such proceedings and matters:

1. Juveniles 15 years of age or older accused of murder, forcible sexual assault, armed robbery or other violent felony offenses as defined by statute shall be prosecuted as adults. Juveniles 15 years of age or older who are chronic felony offenders as defined by statute shall be prosecuted as adults. Upon conviction all such juveniles shall be subject to the same laws as adults, except as specifically provided by statute and by article 22, section 16 of this constitution. All other juveniles accused of unlawful conduct shall be prosecuted as provided by law. Every juvenile convicted of or found responsible for unlawful conduct shall make prompt restitution to any victims of such conduct for their injury or loss.
2. County attorneys shall have the authority to defer the prosecution of juveniles who are not accused of violent offenses and who are not chronic felony offenders as defined by statute and to establish community-based alternatives for resolving matters involving such juveniles.
3. All proceedings and matters involving juveniles accused of unlawful conduct shall be open to the public and all records of those proceedings shall be public records. Exceptions shall be made only for the protection of the privacy of innocent victims of crime, or when a court of competent jurisdiction finds a clear public interest in confidentiality.

23. Passes and purchase of transportation by public officers; inapplication to national guard

Section 23. It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as such transportation may be purchased by the general public; Provided, that this shall not apply to members of the national guard of Arizona traveling under orders. The legislature shall enact laws to enforce this provision.

24. Enacting clause of bills; initiative bills

Section 24. The enacting clause of every bill enacted by the legislature shall be as follows: "Be it enacted by the Legislature of the State of Arizona," or when the initiative is used: "Be it enacted by the People of the State of Arizona."

25. Continuity of governmental operations in emergency

Section 25. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty to:

1. Provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices.
2. Adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations.

In the exercise of the powers hereby conferred, the legislature shall in all respects conform to the requirements of this constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.

ARTICLE V. EXECUTIVE DEPARTMENT

1. Executive department; state officers; terms; election; residence and office at seat of government; duties

(Version amended by 1992 Proposition 100)

Section 1. A. The executive department shall consist of the governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction, each of whom shall hold office for four years beginning on the first Monday of January, 1971 next after the regular general election in 1970.

B. The person having the highest number of the votes cast for the office voted for shall be elected, but if two or more persons have an equal and the highest number of votes for the office, the two houses of the legislature at its next regular session shall elect forthwith, by joint ballot, one of such persons for said office.

C. The officers of the executive department during their terms of office shall reside at the seat of government where they shall keep their offices and the public records, books, and papers. They shall perform such duties as are prescribed by the constitution and as may be provided by law.

1. Term limits on executive department and state officers; term lengths; election; residence and office at seat of government; duties

(Version amended by 1992 Proposition 107)

Section 1. A. The executive department shall consist of the governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction, each of whom shall hold office for a term of four years beginning on the first Monday of January, 1971 next after the regular general election in 1970. No member of the executive department shall hold that office for more than two consecutive terms. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993. No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term.

B. The person having a majority of the votes cast for the office voted for shall be elected. If no person receives a majority of the votes cast for the office, a second election shall be held as prescribed by law between the persons receiving the highest and second highest number of votes cast for the office. The person receiving the highest number of votes at the second election for the office is elected, but if the two persons have an equal number of votes for the office, the two houses of the legislature at its next regular session shall elect forthwith, by joint ballot, one of such persons for said office.

C. The officers of the executive department during their terms of office shall reside at the seat of government where they shall keep their offices and the public records, books, and papers. They shall perform such duties as are prescribed by the constitution and as may be provided by law.

2. Eligibility to state offices

Section 2. No person shall be eligible to any of the offices mentioned in section 1 of this article except a person of the age of not less than twenty-five years, who shall have

been for ten years next preceding his election a citizen of the United States, and for five years next preceding his election a citizen of Arizona.

3. Governor, commander-in-chief of the military forces

Section 3. The governor shall be commander-in-chief of the military forces of the state, except when such forces shall be called into the service of the United States.

4. Governor; powers and duties; special sessions of legislature; message and recommendations

Section 4. The governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices. He shall take care that the laws be faithfully executed. He may convene the legislature in extraordinary session. He shall communicate, by message, to the legislature at every session the condition of the state, and recommend such matters as he shall deem expedient.

5. Reprieves, commutations and pardons

Section 5. The governor shall have power to grant reprieves, commutation, and pardons, after convictions, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as may be provided by law.

6. Death, resignation, removal or disability of governor; succession to office; impeachment, absence from state or temporary disability

Section 6. In the event of the death of the governor, or his resignation, removal from office, or permanent disability to discharge the duties of the office, the secretary of state, if holding by election, shall succeed to the office of governor until his successor shall be elected and shall qualify. If the secretary of state be holding otherwise than by election, or shall fail to qualify as governor, the attorney general, the state treasurer, or the superintendent of public instruction, if holding by election, shall, in the order named, succeed to the office of governor. The taking of the oath of office as governor by any person specified in this section shall constitute resignation from the office by virtue of the holding of which he qualifies as governor. Any successor to the office shall become governor in fact and entitled to all of the emoluments, powers and duties of governor upon taking the oath of office.

In the event of the impeachment of the governor, his absence from the state, or other temporary disability to discharge the duties of the office, the powers and duties of the office of governor shall devolve upon the same person as in case of vacancy, but only until the disability ceases.

7. Presentation of bills to governor; approval; veto; filing with secretary of state; veto of items in appropriation bills; inapplication of veto power to referred bills

Section 7. Every bill passed by the legislature, before it becomes a law, shall be presented to the governor. If he approve, he shall sign it, and it shall become a law as provided in this constitution. But if he disapprove, he shall return it, with his objections,

to the house in which it originated, which shall enter the objections at large on the journal. If after reconsideration it again passes both houses by an aye and nay vote on roll call of two-thirds of the members elected to each house, it shall become a law as provided in this constitution, notwithstanding the governor's objections. This section shall not apply to emergency measures as referred to in section 1 of the article on the legislative department.

If any bill be not returned within five days after it shall have been presented to the governor (Sunday excepted) such bill shall become a law in like manner as if he had signed it, unless the legislature by its final adjournment prevents its return, in which case it shall be filed with his objections in the office of the secretary of state within ten days after such adjournment (Sundays excepted) or become a law as provided in this constitution. After the final action by the governor, or following the adoption of a bill notwithstanding his objection, it shall be filed with the secretary of state.

If any bill presented to the governor contains several items of appropriations of money, he may object to one or more of such items, while approving other portions of the bill. In such case he shall append to the bill at the time of signing it, a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objections as in this section provided.

The veto power of the governor shall not extend to any bill passed by the legislature and referred to the people for adoption or rejection.

8. Vacancies in office

Section 8. When any office shall, from any cause, become vacant, and no mode shall be provided by the Constitution or by law for filling such vacancy, the governor shall have the power to fill such vacancy by appointment.

9. Powers and duties of state officers

Section 9. The powers and duties of secretary of state, state treasurer, attorney-general, and superintendent of public instruction shall be as prescribed by law.

10. Canvass of election returns for state officers; certificates of election

Section 10. The returns of the election for all state officers shall be canvassed, and certificates of election issued by the secretary of state, in such manner as may be provided by law.

11. Commissions

Section 11. All commissions shall issue in the name of the state, and shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

12. Compensation of elective state officers; commission on salaries for elective state officers

Section 12. The salaries of those holding elective state offices shall be as established by law from time to time, subject to the limitations of article 6, section 33 and to the limitations of article 4, part 2, section 17. Such salaries as are presently established may be altered from time to time by the procedure established in this section or as otherwise

provided by law, except that legislative salaries may be altered only by the procedures established in this section.

A commission to be known as the commission on salaries for elective state officers is authorized to be established by the legislature. The commission shall be composed of five members appointed from private life, two of whom shall be appointed by the governor and one each by the president of the senate, the speaker of the house of representatives, and the chief justice. At such times as may be directed by the legislature, the commission shall report to the governor with recommendations concerning the rates of pay of elected state officers. The governor shall upon the receipt of such report make recommendations to the legislature with respect to the exact rates of pay which he deems advisable for those offices and positions other than for the rates of pay of members of the legislature. Such recommendations shall become effective at a time established by the legislature after the transmission of the recommendation of the governor without aid of further legislative action unless, within such period of time, there has been enacted into law a statute which establishes rates of pay other than those proposed by the governor, or unless either house of the legislature specifically disapproves all or part of the governor's recommendation. The recommendations of the governor, unless disapproved or altered within the time provided by law, shall be effective; and any 1971 recommendations shall be effective as to all offices on the first Monday in January of 1973. In case of either a legislative enactment or disapproval by either house, the recommendations shall be effective only insofar as not altered or disapproved. The recommendations of the commission as to legislative salaries shall be certified by it to the secretary of state and the secretary of state shall submit to the qualified electors at the next regular general election the question, "Shall the recommendations of the commission on salaries for elective state officers concerning legislative salaries be accepted? [] Yes [] No." Such recommendations if approved by the electors shall become effective at the beginning of the next regular legislative session without any other authorizing legislation. All recommendations which become effective under this section shall supersede all laws enacted prior to their effective date relating to such salaries.

ARTICLE VI. JUDICIAL DEPARTMENT

1. Judicial power; courts

Section 1. The judicial power shall be vested in an integrated judicial department consisting of a supreme court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts.

2. Supreme court; composition; divisions; decisions, transaction of business

Section 2. The supreme court shall consist of not less than five justices. The number of justices may be increased or decreased by law, but the court shall at all times be constituted of at least five justices.

The supreme court shall sit in accordance with rules adopted by it, either in banc or in divisions of not less than three justices, but the court shall not declare any law unconstitutional except when sitting in banc. The decisions of the court shall be in writing and the grounds stated.

The court shall be open at all times, except on nonjudicial days, for the transaction of business.

3. Supreme court; administrative supervision; chief justice

Section 3. The supreme court shall have administrative supervision over all the courts of the state. The chief justice shall be elected by the justices of the supreme court from one of their number for a term of five years, and may be reelected for like terms. The vice chief justice shall be elected by the justices of the supreme court from one of their number for a term determined by the court. A member of the court may resign the office of chief justice or vice chief justice without resigning from the court.

The chief justice, or in his absence or incapacity, the vice chief justice, shall exercise the court's administrative supervision over all the courts of the state. He may assign judges of intermediate appellate courts, superior courts, or courts inferior to the superior court to serve in other courts or counties.

4. Supreme court; term of office

Section 4. Justices of the supreme court shall hold office for a regular term of six years except as provided by this article.

5. Supreme court; jurisdiction; writs; rules; habeas corpus

Section 5. The supreme court shall have:

1. Original jurisdiction of habeas corpus, and quo warranto, mandamus, injunction and other extraordinary writs to state officers.
2. Original and exclusive jurisdiction to hear and determine causes between counties concerning disputed boundaries and surveys thereof or concerning claims of one county against another.
3. Appellate jurisdiction in all actions and proceedings except civil and criminal actions originating in courts not of record, unless the action involves the validity of a tax, impost, assessment, toll, statute or municipal ordinance.

4. Power to issue injunctions and writs of mandamus, review, prohibition, habeas corpus, certiorari, and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction.

5. Power to make rules relative to all procedural matters in any court.

6. Such other jurisdiction as may be provided by law.

Each justice of the supreme court may issue writs of habeas corpus to any part of the state upon petition by or on behalf of a person held in actual custody, and may make such writs returnable before himself, the supreme court, appellate court or superior court, or judge thereof.

6. Supreme court; qualifications of justices

Section 6. A justice of the supreme court shall be a person of good moral character and admitted to the practice of law in and a resident of the state of Arizona for ten years next preceding his taking office.

7. Supreme court; clerk and assistants; administrative director and staff

Section 7. The supreme court shall appoint a clerk of the court and assistants thereto who shall serve at its pleasure, and who shall receive such compensation as may be provided by law.

The supreme court shall appoint an administrative director and staff to serve at its pleasure to assist the chief justice in discharging his administrative duties. The director and staff shall receive such compensation as may be provided by law.

8. Supreme court; publication of opinions

Section 8. Provision shall be made by law for the speedy publication of the opinions of the supreme court, and they shall be free for publication by any person.

9. Intermediate appellate courts

Section 9. The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law.

10. Superior court; number of judges

Section 10. There shall be in each county at least one judge of the superior court. There shall be in each county such additional judges as may be provided by law, but not exceeding one judge for each thirty thousand inhabitants or majority fraction thereof. The number of inhabitants in a county for purposes of this section may be determined by census enumeration or by such other method as may be provided by law.

11. Superior court; presiding judges; duties

Section 11. There shall be in each county a presiding judge of the superior court. In each county in which there are two or more judges, the supreme court shall appoint one of such judges presiding judge. Presiding judges shall exercise administrative supervision over the superior court and judges thereof in their counties, and shall have such other duties as may be provided by law or by rules of the supreme court.

12. Superior court; term of office

Section 12. A. Judges of the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census shall be elected by the qualified electors of their counties at the general election. They shall hold office for a regular term of four years except as provided by this section from and after the first Monday in January next succeeding their election, and until their successors are elected and qualify. The names of all candidates for judge of the superior court in such counties shall be placed on the regular ballot without partisan or other designation except the division and title of the office.

B. The governor shall fill any vacancy in such counties by appointing a person to serve until the election and qualification of a successor. At the next succeeding general election following the appointment of a person to fill a vacancy, a judge shall be elected to serve for the remainder of the unexpired term.

Judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office for a regular term of four years except as provided by this article.

13. Superior court; composition; salaries; judgments and proceedings; process

Section 13. The superior courts provided for in this article shall constitute a single court, composed of all the duly elected or appointed judges in each of the counties of the state. The legislature may classify counties for the purpose of fixing salaries of judges or officers of the court.

The judgments, decrees, orders and proceedings of any session of the superior court held by one or more judges shall have the same force and effect as if all the judges of the court had presided.

The process of the court shall extend to all parts of the state.

14. Superior court; original jurisdiction

Section 14. The superior court shall have original jurisdiction of:

1. Cases and proceedings in which exclusive jurisdiction is not vested by law in another court.
2. Cases of equity and at law which involve the title to or possession of real property, or the legality of any tax, impost, assessment, toll or municipal ordinance.
3. Other cases in which the demand or value of property in controversy amounts to one thousand dollars or more, exclusive of interest and costs.
4. Criminal cases amounting to felony, and cases of misdemeanor not otherwise provided for by law.
5. Actions of forcible entry and detainer.
6. Proceedings in insolvency.
7. Actions to prevent or abate nuisance.
8. Matters of probate.
9. Divorce and for annulment of marriage.
10. Naturalization and the issuance of papers therefor.
11. Special cases and proceedings not otherwise provided for, and such other jurisdiction as may be provided by law.

15. Jurisdiction and authority in juvenile proceedings

Section 15. The jurisdiction and authority of the courts of this state in all proceedings and matters affecting juveniles shall be as provided by the legislature or the people by initiative or referendum.

16. [Superior court; appellate jurisdiction](#)

Section 16. The superior court shall have appellate jurisdiction in cases arising in justice and other courts inferior to the superior court as may be provided by law.

17. [Superior court; conduct of business; trial juries; jury trial; grand juries](#)

Section 17. The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of civil causes and matters in which a jury demand has been entered, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. The right of jury trial as provided by this constitution shall remain inviolate, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.

18. [Superior court; writs](#)

Section 18. The superior court or any judge thereof may issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of a person held in actual custody within the county. Injunctions, attachments, and writs of prohibition and habeas corpus may be issued and served on legal holidays and non-judicial days.

19. [Superior court; service of judge in another county](#)

Section 19. A judge of the superior court shall serve in another county at the direction of the chief justice of the supreme court or may serve in another county at the request of the presiding judge of the superior court thereof.

20. [Retirement and service of retired justices and judges](#)

Section 20. The legislature shall prescribe by law a plan of retirement for justices and judges of courts of record, including the basis and amount of retirement pay, and requiring except as provided in section 35 of this article, that justices and judges of courts of record be retired upon reaching the age of seventy. Any retired justice or judge of any court of record who is drawing retirement pay may serve as a justice or judge of any court. When serving outside his county of residence, any such retired justice or judge shall receive his necessary traveling and subsistence expenses. A retired judge who is temporarily called back to the active duties of a judge is entitled to receive the same compensation and expenses as other like active judges less any amount received for such period in retirement benefits.

21. [Superior court; speedy decisions](#)

Section 21. Every matter submitted to a judge of the superior court for his decision shall be decided within sixty days from the date of submission thereof. The supreme

court shall by rule provide for the speedy disposition of all matters not decided within such period.

22. Superior and other courts; qualifications of judges

Section 22. Judges of the superior court, intermediate appellate courts or courts inferior to the superior court having jurisdiction in civil cases of one thousand dollars or more, exclusive of interest and costs, established by law under the provisions of section 1 of this article, shall be at least thirty years of age, of good moral character and admitted to the practice of law in and a resident of the state for five years next preceding their taking office.

23. Superior court; clerk

Section 23. There shall be in each county a clerk of the superior court. The clerk shall be elected by the qualified electors of his county at the general election and shall hold office for a term of four years from and after the first Monday in January next succeeding his election. The clerk shall have such powers and perform such duties as may be provided by law or by rule of the supreme court or superior court. He shall receive such compensation as may be provided by law.

24. Superior court; court commissioners, masters and referees

Section 24. Judges of the superior court may appoint court commissioners, masters and referees in their respective counties, who shall have such powers and perform such duties as may be provided by law or by rule of the supreme court. Court commissioners, masters and referees shall receive such compensation as may be provided by law.

25. Style of process; conduct of prosecutions in name of state

Section 25. The style of process shall be "The State of Arizona", and prosecutions shall be conducted in the name of the state and by its authority.

26. Oath of office

Section 26. Each justice, judge and justice of the peace shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Arizona, and that he will faithfully and impartially discharge the duties of his office to the best of his ability.

The oath of all judges of courts inferior to the superior court and the oath of justices of the peace shall be filed in the office of the county recorder, and the oath of all other justices and judges shall be filed in the office of the secretary of state.

27. Charge to juries; reversal of causes for technical error

Section 27. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law. No cause shall be reversed for technical error in pleadings or proceedings when upon the whole case it shall appear that substantial justice has been done.

28. Justices and judges; dual office holding; political activity; practice of law

Section 28. Justices and judges of courts of record shall not be eligible for any other public office or for any other public employment during their term of office, except that they may assume another judicial office, and upon qualifying therefor, the office formerly held shall become vacant. No justice or judge of any court of record shall practice law during his continuance in office, nor shall he hold any office in a political party or actively take part in any political campaign other than his own for his reelection or retention in office. Any justice or judge who files nomination papers for an elective office, other than for judge of the superior court or a court of record inferior to the superior court in a county having a population of less than two hundred fifty thousand persons according to the most recent United States census, forfeits his judicial office.

29. Repeal

30. Courts of record

Section 30. A. The supreme court, the court of appeals and the superior court shall be courts of record. Other courts of record may be established by law, but justice courts shall not be courts of record.

B. All justices and judges of courts of record, except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census, shall be appointed in the manner provided in section 37 of this article.

31. Judges pro tempore

Section 31. A. The legislature may provide for the appointment of members of the bar having the qualifications provided in section 22 of this article as judges pro tempore of courts inferior to the supreme court, except that justices of the peace pro tempore shall have the same qualifications as justices of the peace and do not have to reside in the precinct in which the justice of the peace pro tempore is appointed to serve.

B. When serving, any such person shall have all the judicial powers of a regular elected judge of the court to which the person is appointed. A person so appointed shall receive such compensation as may be provided by law. The population limitation of section 10 of this article shall not apply to the appointment of judges pro tempore of the superior court.

32. Justices of the peace and inferior courts; jurisdiction, powers and duties; terms of office; salaries

Section 32. A. The number of justices of the peace to be elected in precincts shall be as provided by law. Justices of the peace may be police justices of incorporated cities and towns.

B. The jurisdiction, powers and duties of courts inferior to the superior court and of justice courts, and the terms of office of judges of such courts and justices of the peace shall be as provided by law. The legislature may classify counties and precincts for the purpose of fixing salaries of judges of courts inferior to the superior court and of justices of the peace.

C. The civil jurisdiction of courts inferior to the superior court and of justice courts shall not exceed the sum of ten thousand dollars, exclusive of interest and costs. Criminal jurisdiction shall be limited to misdemeanors. The jurisdiction of such courts shall not

encroach upon the jurisdiction of courts of record but may be made concurrent therewith, subject to the limitations provided in this section.

33. Change by legislature in number of justices or judges; reduction of salary during term of office

Section 33. No change made by the legislature in the number of justices or judges shall work the removal of any justice or judge from office. The salary of any justice or judge shall not be reduced during the term of office for which he was elected or appointed.

34. Absence of judicial officer from state

Section 34. Any judicial officer except a retired justice or judge who absents himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office, but the governor may extend the leave of absence for such time as reasonable necessity therefor exists.

35. Continuance in office; continued existence of offices; application of prior statute and rules

Section 35. A. All justices, judges, justices of the peace and officers of any court who are holding office as such by election or appointment at the time of the adoption of this section shall serve or continue in office for the respective terms for which they are so elected or for their respective unexpired terms, and until their successors are elected or appointed and qualify or they are retained in office pursuant to section 38 of this article; provided, however, that any justice or judge elected at the general election at which this section is adopted shall serve for the term for which he is so elected. The continued existence of any office heretofore legally established or held shall not be abolished or repealed by the adoption of this article. The statutes and rules relating to the authority, jurisdiction, practice and procedure of courts, judicial officers and offices in force at the time of the adoption of this article and not inconsistent herewith, shall, so far as applicable, apply to and govern such courts, judicial officers and offices until amended or repealed.

B. All judges of the superior court holding office by appointment or retention in counties with a population of two hundred fifty thousand persons or more according to the most recent United States census at the time of the adoption of this amendment to this section shall serve or continue in office for the respective terms for which they were appointed. Upon an incumbent vacating the office of judge of the superior court, whether by failing to file a declaration for retention, by rejection by the qualified electors of the county or resignation, the appointment shall be pursuant to section 37 of this article.

36. Commission on appellate court appointments and terms, appointments and vacancies on commission

Section 36. A. There shall be a nonpartisan commission on appellate court appointments which shall be composed of the chief justice of the supreme court, who shall be chairman, five attorney members, who shall be nominated by the board of governors of the state bar of Arizona and appointed by the governor with the advice and consent of the senate in the manner prescribed by law, and ten nonattorney members who shall be appointed by the governor with the advice and consent of the senate in the

manner prescribed by law. At least ninety days prior to a term expiring or within twenty-one days of a vacancy occurring for a nonattorney member on the commission for appellate court appointments, the governor shall appoint a nominating committee of nine members, not more than five of whom may be from the same political party. The makeup of the committee shall, to the extent feasible, reflect the diversity of the population of the state. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment.

Attorney members of the commission shall have resided in the state and shall have been admitted to practice before the supreme court for not less than five years. Not more than three attorney members shall be members of the same political party and not more than two attorney members shall be residents of any one county. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the supreme court. Not more than five nonattorney members shall be members of the same political party. Not more than two nonattorney members shall be residents of any one county. None of the attorney or nonattorney members of the commission shall hold any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members of the commission shall serve staggered four-year terms and nonattorney members shall serve staggered four-year terms. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

B. No person other than the chief justice shall serve at the same time as a member of more than one judicial appointment commission.

C. In making or confirming appointments to the appellate court commission, the governor, the senate and the state bar shall endeavor to see that the commission reflects the diversity of Arizona's population.

In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.

D. Prior to making recommendations to the governor as hereinafter provided, the commission shall conduct investigations, hold public hearings and take public testimony. An executive session as prescribed by rule may be held upon a two-thirds vote of the members of the commission in a public hearing. Final decisions as to recommendations shall be made without regard to political affiliation in an impartial and objective manner. The commission shall consider the diversity of the state's population, however the primary consideration shall be merit. Voting shall be in a public hearing. The expenses of meetings of the commission and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman.

E. After public hearings the supreme court shall adopt rules of procedure for the commission on appellate court appointments.

F. Notwithstanding the provisions of subsection A, the initial appointments for the five additional nonattorney members and the two additional attorney members of the commission shall be designated by the governor for staggered terms as follows:

1. One appointment for a nonattorney member shall be for a one-year term.

2. Two appointments for nonattorney members shall be for a two-year term.
 3. Two appointments for nonattorney members shall be for a three-year term.
 4. One appointment for an attorney member shall be for a one-year term.
 5. One appointments for an attorney member shall be for a two-year term.
- G. The members currently serving on the commission may continue to serve until the expiration of their normal terms. All subsequent appointments shall be made as prescribed by this section.

37. Judicial vacancies and appointments; initial terms; residence; age

Section 37. A. Within sixty days from the occurrence of a vacancy in the office of a justice or judge of any court of record, except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court, the commission on appellate court appointments, if the vacancy is in the supreme court or an intermediate appellate court of record, shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event not more than sixty percentum of such nominees shall be members of the same political party.

B. Within sixty days from the occurrence of a vacancy in the office of a judge of the superior court or a judge of a court of record inferior to the superior court except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court in a county having a population of less than two hundred fifty thousand persons according to the most recent United States census, the commission on trial court appointments for the county in which the vacancy occurs shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event no more than sixty per centum of such nominees shall be members of the same political party. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor. Judges of the superior court shall be subject to retention or rejection by a vote of the qualified electors of the county from which they were appointed at the general election in the manner provided by section 38 of this article.

C. A vacancy in the office of a justice or a judge of such courts of record shall be filled by appointment by the governor without regard to political affiliation from one of the nominees whose names shall be submitted to him as hereinabove provided. In making the appointment, the governor shall consider the diversity of the state's population for an appellate court appointment and the diversity of the county's population for a trial court appointment, however the primary consideration shall be merit. If the governor does not appoint one of such nominees to fill such vacancy within sixty days after their names are submitted to the governor by such commission, the chief justice of the supreme court forthwith shall appoint on the basis of merit alone without regard to political affiliation one of such nominees to fill such vacancy. If such commission does not, within sixty days after such vacancy occurs, submit the names of nominees as hereinabove provided, the governor shall have the power to appoint any qualified person to fill such vacancy at any time thereafter prior to the time the names of the nominees to fill such vacancy are submitted to the governor as hereinabove provided. Each justice or judge so appointed

shall initially hold office for a term ending sixty days following the next regular general election after the expiration of a term of two years in office. Thereafter, the terms of justices or judges of the supreme court and the superior court shall be as provided by this article.

D. A person appointed to fill a vacancy on an intermediate appellate court or another court of record now existing or hereafter established by law shall have been a resident of the counties or county in which that vacancy exists for at least one year prior to his appointment, in addition to possessing the other required qualifications. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor.

38. Declaration of candidacy; form of judicial ballot, rejection and retention; failure to file declaration

Section 38. A. A justice or judge of the supreme court or an intermediate appellate court shall file in the office of the secretary of state, and a judge of the superior court or other court of record including such justices or judges who are holding office as such by election or appointment at the time of the adoption of this section except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons, according to the United States census, shall file in the office of the clerk of the board of supervisors of the county in which he regularly sits and resides, not less than sixty nor more than ninety days prior to the regular general election next preceding the expiration of his term of office, a declaration of his desire to be retained in office, and the secretary of state shall certify to the several boards of supervisors the appropriate names of the candidate or candidates appearing on such declarations filed in his office.

B. The name of any justice or judge whose declaration is filed as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation and in substantially the following form:

Shall _____, (Name of justice or judge) of the _____ court be retained in office? Yes ___ No ___ (Mark X after one).

C. If a majority of those voting on the question votes "No," then, upon the expiration of the term for which such justice or judge was serving, a vacancy shall exist, which shall be filled as provided by this article. If a majority of those voting on the question votes "Yes," such justice or judge shall remain in office for another term, subject to removal as provided by this constitution.

D. The votes shall be counted and canvassed and the result declared as in the case of state and county elections, whereupon a certificate of retention or rejection of the incumbent justice or judge shall be delivered to him by the secretary of state or the clerk of the board of supervisors, as the case may be.

E. If a justice or judge fails to file a declaration of his desire to be retained in office, as required by this section, then his office shall become vacant upon expiration of the term for which such justice or judge was serving.

39. Retirement of justices and judges; vacancies

Section 39. On attaining the age of seventy years a justice or judge of a court of record shall retire and his judicial office shall be vacant, except as otherwise provided in section 35 of this article. In addition to becoming vacant as provided in this section, the office of

a justice or judge of any court of record becomes vacant upon his death or his voluntary retirement pursuant to statute or his voluntary resignation, and also, as provided in section 38 of this article, upon the expiration of his term next following a general election at which a majority of those voting on the question of his retention vote in the negative or for which general election he is required, but fails, to file a declaration of his desire to be retained in office.

This section is alternative to and cumulative with the methods of removal of judges and justices provided in parts 1 and 2 of article 8 and article 6.1 of this Constitution.

40. Option for counties with less than two hundred fifty thousand persons

Section 40. Notwithstanding any provision of this article to the contrary, any county having a population of less than two hundred fifty thousand persons, according to the most recent United States census, may choose to select its judges of the superior court or of courts of record inferior to the superior court as if it had a population of two hundred fifty thousand or more persons. Such choice shall be determined by vote of the qualified electors of such county voting on the question at an election called for such purpose by resolution of the board of supervisors of such county. If such qualified electors approve, the provisions of sections 12, 28, 30, 35 through 39, 41 and 42 shall apply as if such county had a population of two hundred fifty thousand persons or more.

41. Superior court divisions; commission on trial court appointments; membership; terms

Section 41. A. Except as otherwise provided, judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office for a regular term of four years.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of two hundred fifty thousand persons or more according to the most recent United States census which shall be composed of the following members:

1. The chief justice of the supreme court, who shall be the chairman of the commission. In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.
2. Five attorney members, none of whom shall reside in the same supervisorial district and not more than three of whom shall be members of the same political party, who are nominated by the board of governors of the state bar of Arizona and who are appointed by the governor subject to confirmation by the senate in the manner prescribed by law.
3. Ten nonattorney members, no more than two of whom shall reside in the same supervisorial district.

C. At least ninety days prior to a term expiring or within twenty-one days of a vacancy occurring for a nonattorney member on the commission for trial court appointments, the member of the board of supervisors from the district in which the vacancy has occurred shall appoint a nominating committee of seven members who reside in the district, not more than four of whom may be from the same political party. The make-up of the committee shall, to the extent feasible, reflect the diversity of the population of the district. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment. The governor shall appoint two

persons from each supervisorial district who shall not be of the same political party, subject to confirmation by the senate in the manner prescribed by law.

D. In making or confirming appointments to trial court commissions, the governor, the senate and the state bar shall endeavor to see that the commission reflects the diversity of the county's population.

E. Members of the commission shall serve staggered four year terms, except that initial appointments for the five additional nonattorney members and the two additional attorney members of the commission shall be designated by the governor as follows:

1. One appointment for a nonattorney member shall be for a one-year term.
2. Two appointments for nonattorney members shall be for a two-year term.
3. Two appointments for nonattorney members shall be for a three-year term.
4. One appointment for an attorney member shall be for a one-year term.
5. One appointment for an attorney member shall be for a two-year term.

F. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

G. Attorney members of the commission shall have resided in this state and shall have been admitted to practice in this state by the supreme court for at least five years and shall have resided in the supervisorial district from which they are appointed for at least one year. Nonattorney members shall have resided in this state for at least five years, shall have resided in the supervisorial district for at least one year before being nominated and shall not be judges, retired judges nor admitted to practice before the supreme court. None of the attorney or nonattorney members of the commission shall hold any governmental office, elective or appointive, for profit and no attorney member is eligible for appointment to any judicial office of this state until one year after membership in the commission terminates.

H. No person other than the chief justice shall serve at the same time as a member of more than one judicial appointment commission.

I. The commission shall submit the names of not less than three individuals for nomination for the office of the superior court judge pursuant to section 37 of this article.

J. Prior to making recommendations to the governor, the commission shall conduct investigations, hold public hearings and take public testimony. An executive session as prescribed by rule may be held upon a two-thirds vote of the members of the commission in a public hearing. Final decisions as to recommendations shall be made without regard to political affiliation in an impartial and objective manner. The commission shall consider the diversity of the county's population and the geographical distribution of the residences of the judges throughout the county, however the primary consideration shall be merit. Voting shall be in a public hearing. The expenses of meetings of the commission and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman.

K. After public hearings the supreme court shall adopt rules of procedure for the commission on trial court appointments.

L. The members of the commission who were appointed pursuant to section 36 of this article prior to the effective date of this section may continue to serve until the expiration of their normal terms. All subsequent appointments shall be made as prescribed by this section.

42. Retention evaluation of justices and judges

Section 42. The supreme court shall adopt, after public hearings, and administer for all justices and judges who file a declaration to be retained in office, a process, established by court rules for evaluating judicial performance. The rules shall include written performance standards and performance reviews which survey opinions of persons who have knowledge of the justice's or judge's performance. The public shall be afforded a full and fair opportunity for participation in the evaluation process through public hearings, dissemination of evaluation reports to voters and any other methods as the court deems advisable.

ARTICLE VI.I. COMMISSION ON JUDICIAL CONDUCT

1. Composition; appointment; term; vacancies

Section 1. A. A commission on judicial conduct is created to be composed of eleven persons consisting of two judges of the court of appeals, two judges of the superior court, one justice of the peace and one municipal court judge, who shall be appointed by the supreme court, two members of the state bar of Arizona, who shall be appointed by the governing body of such bar association, and three citizens who are not judges, retired judges nor members of the state bar of Arizona, who shall be appointed by the governor subject to confirmation by the senate in the manner prescribed by law.

B. Terms of members of the commission shall be six years, except that initial terms of two members appointed by the supreme court and one member appointed by the state bar of Arizona for terms which begin in January, 1991 shall be for two years and initial terms of one member appointed by the supreme court and one member appointed by the state bar of Arizona for terms which begin in January, 1991 shall be for four years. If a member ceases to hold the position that qualified him for appointment his membership on the commission terminates. An appointment to fill a vacancy for an unexpired term shall be made for the remainder of the term by the appointing power of the original appointment.

2. Disqualification of judge

Section 2. A judge is disqualified from acting as a judge, without loss of salary, while there is pending an indictment or an information charging him in the United States with a crime punishable as a felony under Arizona or federal law, or a recommendation to the supreme court by the commission on judicial conduct for his suspension, removal or retirement.

3. Suspension or removal of judge

Section 3. On recommendation of the commission on judicial conduct, or on its own motion, the supreme court may suspend a judge from office without salary when, in the United States, he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Arizona or federal law or of any other crime that involves moral turpitude under such law. If his conviction is reversed the suspension terminates, and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the supreme court shall remove him from office.

4. Retirement of judge

Section 4. On recommendation of the commission on judicial conduct, the supreme court may retire a judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and may censure, suspend without pay or remove a judge for action by him that constitutes wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

B. A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office in this state.

5. Definitions and rules implementing article

Section 5. The term "judge" as used in this article shall apply to all justices of the peace, judges in courts inferior to the superior court as may be provided by law, judges of the superior court, judges of the court of appeals and justices of the supreme court. The supreme court shall make rules implementing this article and providing for confidentiality of proceedings. A judge who is a member of the commission or supreme court shall not participate as a member in any proceedings hereunder involving his own censure, suspension, removal or involuntary retirement.

6. Article self-executing

Section 6. The provisions of this article shall be self- executing.

ARTICLE VII. SUFFRAGE AND ELECTIONS

1. Method of voting; secrecy

Section 1. All elections by the people shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved.

2. Qualifications of voters; disqualification

Section 2. A. No person shall be entitled to vote at any general election, or for any office that now is, or hereafter may be, elective by the people, or upon any question which may be submitted to a vote of the people, unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election as prescribed by law, provided that qualifications for voters at a general election for the purpose of electing presidential electors shall be as prescribed by law. The word "citizen" shall include persons of the male and female sex.

B. The rights of citizens of the United States to vote and hold office shall not be denied or abridged by the state, or any political division or municipality thereof, on account of sex, and the right to register, to vote and to hold office under any law now in effect, or which may hereafter be enacted, is hereby extended to, and conferred upon males and females alike.

C. No person who is adjudicated an incapacitated person shall be qualified to vote at any election, nor shall any person convicted of treason or felony, be qualified to vote at any election unless restored to civil rights.

3. Voting residence of federal employees and certain others

Section 3. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of being present or absent while employed in the service of the United States, or while a student at any institution of learning, or while kept at any institution or other shelter at public expense, or while confined in any public jail or prison.

4. Privilege of electors from arrest

Section 4. Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at any election, and in going thereto and returning therefrom.

5. Military duty on day of election

Section 5. No elector shall be obliged to perform military duty on the day of an election, except in time of war or public danger.

6. Residence of military personnel stationed within state

Section 6. No soldier, seaman, or marine, in the army or navy of the United States shall be deemed a resident of this state in consequence of his being stationed at any military or naval place within this state.

7. Highest number of votes received as determinative of person elected

Section 7. In all elections held by the people in this state, the person, or persons, receiving the highest number of legal votes shall be declared elected.

8. [Qualifications for voters at school elections](#)

Section 8. Qualifications for voters at school elections shall be as are now, or as may hereafter be, provided by law.

9. [Advisory vote](#)

Section 9. For the purpose of obtaining an advisory vote of the people, the legislature shall provide for placing the names of candidates for United States senator on the official ballot at the general election next preceding the election of a United States senator.

10. [Direct primary election law](#)

Section 10. The Legislature shall enact a direct primary election law, which shall provide for the nomination of candidates for all elective State, county, and city offices, including candidates for United States Senator and for Representative in Congress. Any person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot.

11. [General elections; date](#)

Section 11. There shall be a general election of representatives in congress, and of state, county, and precinct officers on the first Tuesday after the first Monday in November of the first even numbered year after the year in which Arizona is admitted to statehood and biennially thereafter.

12. [Registration and other laws](#)

Section 12. There shall be enacted registration and other laws to secure the purity of elections and guard against abuses of the elective franchise.

13. [Submission of questions upon bond issues or special assessments](#)

Section 13. Questions upon bond issues or special assessments shall be submitted to the vote of real property tax payers, who shall also in all respects be qualified electors of this State, and of the political subdivisions thereof affected by such question.

14. [Fee for placing candidate's name on ballot](#)

Section 14. No fee shall ever be required in order to have the name of any candidate placed on the official ballot for any election or primary.

15. [Qualifications for public office](#)

Section 15. Every person elected or appointed to any elective office of trust or profit under the authority of the state, or any political division or any municipality thereof, shall be a qualified elector of the political division or municipality in which such person shall be elected.

16. Campaign contributions and expenditures; publicity

Section 16. The legislature, at its first session, shall enact a law providing for a general publicity, before and after election, of all campaign contributions to, and expenditures of campaign committees and candidates for public office.

17. Vacancy in Congress

Section 17. There shall be a primary and general election as prescribed by law, which shall provide for nomination and election of a candidate for United States senator and for representative in congress when a vacancy occurs through resignation or any other cause.

18. Term limits on ballot appearances in congressional elections.

Section 18. The name of any candidate for United States senator from Arizona shall not appear on the ballot if, by the end of the current term of office, the candidate will have served (or, but for resignation, would have served) in that office for two consecutive terms, and the name of a candidate for United States representative from Arizona shall not appear on the ballot if, by the end of the current term of office, the candidate will have served (or, but for resignation, would have served) in that office for three consecutive terms. Terms are considered consecutive unless they are at least one full term apart. Any person appointed or elected to fill a vacancy in the United States congress who serves at least one half of a term of office shall be considered to have served a term in that office for purposes of this section. For purposes of this section, terms beginning before January 1, 1993 shall not be considered.

ARTICLE VIII

PART 1. RECALL OF PUBLIC OFFICERS

1. Officers subject to recall; petitioners

Section 1. Every public officer in the state of Arizona, holding an elective office, either by election or appointment, is subject to recall from such office by the qualified electors of the electoral district from which candidates are elected to such office. Such electoral district may include the whole state. Such number of said electors as shall equal twenty-five per centum of the number of votes cast at the last preceding general election for all of the candidates for the office held by such officer, may by petition, which shall be known as a recall petition, demand his recall.

2. Recall petitions; contents; filing; signatures; oath

Section 2. Every recall petition must contain a general statement, in not more than two hundred words, of the grounds of such demand, and must be filed in the office in which petitions for nominations to the office held by the incumbent are required to be filed. The signatures to such recall petition need not all be on one sheet of paper, but each signer must add to his signature the date of his signing said petition, and his place of residence, giving his street and number, if any, should he reside in a town or city. One of the signers of each sheet of such petition, or the person circulating such sheet, must make and subscribe an oath on said sheet, that the signatures thereon are genuine.

3. Resignation of officer; special election

Section 3. If such officer shall offer his resignation it shall be accepted, and the vacancy shall be filled as may be provided by law. If he shall not resign within five days after a recall petition is filed as provided by law, a special election shall be ordered to be held as provided by law, to determine whether such officer shall be recalled. On the ballots at such election shall be printed the reasons as set forth in the petition for demanding his recall, and, in not more than two hundred words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of such election shall have been officially declared.

4. Special election; candidates; results; qualification of successor

Section 4. Unless the incumbent otherwise requests, in writing, the incumbent's name shall be placed as a candidate on the official ballot without nomination. Other candidates for the office may be nominated to be voted for at said election. The candidate who receives the highest number of votes shall be declared elected for the remainder of the term. Unless the incumbent receives the highest number of votes, the incumbent shall be deemed to be removed from office, upon qualification of the successor. In the event that the successor shall not qualify within five days after the result of said election shall have been declared, the said office shall be vacant, and may be filled as provided by law.

5. Recall petitions; restrictions and conditions

Section 5. No recall petition shall be circulated against any officer until he shall have held his office for a period of six months, except that it may be filed against a member of

the legislature at any time after five days from the beginning of the first session after his election. After one recall petition and election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless petitioners signing such petition shall first pay into the public treasury which has paid such election expenses, all expenses of the preceding election.

6. Application of general election laws; supplementary legislation

Section 6. The general election laws shall apply to recall elections in so far as applicable. Laws necessary to facilitate the operation of the provisions of this article shall be enacted, including provision for payment by the public treasury of the reasonable special election campaign expenses of such officer.

PART 2. IMPEACHMENT

1. Power of impeachment in house of representatives; trial by senate

Section 1. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence, and shall be presided over by the chief justice of the supreme court. Should the chief justice be on trial, or otherwise disqualified, the senate shall elect a judge of the supreme court to preside.

2. Conviction; grounds for impeachment; judgment; liability to trial

Section 2. No person shall be convicted without a concurrence of two-thirds of the senators elected. The governor and other state and judicial officers, except justices of courts not of record, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to trial and punishment according to law.

ARTICLE IX. PUBLIC DEBT, REVENUE, AND TAXATION

1. Surrender of power of taxation; uniformity of taxes

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. Except as provided by section 18 of this article, all taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax, and shall be levied and collected for public purposes only.

2. Property subject to taxation; exemptions

Section 2. (1) There shall be exempt from taxation all federal, state, county and municipal property.

(2) Property of educational, charitable and religious associations or institutions not used or held for profit may be exempt from taxation by law.

(3) Public debts, as evidenced by the bonds of Arizona, its counties, municipalities or other subdivisions, shall also be exempt from taxation.

(4) All household goods owned by the user thereof and used solely for noncommercial purposes shall be exempt from taxation, and such person entitled to such exemption shall not be required to take any affirmative action to receive the benefit of such exemption.

(5) Stocks of raw or finished materials, unassembled parts, work in process or finished products constituting the inventory of a retailer or wholesaler located within the state and principally engaged in the resale of such materials, parts or products, whether or not for resale to the ultimate consumer, shall be exempt from taxation.

(6) The legislature may exempt personal property that is used for agricultural purposes or in a trade or business from taxation in a manner provided by law, except that the exemption does not apply to any amount of the full cash value of the personal property of a taxpayer that exceeds fifty thousand dollars. The legislature may provide by law to increase the exempt amount according to annual variations in a designated national inflation index.

(7) The legislature may exempt the property of cemeteries that are set apart and used to inter deceased human beings from taxation in a manner provided by law.

(8) There shall be further exempt from taxation the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, in the amount of:

(a) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(b) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(c) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(d) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(e) No exemption if the total assessment of such person exceeds five thousand dollars.

No such exemption shall be made for such person unless such person shall have served at least sixty days in the military or naval service of the United States during World War I or prior wars and shall have been a resident of this state prior to September 1, 1945.

(9) There shall be further exempt from taxation as herein provided the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, where such person has a service-connected disability as determined by the United States veterans administration or its successor. No such exemption shall be made for such person unless he shall have been a resident of this state prior to September 1, 1945 or unless such person shall have been a resident of this state for at least four years prior to his original entry into service as an airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof. The property of such person having a compensable service-connected disability exempt from taxation as herein provided shall be determined as follows:

(a) If such person's service-connected disability as determined by the United States veterans administration or its successor is sixty per cent or less, the property of such person exempt from taxation shall be determined by such person's percentage of disability multiplied by the assessment of such person in the amount of:

(i) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(ii) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(iii) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(iv) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(v) No exemption if the total assessment of such person exceeds five thousand dollars.

(b) If such person's service-connected disability as determined by the United States veterans administration or its successor is more than sixty per cent, the property of such person exempt from taxation shall be in the amount of:

(i) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(ii) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(iii) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(iv) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(v) No exemption if the total assessment of such person exceeds five thousand dollars.

(10) There shall be further exempt from taxation the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, where such person has a nonservice-connected total and permanent disability, physical or mental, as so certified by the United States veterans administration, or its successor, or such other certification as provided by law, in the amount of:

(a) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

- (b) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.
- (c) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.
- (d) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.
- (e) No exemption if the total assessment of such person exceeds five thousand dollars. No such exemption shall be made for such person unless he shall have served at least sixty days in the military or naval service of the United States during time of war after World War I and shall have been a resident of this state prior to September 1, 1945.
- (11) There shall be further exempt from taxation the property of each widow, resident of this state, in the amount of:
- (a) One thousand five hundred dollars if the total assessment of such widow does not exceed three thousand five hundred dollars.
- (b) One thousand dollars if the total assessment of such widow does not exceed four thousand dollars.
- (c) Five hundred dollars if the total assessment of such widow does not exceed four thousand five hundred dollars.
- (d) Two hundred fifty dollars if the total assessment of such widow does not exceed five thousand dollars.
- (e) No exemption if the total assessment of such widow exceeds five thousand dollars. In order to qualify for this exemption, the income from all sources of such widow, together with the income from all sources of all children of such widow residing with the widow in her residence in the year immediately preceding the year for which such widow applies for this exemption, shall not exceed:
1. Seven thousand dollars if none of the widow's children under the age of eighteen years resided with her in such widow's residence; or
 2. Ten thousand dollars if one or more of the widow's children residing with her in such widow's residence was under the age of eighteen years, or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.
- Such widow shall have resided with her last spouse in this state at the time of the spouse's death if she was not a widow and a resident of this state prior to January 1, 1969.
- (12) No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of subsections (8), (9), (10) or (11) shall not exceed one thousand five hundred dollars. The provisions of this section shall be self-executing.
- (13) All property in the state not exempt under the laws of the United States or under this constitution or exempt by law under the provisions of this section shall be subject to taxation to be ascertained as provided by law.

2.1. Exemption from tax; property of widowers

Section 2.1. There shall be further exempt from taxation the property of each widower, resident of this state, in the amount of:

1. One thousand five hundred dollars if the total assessment of such widower does not exceed three thousand five hundred dollars.
2. One thousand dollars if the total assessment of such widower does not exceed four thousand dollars.
3. Five hundred dollars if the total assessment of such widower does not exceed four thousand five hundred dollars.
4. Two hundred fifty dollars if the total assessment of such widower does not exceed five thousand dollars.
5. No exemption if the total assessment of such widower exceeds five thousand dollars. In order to qualify for this exemption, the income from all sources of such widower, together with the income from all sources of all children of such widower residing with the widower in his residence in the year immediately preceding the year for which such widower applies for this exemption, shall not exceed:
 1. Seven thousand dollars if none of the widower's children under the age of eighteen years resided with him in such widower's residence; or
 2. Ten thousand dollars if one or more of the widower's children residing with him in such widower's residence was under the age of eighteen years, or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.

Such widower shall have resided with his last spouse in this state at the time of the spouse's death if he was not a widower and a resident of this state prior to January 1, 1969.

No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of this section shall not exceed one thousand five hundred dollars. This section shall be self-executing.

2.2. Exemption from tax; property of persons who are disabled

Section 2.2. A. There shall be further exempt from taxation the property of each person who, after age seventeen, has been medically certified as totally and permanently disabled, in the amount of:

1. One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.
2. One thousand dollars if the total assessment of such person does not exceed four thousand dollars.
3. Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.
4. Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.
5. No exemption if the total assessment of such person exceeds five thousand dollars. The legislature may by law prescribe criteria for medical certification of such disability.

B. The income from all sources of the person who is disabled, the person's spouse and all of the person's children who reside in the person's residence in the year immediately preceding the year for which the person applies for this exemption shall not exceed:

1. Seven thousand dollars if none of the person's children under the age of eighteen years resided in the person's residence; or

2. Ten thousand dollars if one or more of the person's children residing in the residence was under the age of eighteen years or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.

C. No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of this section shall not exceed one thousand five hundred dollars. This section shall be self-executing.

2.3. Exemption from tax; increase in amount of exemptions, assessments and income

Section 2.3. The legislature may by law increase the amount of the exemptions, the total permissible amount of assessments or the permissible amount of income from all sources prescribed in sections 2, 2.1 and 2.2 of this article.

3. Annual tax; purposes; amount; tax laws; payment of taxes into state treasury

Section 3. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the necessary ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying an annual tax sufficient to pay the annual interest and the principal of such debt within twenty-five years from the final passage of the law creating the debt. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the tax, to which object only it shall be applied.

All taxes levied and collected for state purposes shall be paid into the state treasury in money only.

4. Fiscal year; annual statement of receipts and expenditures; deficit

Section 4. The fiscal year shall commence on the first day of July in each year. An accurate statement of the receipts and expenditures of the public money shall be published annually, in such manner as shall be provided by law. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

5. Power of state to contract debts; purposes; limit; restrictions

Section 5. The state may contract debts to supply the casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more laws, or at different periods of time, shall never exceed the sum of three hundred and fifty thousand dollars; and the money arising from the creation of such debts shall be applied to the

purpose for which it was obtained or to repay the debts so contracted, and to no other purpose.

In addition to the above limited power to contract debts the state may borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan shall have been authorized or to the repayment of the debt thereby created. No money shall be paid out of the state treasury, except in the manner provided by law.

6. Local assessments and taxes

Section 6. Incorporated cities, towns, and villages may be vested by law with power to make local improvements by special assessments, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes.

7. Gift or loan of credit; subsidies; stock ownership; joint ownership

Section 7. Neither the state, nor any county, city, town, municipality, or other subdivision of the state shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or become a joint owner with any person, company, or corporation, except as to such ownerships as may accrue to the state by operation or provision of law or as authorized by law solely for investment of the monies in the various funds of the state.

8. Local debt limits; assent of taxpayers

Section 8. (1) No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding six per centum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of a majority of the property taxpayers, who must also in all respects be qualified electors, therein voting at an election provided by law to be held for that purpose, the value of the taxable property therein to be ascertained by the last assessment for state and county purposes, previous to incurring such indebtedness; except, that in incorporated cities and towns assessments shall be taken from the last assessment for city or town purposes; provided, that under no circumstances shall any county or school district become indebted to an amount exceeding fifteen per centum of such taxable property, as shown by the last assessment roll thereof; and provided further, that any incorporated city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding twenty per centum additional, for supplying such city or town with water, artificial light, or sewers, when the works for supplying such water, light, or sewers are or shall be owned and controlled by the municipality, and for the acquisition and development by the incorporated city or town of land or interests therein for open space preserves, parks, playgrounds and recreational facilities, public safety, law enforcement, fire and emergency services facilities and streets and transportation facilities.

(2) The provisions of section 18, subsections (3), (4), (5) and (6) of this article shall not apply to this section.

8.1. Unified school district debt limit

Section 8.1. (1) Notwithstanding the provisions of section 8 of this article a unified school district may become indebted to an amount not exceeding thirty per cent of the taxable property of the school district, as shown by the last assessment roll thereof. For purposes of this section, a unified school district is a single school district which provides education to the area within the district for grades kindergarten through twelve and which area is not subject to taxation by any other common or high school district.

(2) The provisions of section 18, subsections (3), (4), (5) and (6) of this article shall not apply to this section.

9. Statement of tax and objects

Section 9. Every law which imposes, continues, or revives a tax shall distinctly state the tax and the objects for which it shall be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

10. Aid of church, private or sectarian school, or public service corporation

Section 10. No tax shall be laid or appropriation of public money made in aid of any church, or private or sectarian school, or any public service corporation.

11. Taxing procedure; license tax on registered vehicles

Section 11. From and after December 31, 1973, the manner, method and mode of assessing, equalizing and levying taxes in the state of Arizona shall be such as is prescribed by law.

From and after December 31, 1973, a license tax is hereby imposed on vehicles registered for operation upon the highways in Arizona, which license tax shall be in lieu of all ad valorem property taxes on any vehicle subject to such license tax. Such license tax shall be collected as provided by law. To facilitate an even distribution of the registration of vehicles and the collection of the license tax imposed by this section, the legislature may provide for different times or periods of registration between and within the several classes of vehicles.

In the event that a vehicle is destroyed after the beginning of a registration year, the license tax paid for such year on such vehicle may be reduced as provided by law.

From and after December 31, 1973, mobile homes, as defined by law for tax purposes, shall not be subject to the license tax imposed under the provisions of this section but shall be subject to ad valorem property taxes on any mobile homes in the manner provided by law. Distribution of the proceeds derived from such tax shall be as provided by law.

From and after December 31, 1973, the legislature shall provide for the distribution of the proceeds from such license tax to the state, counties, school districts, cities and towns.

12. Authority to provide for levy and collection of license and other taxes

Section 12. The law-making power shall have authority to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral and direct inheritance, legacy, and succession taxes, also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes, stamp, registration, production, or other specific taxes.

13. Inventory, materials and products of manufacturers; production livestock and animals; tax exemption

Section 13. No tax shall be levied on:

1. Raw or unfinished materials, unassembled parts, work in process or finished products, constituting the inventory of a manufacturer or manufacturing establishment located within the state and principally engaged in the fabrication, production and manufacture of products, wares and articles for use, from raw or prepared materials, imparting thereto new forms, qualities, properties and combinations, which materials, parts, work in process or finished products are not consigned or billed to any other party.
2. Livestock, poultry, aquatic animals and honeybees owned by a person who is principally engaged in agricultural production, subject to such conditions as may be prescribed by law.

14. Use and distribution of vehicle, user, and gasoline and diesel tax receipts

Section 14. No moneys derived from fees, excises, or license taxes relating to registration, operation, or use of vehicles on the public highways or streets or to fuels or any other energy source used for the propulsion of vehicles on the public highways or streets, shall be expended for other than highway and street purposes including the cost of administering the state highway system and the laws creating such fees, excises, or license taxes, statutory refunds and adjustments provided by law, payment of principal and interest on highway and street bonds and obligations, expenses of state enforcement of traffic laws and state administration of traffic safety programs, payment of costs of publication and distribution of Arizona highways magazine, state costs of construction, reconstruction, maintenance or repair of public highways, streets or bridges, costs of rights of way acquisitions and expenses related thereto, roadside development, and for distribution to counties, incorporated cities and towns to be used by them solely for highway and street purposes including costs of rights of way acquisitions and expenses related thereto, construction, reconstruction, maintenance, repair, roadside development, of county, city and town roads, streets, and bridges and payment of principal and interest on highway and street bonds. As long as the total highway user revenues derived equals or exceeds the total derived in the fiscal year ending June 30, 1970, the state and any county shall not receive from such revenues for the use of each and for distribution to cities and towns, fewer dollars than were received and distributed in such fiscal year. This section shall not apply to moneys derived from the automobile license tax imposed under section 11 of article IX of the Constitution of Arizona. All moneys collected in accordance with this section shall be distributed as provided by law.

15. [License tax on aircraft](#)

Section 15. Commencing January 1, 1965, a license tax is imposed on aircraft registered for operation in Arizona, which license tax shall be in lieu of all ad valorem property taxes on any aircraft subject thereto, but nothing in this section shall be deemed to apply to:

1. Regularly scheduled aircraft operated by an air line company for the primary purpose of carrying persons or property for hire in interstate, intrastate, or international transportation.
2. Aircraft owned and held by an aircraft dealer solely for purposes of sale.
3. Aircraft owned by a nonresident who operates aircraft for a period not in excess of ninety days in any one calendar year, provided that such aircraft are not engaged in any intrastate commercial activity.
4. Aircraft owned and operated exclusively in the public service by the state or by any political subdivision thereof, or by the civil air patrol. The amount, manner, method and mode of assessing, equalizing and levying such license tax and the distribution of the proceeds therefrom shall be prescribed by law.

16. [Exemption of watercraft from ad valorem property taxes](#)

Section 16. Commencing January 1, 1967, all watercraft registered for operation in Arizona, excluding watercraft owned and operated for any commercial purpose, is exempt from ad valorem property taxes. Watercraft exempt from ad valorem property taxes shall be subject to or exempt from a license tax, as may be prescribed by law. "Watercraft", as used in this section, shall be defined as provided by law.

17. [Economic estimates commission; appropriation limitation; powers and duties of commission](#)

Section 17. (1) The economic estimates commission shall be established by law, with a membership of not to exceed three members, and shall determine and publish prior to February 1 of each year the estimated total personal income for the following fiscal year. By April 1 of each year the commission shall determine and publish a final estimate of the total personal income for the following fiscal year, which estimate shall be used in computing the appropriations limit for the legislature. For the purposes of this section, "total personal income" means the dollar amount that will be reported as total income by persons for the state of Arizona by the U. S. department of commerce or its successor agency.

(2) For purposes of this section, "state revenues":

(a) Include all monies, revenues, fees, fines, penalties, funds, tuitions, property and receipts of any kind whatsoever received by or for the account of the state or any of its agencies, departments, offices, boards, commissions, authorities, councils and insitutions except as provided in this subsection.

(b) Do not include:

(i) Any amounts or property received from the issuance or incurrence of bonds or other lawful long-term obligations issued or incurred for a specific purpose. For the purpose of

this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment by the state.

(ii) Any amounts or property received as payment of dividends or interest.

(iii) Any amounts or property received by the state in the capacity of trustee, custodian or agent.

(iv) Any amounts received from employers for deposit in the unemployment compensation fund or any successor fund.

(v) Any amounts collected by the state for distribution to counties, cities and towns without specific restrictions on the use of the funds other than the restrictions included in section 14 of this article.

(vi) Any amounts received as grants, aid, contributions or gifts of any type, except voluntary contributions or other contributions received directly or indirectly in lieu of taxes.

(vii) Any amounts received as the proceeds from the sale, lease or redemption of property or as consideration for services or the use of property.

(viii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the state which were included as state revenues for such fiscal year or which are excluded from state revenue under other provisions of this subsection.

(ix) Any amounts attributable to an increase in the rates of tax subsequent to July 1, 1979 on vehicle users, gasoline and diesel fuel which were levied on July 1, 1979.

(x) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts appropriated which were applied against the appropriation limitation for such fiscal year or which were excluded from state revenues under other provisions of this subsection.

(3) The legislature shall not appropriate for any fiscal year state revenues in excess of seven per cent of the total personal income of the state for that fiscal year as determined by the economic estimates commission. The limitation may be exceeded upon affirmative vote of two-thirds of the membership of each house of the legislature on each measure that appropriates amounts in excess of the limitation. If the legislature authorizes a specific dollar amount of appropriation for more than one fiscal year, for the purpose of measuring such appropriation against the appropriation limitation, the entire amount appropriated shall be applied against the limitation in the first fiscal year during which any expenditures are authorized, and in no other fiscal year.

(4) In order to permit the transference of governmental functions or funding responsibilities between the federal and state governments and between the state government and its political subdivisions without abridging the purpose of this section to limit state appropriations to a percentage of total personal income, the legislature shall provide for adjustments of the appropriation percentage limitation consistent with the following principles:

(a) If the federal government assumes all or any part of the cost of providing a governmental function which the state previously funded in whole or in part, the appropriation limitation shall be commensurately decreased.

(b) If the federal government requires the state to assume all or any part of the cost of providing a governmental function the appropriation limitation shall be commensurately increased.

(c) If the state assumes all or any part of the cost of providing a governmental function and the state requires the political subdivision, which previously funded all or any part of the cost of the function to commensurately decrease its tax revenues, the appropriation percentage limitation shall be commensurately increased.

(d) If a political subdivision assumes all or any part of the cost of providing a governmental function previously funded in whole or in part by the state, the appropriation percentage limitation shall be commensurately decreased.

Any adjustments made pursuant to this subsection shall be made for the first fiscal year of the assumption of the cost. Such adjustment shall remain in effect for each subsequent fiscal year.

18. Residential ad valorem tax limits; limit on increase in values; definitions

Section 18. (1) The maximum amount of ad valorem taxes that may be collected from residential property in any tax year shall not exceed one per cent of the property's full cash value as limited by this section.

(2) The limitation provided in subsection (1) does not apply to:

(a) Ad valorem taxes or special assessments levied to pay the principal of and interest and redemption charges on bonded indebtedness or other lawful long-term obligations issued or incurred for a specific purpose.

(b) Ad valorem taxes or assessments levied by or for property improvement assessment districts, improvement districts and other special purpose districts other than counties, cities, towns, school districts and community college districts.

(c) Ad valorem taxes levied pursuant to an election to exceed a budget, expenditure or tax limitation.

(3) Except as otherwise provided by subsections (5), (6) and (7) of this section the value of real property and improvements and the value of mobile homes used for all ad valorem taxes except those specified in subsection (2) shall be the lesser of the full cash value of the property or an amount ten per cent greater than the value of property determined pursuant to this subsection for the prior year or an amount equal to the value of property determined pursuant to this subsection for the prior year plus one-fourth of the difference between such value and the full cash value of the property for current tax year, whichever is greater.

(4) The legislature shall by law provide a method of determining the value, subject to the provisions of subsection (3), of new property.

(5) The limitation on increases in the value of property prescribed in subsection (3) does not apply to equalization orders that the legislature specifically exempts by law from such limitation.

(6) Subsection (3) does not apply to:

(a) Property used in the business of patented or unpatented producing mines and the mills and the smelters operated in connection with the mines.

(b) Producing oil, gas and geothermal interests.

(c) Real property, improvements thereto and personal property used thereon used in the operation of telephone, telegraph, gas, water and electric utility companies.

(d) Aircraft that is regularly scheduled and operated by an airline company for the primary purpose of carrying persons or property for hire in interstate, intrastate or international transportation.

(e) Standing timber.

(f) Property used in the operation of pipelines.

(g) Personal property regardless of use except mobile homes.

(7) A resident of this state who is sixty-five years of age or older may apply to the county assessor for a property valuation protection option on the person's primary residence, including not more than ten acres of undeveloped appurtenant land. To be eligible for the property valuation protection option, the resident shall make application and furnish documentation required by the assessor on or before September 1. If the resident fails to file the application on or before September 1, the assessor shall process the application for the subsequent year. If the resident files an application with the assessor on or before September 1, the assessor shall notify the resident whether the application is accepted or denied on or before December 1. The resident may apply for a property valuation protection option after residing in the primary residence for two years. If one person owns the property, the person's total income from all sources including nontaxable income shall not exceed four hundred per cent of the supplemental security income benefit rate established by section 1611(b)(1) of the social security act. If the property is owned by two or more persons, including a husband and wife, at least one of the owners must be sixty-five years of age or older and the owners' combined total income from all sources including nontaxable income shall not exceed five hundred per cent of the supplemental security income benefit rate established by section 1611(b)(1) of the social security act. The assessor shall review the owner's income qualifications on a triennial basis and shall use the owner's average total income during the previous three years for the review. If the county assessor approves a property valuation protection option, the value of the primary residence shall remain fixed at the full cash value in effect during the year the property valuation protection option is filed and as long as the owner remains eligible. To remain eligible, the county assessor shall require a qualifying resident to reapply for the property valuation protection option every three years and shall send a notice of reapplication to qualifying residents six months before the three year reapplication requirement. If title to the property is conveyed to any person who does not qualify for the property valuation protection option, the property valuation protection option terminates, and the property shall revert to its current full cash value.

(8) The legislature shall provide by law a system of property taxation consistent with the provisions of this section.

(9) For purposes of this section:

(a) "Owner" means the owner of record of the property and includes a person who owns the majority beneficial interest of a living trust.

(b) "Primary residence" means all owner occupied real property and improvements to that real property in this state that is a single family home, condominium, townhouse or an owner occupied mobile home and that is used for residential purposes.

19. Limitation on ad valorem tax levied; exceptions

Section 19. (1) The maximum amount of ad valorem taxes levied by any county, city, town or community college district shall not exceed an amount two per cent greater than the amount levied in the preceding year.

(2) The limitation prescribed by subsection (1) does not apply to:

(a) Ad valorem taxes or special assessments levied to pay the principal of and the interest and redemption charges on bonded indebtedness or other lawful long-term obligations issued or incurred for a specific purpose.

(b) Ad valorem taxes or assessments levied by or for property improvement assessment districts, improvement districts and other special purpose districts other than counties, cities, towns and community college districts.

(c) Ad valorem taxes levied by counties for support of school districts.

(3) This section applies to all tax years beginning after December 31, 1981.

(4) The limitation prescribed by subsection (1) shall be increased each year to the maximum permissible limit, whether or not the political subdivision actually levies ad valorem taxes to such amounts, except that beginning in 2007 the limitation prescribed by subsection (1) shall be computed from the actual tax levy of the county, city, town or community college district in 2005.

(5) The voters, in the manner prescribed by law, may elect to allow ad valorem taxation in excess of the limitation prescribed by this section.

(6) The limitation prescribed by subsection (1) of this section shall be increased by the amount of ad valorem taxes levied against property not subject to taxation in the prior year and shall be decreased by the amount of ad valorem taxes levied against property subject to taxation in the prior year and not subject to taxation in the current year. Such amounts of ad valorem taxes shall be computed using the rate applied to property not subject to this subsection.

(7) The legislature shall provide by law for the implementation of this section.

20. Expenditure limitation; adjustments; reporting

Section 20. (1) The economic estimates commission shall determine and publish prior to April 1 of each year the expenditure limitation for the following fiscal year for each county, city and town. The expenditure limitations shall be determined by adjusting the amount of actual payments of local revenues for each such political subdivision for fiscal year 1979-1980 to reflect the changes in the population of each political subdivision and the cost of living. The governing board of any political subdivision shall not authorize expenditures of local revenues in excess of the limitation prescribed in this section, except as provided in subsections (2), (6) and (9) of this section.

(2) Expenditures in excess of the limitations determined pursuant to subsection (1) of this section may be authorized as follows:

(a) Upon affirmative vote of two-thirds of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster declared by the governor. Any expenditures in excess of the expenditure limitation, as authorized by this paragraph, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures authorized

pursuant to this paragraph shall be made either in the fiscal year in which the disaster is declared or in the succeeding fiscal year.

(b) Upon the affirmative vote of seventy per cent of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster not declared by the governor, subject to the following:

(i) The governing board reducing expenditures below the expenditure limitation determined pursuant to subsection (1) of this section by the amount of the excess expenditure for the fiscal year following a fiscal year in which excess expenditures were made pursuant to this paragraph; or

(ii) Approval of the excess expenditure by a majority of the qualified electors voting either at a special election held by the governing board or at a regularly scheduled election for the nomination or election of the members of the governing board, in the manner provided by law. If the excess expenditure is not approved by a majority of the qualified electors voting, the governing board shall for the fiscal year which immediately follows the fiscal year in which the excess expenditures are made, reduce expenditures below the expenditure limitation determined pursuant to subsection (1) of this section by the amount of the excess expenditures. Any expenditures in excess of the expenditure limitation, as authorized by this paragraph, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures pursuant to this paragraph shall be made either in the fiscal year in which the disaster occurs or in the succeeding fiscal year.

(c) Upon affirmative vote of at least two-thirds of the members of the governing board and approval by a majority of the qualified electors voting either at a special election held by the governing board in a manner prescribed by law, or at a regularly scheduled election for the nomination or election of the members of the governing board. Such approval by a majority of the qualified electors voting shall be for a specific amount in excess of the expenditure limitation, and such approval must occur prior to the fiscal year in which the expenditure limitation is to be exceeded. Any expenditures in excess of the expenditure limitation, as authorized by this subdivision, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section, in subsequent years.

(3) As used in this section:

(a) "Base limit" means the amount of actual payments of local revenues for fiscal year 1979-1980 as used to determine the expenditure limitation pursuant to subsection (1) of this section.

(b) "Cost of living" means either:

(i) The price of goods and services as measured by the implicit price deflator for the gross national product or its successor as reported by the United States department of commerce or its successor agency.

(ii) A different measure or index of the cost of living adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption

of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(c) "Expenditure" means any authorization for the payment of local revenues.

(d) "Local revenues" includes all monies, revenues, funds, fees, fines, penalties, tuitions, property and receipts of any kind whatsoever received by or for the account of a political subdivision or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except:

(i) Any amounts or property received from the issuance or incurrence of bonds or other lawful long-term obligations issued or incurred for a specific purpose, or collected or segregated to make payments or deposits required by a contract concerning such bonds or obligations. For the purpose of this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment, by a political subdivision.

(ii) Any amounts or property received as payment of dividends or interest, or any gain on the sale or redemption of investment securities, the purchase of which is authorized by law.

(iii) Any amounts or property received by a political subdivision in the capacity of trustee, custodian or agent.

(iv) Any amounts received as grants and aid of any type received from the federal government or any of its agencies.

(v) Any amounts received as grants, aid, contributions or gifts of any type except amounts received directly or indirectly in lieu of taxes received directly or indirectly from any private agency or organization or any individual.

(vi) Any amounts received from the state which are included within the appropriation limitation prescribed in section 17 of this article.

(vii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the same political subdivision which were included as local revenues for such fiscal year or which are excluded from local revenue under other provisions of this section.

(viii) Any amounts or property accumulated for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements, if such accumulation and purpose have been approved by the voters of the political subdivision.

(ix) Any amounts received pursuant to section 14 of this article which are greater than the amount received in fiscal year 1979-1980.

(x) Any amounts received in return for goods or services pursuant to a contract with another political subdivision, school district, community college district or the state, and expended by the other political subdivision, school district, community college district or the state pursuant to the expenditure limitation in effect when the amounts are expended by the other political subdivision, school district, community college district or the state.

(xi) Any amounts expended for the construction, reconstruction, operation or maintenance of a hospital financially supported by a city or town prior to January 1, 1980.

- (xii) Any amounts or property collected to pay the principal of and interest on any warrants issued by a political subdivision and outstanding as of July 1, 1979.
- (xiii) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts expended which were applied against the expenditure limitation for such fiscal year or which were excluded from local revenues under other provisions of this subsection.
- (xiv) Any amounts received collected by the counties for distribution to school districts pursuant to state law.
- (e) "Political subdivision" means any county, city or town. This definition applies only to this section and does not otherwise modify the commonly accepted definition of political subdivision.
- (f) "Population" means either:
- (i) The periodic census conducted by the United States department of commerce or its successor agency, or the annual update of such census by the department of economic security or its successor agency.
- (ii) A different measure or index of population adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.
- (4) The economic estimates commission shall adjust the base limit to reflect subsequent transfers of all or any part of the cost of providing a governmental function, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the transfer.
- (5) The economic estimates commission shall adjust the base limit to reflect any subsequent annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision.
- (6) Any political subdivision may adjust the base limit by the affirmative vote of two-thirds of the members of the governing board or by initiative, in the manner provided by law, and in either instance by approval of the proposed adjustment by a majority of the qualified electors voting at a regularly scheduled general election or at a nonpartisan election held for the nomination or election of the members of the governing board. The impact of the modification of the expenditure limitation shall appear on the ballot and in publicity pamphlets, as provided by law. Any adjustment, pursuant to this subsection, of the base limit shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the approval, as provided by law.

(7) The legislature shall provide for expenditure limitations for such special districts as it deems necessary.

(8) The legislature shall establish by law a uniform reporting system for all political subdivisions or special districts subject to an expenditure limitation pursuant to this section to insure compliance with this section. The legislature shall establish by law sanctions and penalties for failure to comply with this section.

(9) Subsection (1) of this section does not apply to a city or town which at a regularly scheduled election for the nomination or election of members of the governing board of the city or town adopts an expenditure limitation pursuant to this subsection different from the expenditure limitation prescribed by subsection (1) of this section. The governing board of a city or town may by a two-thirds vote provide for referral of an alternative expenditure limitation or the qualified electors may by initiative, in the manner provided by law, propose an alternative expenditure limitation. In a manner provided by law, the impact of the alternative expenditure limitation shall be compared to the impact of the expenditure limitation prescribed by subsection (1) of this section, and the comparison shall appear on the ballot and in publicity pamphlets. If a majority of the qualified electors voting on such issue vote in favor of the alternative expenditure limitation, such limitation shall apply to the city or town. If more than one alternative expenditure limitation is on the ballot and more than one alternative expenditure limitation is approved by the voters, the alternative expenditure limitation receiving the highest number of votes shall apply to such city or town. If an alternative expenditure limitation is adopted, it shall apply for the four succeeding fiscal years. Following the fourth succeeding fiscal year, the expenditure limitation prescribed by subsection (1) of this section shall become the expenditure limitation for the city or town unless an alternative expenditure limitation is approved as provided in this subsection. If a majority of the qualified electors voting on such issue vote against an alternative expenditure limitation, the expenditure limitation prescribed pursuant to subsection (1) of this section shall apply to the city or town, and no new alternative expenditure limitation may be submitted to the voters for a period of at least two years. If an alternative expenditure limitation is adopted pursuant to this subsection, the city or town may not conduct an override election provided for in section 19, subsection (4) of this article, during the time period in which the alternative expenditure limitation is in effect.

(10) This section does not apply to any political subdivision until the fiscal year immediately following the first regularly scheduled election after July 1, 1980 for the nomination or election of the members of the governing board of such political subdivision, except that a political subdivision, prior to the fiscal year during which the spending limitation would first become effective, may modify the expenditure limitation prescribed pursuant to subsection (1) of this section, by the provisions prescribed by subsections (2) and (6) of this section, or may adopt an alternative expenditure limitation pursuant to subsection (9) of this section.

A county may conduct a special election to exceed the expenditure limitation prescribed pursuant to subsection (1) of this section for the fiscal years 1982-1983 and 1983-1984, on the first Tuesday after the first Monday in November in 1981.

(11) "City", as used in this article, means city or charter city.

21. Expenditure limitations for school districts and community college districts

Section 21. (1) The economic estimates commission shall determine and publish prior to April 1 of each year the expenditure limitation for the following fiscal year for each community college district. The expenditure limitations shall be determined by adjusting the amount of expenditures of local revenues for each such district for fiscal year 1979-1980 to reflect the changes in the student population of each district and the cost of living. The governing board of any community college district shall not authorize expenditures of local revenues in excess of the limitation prescribed in this section, except in the manner provided by law.

(2) The economic estimates commission shall determine and publish prior to May 1 of each year the aggregate expenditure limitation for all school districts for the following fiscal year. The aggregate expenditure limitation shall be determined by adjusting the total amount of expenditures of local revenues for all school districts for fiscal year 1979-1980 to reflect the changes in student population in the school districts and the cost of living, and multiplying the result by 1.10. The aggregate expenditures of local revenues for all school districts shall not exceed the limitation prescribed in this section, except as provided in subsection (3) of this section.

(3) Expenditures in excess of the limitation determined pursuant to subsection (2) of this section may be authorized by the legislature for a single fiscal year, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature.

(4) As used in this section:

(a) "Cost of living" means either:

(i) The price of goods and services as measured by the implicit price deflator for the gross national product or its successor as reported by the United States department of commerce, or its successor agency.

(ii) A different measure or index of the cost of living adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(b) "Expenditure" means any amounts budgeted to be paid from local revenues as prescribed by law.

(c) "Local revenues" includes all monies, revenues, funds, property and receipts of any kind whatsoever received by or for the account of a school district or community college district or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except:

(i) Any amounts or property received from the issuance or incurrence of bonds, or other lawful long-term obligations issued or incurred for a specific purpose, or any amounts or property collected or segregated to make payments or deposits required by a contract

concerning such bonds or obligations. For the purpose of this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment by a political subdivision.

(ii) Any amounts or property received as payment of dividends and interest, or any gain on the sale or redemption of investment securities, the purchase of which is authorized by law.

(iii) Any amounts or property received by a school district or community college district in the capacity of trustee, custodian or agent.

(iv) Any amounts received as grants and aid of any type received from the federal government or any of its agencies except school assistance in federally affected areas.

(v) Any amounts or property received as grants, gifts, aid or contributions of any type except amounts received directly or indirectly in lieu of taxes received directly or indirectly from any private agency or organization, or any individual.

(vi) Any amounts received from the state for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements.

(vii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the same community college district or school district which were included as local revenues for such fiscal year or which are excluded from local revenue under other provisions of this subsection.

(viii) Any amounts or property accumulated by a community college district for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements.

(ix) Any amounts received in return for goods or services pursuant to a contract with another political subdivision, school district, community college district or the state and expended by the other political subdivision, school district, community college district or the state pursuant to the expenditure limitation in effect when the amounts are expended by the other political subdivision, school district, community college district or the state.

(x) Any amounts received as tuition or fees directly or indirectly from any public or private agency or organization or any individual.

(xi) Any ad valorem taxes received pursuant to an election to exceed the limitation prescribed by section 19 of this article or for the purposes of funding expenditures in excess of the expenditure limitations prescribed by subsection (7) of this section.

(xii) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts expended which were applied against the expenditure limitation for such fiscal year or which were excluded from local revenues under other provisions of this subsection.

(d) For the purpose of subsection (2) of this section, the following items are also excluded from local revenues of school districts:

(i) Any amounts received as the proceeds from the sale, lease or rental of school property as authorized by law.

(ii) Any amounts received from the capital levy as authorized by law.

- (iii) Any amounts received from the acquisition, operation, or maintenance of school services of a commercial nature which are entirely or predominantly self-supporting.
- (iv) Any amounts received for the purpose of funding expenditures authorized in the event of destruction of or damage to the facilities of a school district as authorized by law.
- (v) Any revenues derived from an additional state transaction privilege tax rate increment for educational purposes that was authorized by the voters before January 1, 2001.
- (vi) Any amounts received pursuant to article XI, section 8, Constitution of Arizona, that are approved by the majority of qualified voters at a statewide general election held after November 1, 2002, and before January 1, 2003.
- (e) "Student population" means the number of actual, full-time or the equivalent of actual full-time students enrolled in the school district or community college district determined in a manner prescribed by law.
- (5) The economic estimates commission shall adjust the amount of expenditures of local revenues in fiscal year 1979-1980, as used to determine the expenditure limitation pursuant to subsection (1) or (2) of this section, to reflect subsequent transfers of all or any part of the cost of providing a governmental function, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) or (2) of this section beginning with the fiscal year immediately following the transfer.
- (6) The economic estimates commission shall adjust the amount of expenditures of local revenues in fiscal year 1979-1980, as used to determine the expenditure limitation of a community college district pursuant to subsection (1) of this section, to reflect any subsequent annexation, creation of a new district, consolidation or change in the boundaries of a district, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the annexation, creation of a new district, consolidation or change in the boundaries of a district.
- (7) The legislature shall establish by law expenditure limitations for each school district beginning with the fiscal year beginning July 1, 1980. Expenditures by a school district in excess of such an expenditure limitation must be approved by a majority of the electors voting on the excess expenditures.
- (8) The legislature shall establish by law a uniform reporting system for school districts and community college districts to ensure compliance with this section. The legislature shall establish by law sanctions and penalties for failure to comply with this section.

22. [Vote required to increase state revenues; application; exceptions](#)

Section 22. (A) An act that provides for a net increase in state revenues, as described in subsection B is effective on the affirmative vote of two-thirds of the members of each house of the legislature. If the act receives such an affirmative vote, it becomes effective immediately on the signature of the governor as provided by article IV, part 1, section 1.

If the governor vetoes the measure, it shall not become effective unless it is approved by an affirmative vote of three-fourths of the members of each house of the legislature.

(B) The requirements of this section apply to any act that provides for a net increase in state revenues in the form of:

1. The imposition of any new tax.
2. An increase in a tax rate or rates.
3. A reduction or elimination of a tax deduction, exemption, exclusion, credit or other tax exemption feature in computing tax liability.
4. An increase in a statutorily prescribed state fee or assessment or an increase in a statutorily prescribed maximum limit for an administratively set fee.
5. The imposition of any new state fee or assessment or the authorization of any new administratively set fee.
6. The elimination of an exemption from a statutorily prescribed state fee or assessment.
7. A change in the allocation among the state, counties or cities of Arizona transaction privilege, severance, jet fuel and use, rental occupancy, or other taxes.
8. Any combination of the elements described in paragraphs 1 through 7.

(C) This section does not apply to:

1. The effects of inflation, increasing assessed valuation or any other similar effect that increases state revenue but is not caused by an affirmative act of the legislature.
2. Fees and assessments that are authorized by statute, but are not prescribed by formula, amount or limit, and are set by a state officer or agency.
3. Taxes, fees or assessments that are imposed by counties, cities, towns and other political subdivisions of this state.

(D) Each act to which this section applies shall include a separate provision describing the requirements for enactment prescribed by this section.

23. Expenditures required by initiative or referendum; funding source

Section 23. (A) An initiative or referendum measure that proposes a mandatory expenditure of state revenues for any purpose, establishes a fund for any specific purpose or allocates funding for any specific purpose must also provide for an increased source of revenues sufficient to cover the entire immediate and future costs of the proposal. The increased revenues may not be derived from the state general fund or reduce or cause a reduction in general fund revenues.

(B) If the identified revenue source provided pursuant to subsection A in any fiscal year fails to fund the entire mandated expenditure for that fiscal year, the legislature may reduce the expenditure of state revenues for that purpose in that fiscal year to the amount of funding supplied by the identified revenue source.

24. Prohibition of new real property sale or transfer taxes

Section 24. The state, any county, city, town, municipality or other political subdivision of the state, or any district created by law with authority to impose any tax, fee, stamp requirement or other assessment, shall not impose any new tax, fee, stamp requirement or other assessment, direct or indirect, on the act or privilege of selling, purchasing, granting, assigning, transferring, receiving, or otherwise conveying any interest in real

property. This section does not apply to any tax, fee, or other assessment in existence on December 31, 2007.

ARTICLE X. STATE AND SCHOOL LANDS

1. Acceptance and holding of lands by state in trust

Section 1. All lands expressly transferred and confirmed to the state by the provisions of the Enabling Act approved June 20, 1910, including all lands granted to the state and all lands heretofore granted to the Territory of Arizona, and all lands otherwise acquired by the state, shall be by the state accepted and held in trust to be disposed of in whole or in part, only in manner as in the said Enabling Act and in this Constitution provided, and for the several objects specified in the respective granting and confirmatory provisions. The natural products and money proceeds of any of said lands shall be subject to the same trusts as the lands producing the same.

2. Unauthorized disposition of land or proceeds as breach of trust

Section 2. Disposition of any of said lands, or of any money or thing of value directly or indirectly derived therefrom, for any object other than that for which such particular lands (or the lands from which such money or thing of value shall have been derived) were granted or confirmed, or in any manner contrary to the provisions of the said Enabling Act, shall be deemed a breach of trust.

3. Mortgage or other encumbrance; sale or lease at public auction

Section 3. No mortgage or other encumbrance of the said lands, or any part thereof, shall be valid in favor of any person or for any purpose or under any circumstances whatsoever. Said lands shall not be sold or leased, in whole or in part, except to the highest and best bidder at a public auction to be held at the county seat of the county wherein the lands to be affected, or the major portion thereof, shall lie, notice of which public auction shall first have been duly given by advertisement, which shall set forth the nature, time and place of the transaction to be had, with a full description of the lands to be offered, and be published once each week for not less than ten successive weeks in a newspaper of general circulation published regularly at the state capital, and in that newspaper of like circulation which shall then be regularly published nearest to the location of the lands so offered; nor shall any sale or contract for the sale of any timber or other natural product of such lands be made, save at the place, in the manner, and after the notice by publication provided for sales and leases of the lands themselves. Nothing herein, or elsewhere in article X contained, shall prevent:

1. The leasing of any of the lands referred to in this article in such manner as the legislature may prescribe, for grazing, agricultural, commercial and homesite purposes, for a term of ten years or less, without advertisement;
2. The leasing of any of said lands, in such manner as the legislature may prescribe, whether or not also leased for grazing and agricultural purposes, for mineral purposes, other than for the exploration, development, and production of oil, gas and other hydrocarbon substances, for a term of twenty years or less, without advertisement, or,
3. The leasing of any of said lands, whether or not also leased for other purposes, for the exploration, development, and production of oil, gas and other hydrocarbon substances on, in or under said lands for an initial term of twenty (20) years or less and as long thereafter as oil, gas or other hydrocarbon substance may be procured therefrom in paying quantities, the leases to be made in any manner, with or without advertisement,

bidding, or appraisal, and under such terms and provisions, as the legislature may prescribe, the terms and provisions to include a reservation of a royalty to the state of not less than twelve and one-half per cent of production.

4. Sale or other disposal; appraisal; minimum price; credit; passing of title

Section 4. All lands, lease-holds, timber, and other products of land, before being offered, shall be appraised at their true value, and no sale or other disposal thereof shall be made for a consideration less than the value so ascertained, nor in any case less than the minimum price hereinafter fixed, nor upon credit unless accompanied by ample security, and the legal title shall not be deemed to have passed until the consideration shall have been paid.

5. Minimum price; relinquishment of lands to United States

Section 5. No lands shall be sold for less than three dollars per acre, and no lands which are or shall be susceptible of irrigation under any projects now or hereafter completed or adopted by the United States under legislation for the reclamation of lands, or under any other project for the reclamation of lands, shall be sold at less than twenty-five dollars per acre; Provided, that the state, at the request of the secretary of the interior, shall from time to time relinquish such of its lands to the United States as at any time are needed for irrigation works in connection with any such government project, and other lands in lieu thereof shall be selected from lands of the character named and in the manner prescribed in section twenty-four of the said Enabling Act.

6. Lands reserved by United States for development of water power

Section 6. No lands reserved and excepted of the lands granted to this state by the United States, actually or prospectively valuable for the development of water powers or power for hydro-electric use or transmission, which shall be ascertained and designated by the secretary of the interior within five years after the proclamation of the president declaring the admission of the state, shall be subject to any disposition whatsoever by the state or by any officer of the state, and any conveyance or transfer of such lands made within said five years shall be null and void.

7. Establishment of permanent funds; segregation, investment and distribution of monies

Section 7. A. A separate permanent fund shall be established for each of the several objects for which the said grants are made and confirmed by the enabling act to the state, and whenever any monies shall be in any manner derived from any of said lands, the same shall be deposited by the state treasurer in the permanent fund corresponding to the grant under which the particular land producing such monies was, by the enabling act, conveyed or confirmed.

B. No monies shall ever be taken from one permanent fund for deposit in any other, or for any object other than that for which the land producing the same was granted or confirmed.

C. All such monies shall be invested in safe interest-bearing securities and prudent equity securities consistent with the requirements of this section.

D. The legislature shall establish a board of investment to serve as trustees of the permanent funds. The board shall provide for the management of the assets of the funds consistent with the following conditions:

1. Not more than sixty per cent of a fund at cost may be invested in equities at any time.
2. Equities that are eligible for purchase are restricted to stocks listed on any national stock exchange or eligible for trading through the United States national association of securities dealers automated quotation system, or successor institutions, except as may be prohibited by general criteria or by a restriction on investment in a specific security adopted pursuant to this subsection.
3. Not more than five per cent of all of the funds combined at cost may be invested in equity securities issued by the same institution, agency or corporation, other than securities issued as direct obligations of and fully guaranteed by the United States government.

E. In making investments under this section the state treasurer and trustees shall exercise the judgment and care under the prevailing circumstances that an institutional investor of ordinary prudence, discretion and intelligence exercises in managing large investments entrusted to it, not in regard to speculation, but in regard to the permanent disposition of monies, considering the probable safety of capital as well as the probable total rate of return over extended periods of time.

F. The earnings, interest, dividends and realized capital gains and losses from investment of a permanent fund, shall be credited to that fund.

G. The board of investment shall determine the amount of the annual distributions required by this section and allocate distributions pursuant to law. Beginning July 1, 2000 and except as otherwise provided in this section, the amount of the annual distribution from a permanent fund established pursuant to this section is the amount determined by multiplying the following factors:

1. The average of the annual total rate of return for the immediately preceding five complete fiscal years less the average of the annual percentage change in the GDP price deflator, or a successor index, for the immediately preceding five complete fiscal years.

For purposes of this paragraph:

- (a) "Annual total rate of return" means the quotient obtained by dividing the amount credited to a fund pursuant to subsection F for a complete fiscal year, plus unrealized capital gains and losses, by the average monthly market value of the fund for that year.
 - (b) "GDP price deflator" means the gross domestic price deflator reported by the United States department of commerce, bureau of economic analysis, or its successor agency.
2. The average of the monthly market values of the fund for the immediately preceding five complete fiscal years.

H. Notwithstanding any other provision of this section, the annual distribution from the permanent funds for fiscal years 1999-2000 through 2002-2003 shall be as follows:

1. For fiscal year 1999-2000, the greater of five per cent of the average of the monthly market values of the funds for fiscal years 1994-1995 through 1998-1999 or the average of actual annual distributions for fiscal years 1994-1995 through 1998-1999.
2. For fiscal years 2000-2001 through 2002-2003, the greater of the average of the actual annual distributions for the immediately preceding five complete fiscal years or the amount of the distribution required by subsection G.

8. Conformity of contracts with enabling act

Section 8. Every sale, lease, conveyance, or contract of or concerning any of the lands granted or confirmed, or the use thereof or the natural products thereof made to this state by the said Enabling Act, not made in substantial conformity with the provisions thereof, shall be null and void.

9. Sale or lease; conditions; limitations; lease prior to adoption of constitution

Section 9. All lands expressly transferred and confirmed to the state, by the provisions of the Enabling Act approved June 20, 1910, including all lands granted to the state, and all lands heretofore granted to the territory of Arizona, and all lands otherwise acquired by the state, may be sold or leased by the state in the manner, and on the conditions, and with the limitations, prescribed by the said Enabling Act and this Constitution, and as may be further prescribed by law; Provided, that the legislature shall provide for the separate appraisement of the lands and of the improvements on school and university lands which have been held under lease prior to the adoption of this Constitution, and for reimbursement to the actual bona fide residents or lessees of such lands upon which such improvements are situated, as prescribed by title 65, Civil Code of Arizona, 1901, and in such cases only as permit reimbursements to lessees in said title 65.

10. Laws for sale or lease of state lands; protection of residents and lessees

Section 10. The legislature shall provide by proper laws for the sale of all state lands or the lease of such lands, and shall further provide by said laws for the protection of the actual bona fide residents and lessees of said lands, whereby such residents and lessees of said lands shall be protected in their rights to their improvements (including water rights) in such manner that in case of lease to other parties the former lessee shall be paid by the succeeding lessee the value of such improvements and rights and actual bona fide residents and lessees shall have preference to a renewal of their leases at a reassessed rental to be fixed as provided by law.

11. Maximum acreage allowed single purchaser

Section 11. No individual, corporation or association shall be allowed to purchase more than one hundred sixty (160) acres of agricultural land or more than six hundred forty (640) acres of grazing land.

ARTICLE XI. EDUCATION

1. Public school system; education of pupils who are hearing and vision impaired

Section 1. A. The legislature shall enact such laws as shall provide for the establishment and maintenance of a general and uniform public school system, which system shall include:

1. Kindergarten schools.
 2. Common schools.
 3. High schools.
 4. Normal schools.
 5. Industrial schools.
 6. Universities, which shall include an agricultural college, a school of mines, and such other technical schools as may be essential, until such time as it may be deemed advisable to establish separate state institutions of such character.
- B. The legislature shall also enact such laws as shall provide for the education and care of pupils who are hearing and vision impaired.

2. Conduct and supervision of school system

Section 2. The general conduct and supervision of the public school system shall be vested in a state board of education, a state superintendent of public instruction, county school superintendents, and such governing boards for the state institutions as may be provided by law.

3. State board of education; composition; powers and duties; compensation

Section 3. The state board of education shall be composed of the following members: the superintendent of public instruction, the president of a state university or a state college, four lay members, a president or chancellor of a community college district, a person who is an owner or administrator of a charter school, a superintendent of a high school district, a classroom teacher and a county school superintendent. Each member, other than the superintendent of public instruction, shall be appointed by the governor with the consent of the senate in the manner prescribed by law. The powers, duties, compensation and expenses, and the terms of office, of the board shall be such as may be prescribed by law.

4. State superintendent of public instruction; board membership; powers and duties

Section 4. The state superintendent of public instruction shall be a member, and secretary, of the state board of education, and, ex-officio, a member of any other board having control of public instruction in any state institution. His powers and duties shall be prescribed by law.

5. Regents of university and other governing boards; appointments by governor; membership of governor on board of regents

Section 5. The regents of the university, and the governing boards of other state educational institutions, shall be appointed by the governor with the consent of the senate in the manner prescribed by law, except that the governor shall be, ex-officio, a member of the board of regents of the university.

6. Admission of students of both sexes to state educational institutions; tuition; common school system

Section 6. The university and all other state educational institutions shall be open to students of both sexes, and the instruction furnished shall be as nearly free as possible. The legislature shall provide for a system of common schools by which a free school shall be established and maintained in every school district for at least six months in each year, which school shall be open to all pupils between the ages of six and twenty-one years.

7. Sectarian instruction; religious or political test or qualification

Section 7. No sectarian instruction shall be imparted in any school or state educational institution that may be established under this Constitution, and no religious or political test or qualification shall ever be required as a condition of admission into any public educational institution of the state, as teacher, student, or pupil; but the liberty of conscience hereby secured shall not be so construed as to justify practices or conduct inconsistent with the good order, peace, morality, or safety of the state, or with the rights of others.

8. Permanent state school fund; source; apportionment of state funds

Section 8. A. A permanent state school fund for the use of the common schools shall be derived from the sale of public school lands or other public lands specified in the enabling act approved June 20, 1910; from all estates or distributive shares of estates that may escheat to the state; from all unclaimed shares and dividends of any corporation incorporated under the laws of Arizona; and from all gifts, devises, or bequests made to the state for general educational purposes.

B. The rental derived from school lands, with such other funds as may be provided by law shall be apportioned only for common and high school education in Arizona, and in such manner as may be prescribed by law.

9. County school fund; size of fund; free schools

Section 9. The amount of this apportionment shall become a part of the county school fund, and the legislature shall enact such laws as will provide for increasing the county fund sufficiently to maintain all the public schools of the county for a minimum term of six months in every school year. The laws of the state shall enable cities and towns to maintain free high schools, industrial schools, and commercial schools.

10. Source of revenue for maintenance of state educational institutions

Section 10. The revenue for the maintenance of the respective state educational institutions shall be derived from the investment of the proceeds of the sale, and from the rental of such lands as have been set aside by the enabling act approved June 20, 1910, or other legislative enactment of the United States, for the use and benefit of the respective state educational institutions. In addition to such income the legislature shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions, and shall make such special appropriations as shall provide for their development and improvement.

ARTICLE XII. COUNTIES

1. Counties as bodies politic and corporate

Section 1. Each county of the state, now or hereafter organized, shall be a body politic and corporate.

2. Counties of territory as counties of state

Section 2. The several counties of the territory of Arizona as fixed by statute at the time of the adoption of this Constitution are hereby declared to be the counties of the state until changed by law.

3. County officers; election; term of office

Section 3. There are hereby created in and for each organized county of the state the following officers who shall be elected by the qualified electors thereof: a sheriff, a county attorney, a recorder, a treasurer, an assessor, a superintendent of schools and at least three supervisors, each of whom shall be elected and hold his office for a term of four (4) years beginning on the first of January next after his election, which number of supervisors is subject to increase by law. The supervisors shall be nominated and elected from districts as provided by law.

The candidates for these offices elected in the general election of November 3, 1964 shall take office on the first day of January, 1965 and shall serve until the first day of January, 1969.

4. County officers; duties, powers, and qualifications; salaries

Section 4. The duties, powers, and qualifications of such officers shall be as prescribed by law. The board of supervisors of each county is hereby empowered to fix salaries for all county and precinct officers within such county for whom no compensation is provided by law, and the salaries so fixed shall remain in full force and effect until changed by general law.

5. Charter committee; charter preparation; approval

Section 5. A. The board of supervisors of any county with a population of more than five hundred thousand persons as determined by the most recent United States decennial or special census may call for an election to cause a charter committee to be elected by the qualified electors of that county at any time. Alternatively, the board of supervisors of any county with a population of more than five hundred thousand persons as determined by the most recent United States decennial or special census shall call for the election of the charter committee within ten days after receipt by the clerk of the board of supervisors of a petition that demands the election and that is signed by a number of qualified electors of the county at least equal to ten per cent of the total number of ballots cast for all candidates for governor or presidential electors in the county at the last preceding general election. The election shall be held at least one hundred days but not more than one hundred twenty days after the call for the election. Except as otherwise provided in this section, for elections held under this section or section 6 of this article, the manner of conducting and voting at an election, contesting an election, canvassing

votes and certifying returns shall be the same, as nearly as practicable, as in elections for county officers.

B. At the election a vote shall be taken to elect members of the charter committee who will function if further proceedings are authorized and the ballot shall contain the question of whether further proceedings toward adopting a charter shall be authorized pursuant to the call for the election. Unless a majority of the qualified electors voting on the question votes to authorize further proceedings, the election of members of the charter committee shall be invalidated and no further proceedings may be had except pursuant to a subsequent call pursuant to subsection A.

C. The charter committee shall be composed of fifteen qualified electors of the county elected by supervisorial district with the same number serving from each district. A nomination petition for election to the charter committee shall be made available by the clerk of the board of supervisors and shall be signed by a number of qualified electors of the supervisorial district who are eligible to vote for the nominee at least equal to one per cent of the total number of ballots cast for all candidates for governor or presidential electors in the supervisorial district at the last preceding general election, and filed with the clerk not later than sixty days before the election. All qualified electors of the county, including all elected public officials, are eligible to seek election to the charter committee.

D. Within one hundred eighty days after the election the charter committee shall prepare and submit a proposed charter for the county. The proposed charter shall be signed by a majority of the members of the committee and filed with the clerk of the board of supervisors, after which the charter committee shall be dissolved. The county shall then publish the proposed charter in the official newspaper of the county at least once a week for three consecutive weeks. The first publication shall be made within twenty days after the proposed charter is filed with the clerk of the board of supervisors.

E. At least forty-five days but not more than sixty days after final publication, the proposed charter shall be submitted to the vote of the qualified electors of the county at a general or special election. If a general election will be held within ninety days after final publication, the charter shall be submitted at that general election. The full text of the proposed charter shall be printed in a publicity pamphlet and mailed to each household containing a registered voter at least eleven days before the charter election and the ballot may contain only a summary of the proposed charter provisions. The ballot shall contain a question regarding approval of the proposed charter and the questions pertaining to taxation authority and appointment of officers, if any, provided for in sections 7 and 8 of this article.

F. If a majority of the qualified electors voting ratifies the proposed charter, a copy of the charter, together with a statement setting forth the submission of the charter to the qualified electors and its ratification by them, shall be certified by the clerk of the board of supervisors and shall be submitted to the governor for approval. The governor shall approve the charter within thirty days after its submission if it is not in conflict with, or states that in the event of a conflict is subject to, this constitution and the laws of this state. On approval, the charter becomes the organic law of the county, and certified copies of the charter shall be filed in the office of the secretary of state and with the clerk of the board of supervisors after being recorded in the office of the county recorder.

Thereafter all courts shall take judicial notice of the charter.

6. Amendment of charter

Section 6. A charter shall set forth procedures for amendment of the charter. Proposed amendments shall be submitted to the qualified electors of the county at a general or special election and become effective if ratified by a majority of the qualified electors voting on the amendments and approved by the governor in the manner provided for in section 5 of this article.

7. County charter provisions

Section 7. A. Charter counties continue to be political subdivisions of this state that exist to aid in the administration of this state's laws and for purposes of self-government. Except as otherwise provided in this article the powers of the legislature over counties are not affected by this section and sections 5, 6, 8 and 9 of this article. Charter counties shall provide the same state mandated services and perform the same state mandated functions as non-charter counties. Charter counties may exercise, if provided by the charter, all powers over local concerns of the county consistent with, and subject to, the constitution and the laws of this state. In matters of strictly local municipal concern, charters adopted pursuant to article XIII shall control in any case of conflict with a county charter adopted pursuant to this article.

B. If a county has framed and adopted a charter and the charter is approved by the governor as provided in this article, the county shall be governed by the terms of its charter and ordinances passed pursuant to its charter. If the charter has been framed, adopted and approved and any of its provisions are in conflict with any county ordinance, rule or regulation relating to local concerns of the counties in force at the time of the adoption and approval of the charter, the provisions of the charter prevail notwithstanding the conflict and operate as a repeal or suspension of the law to the extent of conflict, and the law is not thereafter operative as to such conflict.

C. Notwithstanding article IX, section 1, if proposed and approved in the charter, a charter county may levy and collect:

1. Taxes on a countywide basis to provide services on a countywide basis.
2. Taxes on a specially designated area basis to provide services or special levels of service to that area.

All taxes levied pursuant to this subsection shall be uniform upon the same class of property within the territorial limits of the county or the specially designated area and shall be levied and collected for public purposes only.

D. The decision to include a charter provision authorizing taxation pursuant to subsection C, paragraph 1 or 2 of this section shall be placed on the ballot as separate questions at the election to ratify the charter and must be approved by a majority of the qualified electors voting at the election. The result of the voting on either provision authorizing taxation does not affect the result of the voting to ratify the charter. Charter provisions authorizing taxation pursuant to subsection C, paragraph 1 or 2 of this section may also be proposed by an amendment to the charter pursuant to section 6 of this article.

E. If the authority to tax pursuant to subsection C, paragraph 2 of this section is approved for inclusion in the charter, any new tax proposed by the county under subsection C, paragraph 2 of this section shall be voted on by the qualified electors of the specially

designated area. The tax must be ratified by a majority vote of the qualified electors voting at the election.

F. A transaction privilege tax, use tax or similar tax levied by a county pursuant to subsection C, paragraph 1 of this section:

1. May be imposed on only those business activities, or on the use, storage or consumption, which are subject to the comparable state transaction privilege tax, use tax or similar tax.

2. Shall provide all exclusion and exemptions provided by, and administrative provisions consistent with, the comparable state transaction privilege tax, use tax or similar tax.

G. All taxes levied under subsection F of this section shall not exceed an aggregate rate of two per cent when combined with existing taxes levied pursuant to title 42, chapter 8.3.

H. If approved in the charter, a charter county may adopt fees and fee schedules for any county products and county service delivery it provides in the conduct of any official business. Notwithstanding any fee schedules or individual charges provided by state law, the governing body of a charter county may adopt an alternate fee schedule or individual charge. Any fee or charge established pursuant to this section shall be attributable to and defray or cover the current or future costs of the product or service delivery for which the fee or charge is assessed.

I. Taxes raised under the authority of this section shall be subject to the provisions of the county property tax and expenditure limitations pursuant to article IX, sections 19 and 20.

8. Government and other powers

Section 8. A. The county charter shall provide:

1. For an elective governing body and its method of compensation, its powers, duties and responsibilities, its authority to delegate powers, the method of election and removal of members, the terms of office and the manner of filling vacancies in the governing body.

2. For all officers established under section 3 of this article and article VI, section 23, and such additional officers as the charter may provide for, their election or appointment, consolidation or segregation, method of compensation, powers, duties and responsibilities, authority to delegate powers and, if elected, the method of election and removal, terms of office and the manner of filling vacancies in such offices. If the charter provides for the attorney to remain an elective officer of the county, the charter may provide for an appointive office to carry out the civil representation needs of the county, its departments, agencies, boards, commissions, officials and employees. If the elective governing body provided for in the charter does not consist of supervisors, the charter may provide for elimination of the office of supervisor. If the charter provides for the office of supervisor, the number of supervisors shall be not fewer than five or greater than nine. If the charter provides for the appointment or elimination of an officer established under section 3 of this article or article VI, section 23, or for an appointive office to carry out the civil representation needs of the county, those provisions shall include an effective date not earlier than the expiration of the term of office for the officer commencing in January immediately following the first general election at which the officer is elected following approval of the charter by the voters and shall be placed on the ballot as separate questions at the election to ratify the charter and must be approved by a majority of the qualified electors voting at the election. The result of the voting on

any provisions authorizing appointment or elimination of officers does not affect the result of the voting to ratify the charter.

3. For the performance of functions required by statute.

4. For a periodic review of the charter provisions to be conducted at least once every ten years from the time of its ratification by the voters and the procedures for the periodic review.

B. The county charter may provide for other elective and appointive offices.

9. Self-executing provision

Section 9. The provisions of sections 5 through 8 of this article are self-executing, and no further legislation is required to make them effective.

ARTICLE XIII. MUNICIPAL CORPORATIONS

1. Incorporation and organization; classification

Section 1. Municipal corporations shall not be created by special laws, but the legislature, by general laws, shall provide for the incorporation and organization of cities and towns and for the classification of such cities and towns in proportion to population, subject to the provisions of this article.

2. Charter; preparation and proposal by board of freeholders; ratification and approval; amendment

Section 2. Any city containing, now or hereafter, a population of more than three thousand five hundred may frame a charter for its own government consistent with, and subject to, the Constitution and the laws of the state, in the following manner: A board of freeholders composed of fourteen qualified electors of said city may be elected at large by the qualified electors thereof, at a general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city. Such proposed charter shall be signed in duplicate by the members of such board, or a majority of them, and filed, one copy of said proposed charter with the chief executive officer of such city and the other with the county recorder of the county in which said city shall be situated. Such proposed charter shall then be published in one or more newspapers published, and of general circulation, within said city for at least twenty-one days if in a daily paper, or in three consecutive issues if in a weekly paper, and the first publication shall be made within twenty days after the completion of the proposed charter. Within thirty days, and not earlier than twenty days, after such publication, said proposed charter shall be submitted to the vote of the qualified electors of said city at a general or special election. If a majority of such qualified electors voting thereon shall ratify such proposed charter, it shall thereupon be submitted to the governor for his approval, and the governor shall approve it if it shall not be in conflict with this Constitution or with the laws of the state. Upon such approval said charter shall become the organic law of such city and supersede any charter then existing (and all amendments thereto), and all ordinances inconsistent with said new charter. A copy of such charter, certified by the chief executive officer, and authenticated by the seal, of such city, together with a statement similarly certified and authenticated setting forth the submission of such charter to the electors and its ratification by them, shall, after the approval of such charter by the governor, be made in duplicate and filed, one copy in the office of the secretary of state and the other in the archives of the city after being recorded in the office of said county recorder. Thereafter all courts shall take judicial notice of said charter.

The charter so ratified may be amended by amendments proposed and submitted by the legislative authority of the city to the qualified electors thereof (or by petition as hereinafter provided), at a general or special election, and ratified by a majority of the qualified electors voting thereon and approved by the governor as herein provided for the approval of the charter.

3. Election of board of freeholders

Section 3. An election of such board of freeholders may be called at any time by the legislative authority of any such city. Such election shall be called by the chief executive officer of any such city within ten days after there shall have been filed with him a petition demanding such election, signed by a number of qualified electors residing within such city equal to twenty-five per centum of the total number of votes cast at the next preceding general municipal election. Such election shall be held not later than thirty days after the call therefor. At such election a vote shall be taken upon the question whether further proceedings toward adopting a charter shall be had in pursuance to the call, and unless a majority of the qualified electors voting thereon shall vote to proceed further, no further proceedings shall be had, and all proceedings up to the time of said election shall be of no effect.

4. [Franchises; approval of electors; term](#)

Section 4. No municipal corporation shall ever grant, extend, or renew a franchise without the approval of a majority of the qualified electors residing within its corporate limits who shall vote thereon at a general or special election, and the legislative body of any such corporation shall submit any such matter for approval or disapproval to such electors at any general municipal election, or call a special election for such purpose at any time upon thirty days' notice. No franchise shall be granted, extended, or renewed for a longer time than twenty-five years.

5. [Right of municipal corporation to engage in business or enterprise](#)

Section 5. Every municipal corporation within this state shall have the right to engage in any business or enterprise which may be engaged in by a person, firm, or corporation by virtue of a franchise from said municipal corporation.

6. [Franchises; restrictions](#)

Section 6. No grant, extension, or renewal of any franchise or other use of the streets, alleys, or other public grounds, or ways, of any municipality shall divest the state or any of its subdivisions of its or their control and regulation of such use and enjoyment; nor shall the power to regulate charges for public services be surrendered; and no exclusive franchise shall ever be granted.

7. [Irrigation and other districts as political subdivisions](#)

Section 7. Irrigation, power, electrical, agricultural improvement, drainage, and flood control districts, and tax levying public improvement districts, now or hereafter organized pursuant to law, shall be political subdivisions of the state, and vested with all the rights, privileges and benefits, and entitled to the immunities and exemptions granted municipalities and political subdivisions under this constitution or any law of the state or of the United States; but all such districts shall be exempt from the provisions of sections 7 and 8 of article IX of this constitution.

ARTICLE XIV. CORPORATIONS OTHER THAN MUNICIPAL

1. "Corporation" defined; right to sue and suability

Section 1. The term "corporation," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or co-partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

2. Formation under general laws; change of laws; regulation

Section 2. Corporations may be formed under general laws, but shall not be created by special acts. Laws relating to corporations may be altered, amended, or repealed at any time, and all corporations doing business in this state may, as to such business, be regulated, limited, and restrained by law.

3. Existing charters

Section 3. All existing charters under which a bona fide organization shall not have taken place and business commenced in good faith within six months from the time of the approval of this Constitution shall thereafter have no validity.

4. Restriction to business authorized by charter or law

Section 4. No corporation shall engage in any business other than that expressly authorized in its charter or by the law under which it may have been or may hereafter be organized.

5. Foreign corporations; transaction of business

Section 5. No corporation organized outside of the limits of this state shall be allowed to transact business within this state on more favorable conditions than are prescribed by law for similar corporations organized under the laws of this state; and no foreign corporation shall be permitted to transact business within this state unless said foreign corporation is by the laws of the country, state, or territory under which it is formed permitted to transact a like business in such country, state, or territory.

6. Stocks; bonds

Section 6. No corporation shall issue stock, except to bona fide subscribers therefor or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or for labor done. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock of any corporation without the consent of the person or persons holding the larger amount in value of the stock of such corporation, nor without due notice of the proposed increase having been given as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

7. Lease or alienation of franchise

Section 7. No corporation shall lease or alienate any franchise so as to relieve the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee,

or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise or of any of its privileges.

8. Filing of articles of incorporation; place of business; agent for service of process; venue

Section 8. No domestic or foreign corporation shall do any business in this state without having filed its articles of incorporation or a certified copy thereof with the corporation commission, and without having one or more known places of business and an authorized agent, or agents, in the state upon whom process may be served. Suit may be maintained against a foreign corporation in the county where an agent of such corporation may be found, or in the county where the cause of action may arise.

9. Eminent domain; taking corporate property and franchises for public use

Section 9. The right of exercising eminent domain shall never be so abridged or construed as to prevent the state from taking the property and the franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

10. Elections for directors or managers

Section 10. In all elections for directors or managers of any corporation, each shareholder shall have the right to cast as many votes in the aggregate as he shall be entitled to vote in said company under its charter multiplied by the number of directors or managers to be elected at such election; and each shareholder may cast the whole number of votes, either in person or by proxy, for one candidate, or distribute such votes among two or more such candidates; and such directors or managers shall not be elected otherwise.

11. Liability of stockholders

Section 11. Liability of stockholders. The shareholders or stockholders of every banking or insurance corporation or association shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares or stock; provided, however, that the shareholders or stockholders of any banking corporation or association which is a member of the federal deposit insurance corporation or any successor thereto or other insuring instrumentality of the United States in accordance with the provisions of any applicable law of the United States of America, shall not be liable for any amount in addition to the amount already invested in such shares or stock.

12. Officers of banking institutions; individual responsibility

Section 12. Any president, director, manager, cashier, or other officer of any banking institution who shall receive, or assent to, the reception of any deposits after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances shall be individually responsible for such deposits.

13. Want of legal organization as a defense

Section 13. No persons acting as a corporation under the laws of Arizona shall be permitted to set up, or rely upon, the want of a legal organization as a defense to any action which may be brought against them as a corporation, nor shall any person or persons who may be sued on a contract now or hereafter made with such corporation, or sued for any injury now or hereafter done to its property, or for a wrong done to its interests, be permitted to rely upon such want of legal organization in his or their defense.

14. Legislative power to impose conditions

Section 14. This article shall not be construed to deny the right of the legislative power to impose other conditions upon corporations than those herein contained.

15. Monopolies and trusts

Section 15. Monopolies and trusts shall never be allowed in this state and no incorporated company, co-partnership or association of persons in this state shall directly or indirectly combine or make any contract, with any incorporated company, foreign or domestic, through their stockholders or the trustees or assigns of such stockholders or with any co-partnership or association of persons, or, in any manner whatever, to fix the prices, limit the production, or regulate the transportation of any product or commodity. The legislature shall enact laws for the enforcement of this section by adequate penalties, and in the case of incorporated companies, if necessary for that purpose, may, as a penalty declare a forfeiture of their franchises.

16. Records, books, and files; visitorial and inquisitorial powers of state

Section 16. The records, books, and files of all public service corporations, state banks, building and loan associations, trust, insurance, and guaranty companies shall be at all times liable and subject to the full visitorial and inquisitorial powers of the state, notwithstanding the immunities and privileges secured in the declaration of rights of this Constitution to persons, inhabitants, and citizens of this state.

17. Fees; reports; licensing of foreign corporations

Section 17. Provision shall be made by law for the payment of a fee to the state by every domestic corporation, upon the grant, amendment, or extension of its charter, and by every foreign corporation upon its obtaining a license to do business in this state; and also for the payment, by every domestic corporation and foreign corporation doing business in this state, of an annual registration fee of not less than ten dollars, which fee shall be paid irrespective of any specific license or other tax imposed by law upon such company for the privilege of carrying on its business in this state, or upon its franchise or property; and for the making, by every such corporation, at the time of paying such fee, of such report to the corporation commission of the status, business, or condition of such corporation, as may be prescribed by law. No foreign corporation, except insurers, shall have authority to do business in this state, until it shall have obtained from the corporation commission a license to do business in the state, upon such terms as may be prescribed by law. The legislature may relieve any purely charitable, social, fraternal, benevolent, or religious institution from the payment of such annual registration fee.

18. Contributions to influence elections or official action

Section 18. It shall be unlawful for any corporation, organized or doing business in this state, to make any contribution of money or anything of value for the purpose of influencing any election or official action.

19. Penalties for violation of article

Section 19. Suitable penalties shall be prescribed by law for the violation of any of the provisions of this article.

ARTICLE XV. THE CORPORATION COMMISSION

1. Term limits on corporation commission; composition; election; office vacancies; qualifications

Section 1. A. No member of the corporation commission shall hold that office for more than two consecutive terms. No corporation commissioner may serve again in that office until out of office for one full term. Any person who serves one half or more of a term shall be considered to have served one term for purposes of this section.

B. A corporation commission is hereby created to be composed of five persons who shall be elected at the general election, and whose term of office shall be four years, and who shall maintain their chief office at the state capital. The two additional commission members shall be elected at the 2002 general election for initial two-year terms beginning on the first Monday in January, 2003. Thereafter, all terms shall be four-year terms.

C. In case of vacancy in the office, the governor shall appoint a commissioner to fill the vacancy. The appointed commissioner shall fill the vacancy until a commissioner shall be elected at a general election as provided by law, and shall qualify. The qualifications of commissioners may be prescribed by law.

2. "Public service corporations" defined

Section 2. All corporations other than municipal engaged in furnishing gas, oil, or electricity for light, fuel, or power; or in furnishing water for irrigation, fire protection, or other public purposes; or in furnishing, for profit, hot or cold air or steam for heating or cooling purposes; or engaged in collecting, transporting, treating, purifying and disposing of sewage through a system, for profit; or in transmitting messages or furnishing public telegraph or telephone service, and all corporations other than municipal, operating as common carriers, shall be deemed public service corporations.

3. Power of commission as to classifications, rates and charges, rules, contracts, and accounts; local regulations

Section 3. The corporation commission shall have full power to, and shall, prescribe just and reasonable classifications to be used and just and reasonable rates and charges to be made and collected, by public service corporations within the state for service rendered therein, and make reasonable rules, regulations, and orders, by which such corporations shall be governed in the transaction of business within the state, and may prescribe the forms of contracts and the systems of keeping accounts to be used by such corporations in transacting such business, and make and enforce reasonable rules, regulations, and orders for the convenience, comfort, and safety, and the preservation of the health, of the employees and patrons of such corporations; Provided, that incorporated cities and towns may be authorized by law to exercise supervision over public service corporations doing business therein, including the regulation of rates and charges to be made and collected by such corporations; Provided further, that classifications, rates, charges, rules, regulations, orders, and forms or systems prescribed or made by said corporation commission may from time to time be amended or repealed by such commission.

4. Power to inspect and investigate

Section 4. The corporation commission, and the several members thereof, shall have power to inspect and investigate the property, books, papers, business, methods, and affairs of any corporation whose stock shall be offered for sale to the public and of any public service corporation doing business within the state, and for the purpose of the commission, and of the several members thereof, shall have the power of a court of general jurisdiction to enforce the attendance of witnesses and the production of evidence by subpoena, attachment, and punishment, which said power shall extend throughout the state. Said commission shall have power to take testimony under commission or deposition either within or without the state.

5. Power to issue certificates of incorporation and licenses

Section 5. The corporation commission shall have the sole power to issue certificates of incorporation to companies organizing under the laws of this state, and to issue licenses to foreign corporations to do business in this state, except as insurers, as may be prescribed by law.

Domestic and foreign insurers shall be subject to licensing, control and supervision by a department of insurance as prescribed by law. A director of the department of insurance shall be appointed by the governor with the consent of the senate in the manner prescribed by law for a term which may be prescribed by law.

6. Enlargement of powers by legislature; rules and regulations

Section 6. The law-making power may enlarge the powers and extend the duties of the corporation commission, and may prescribe rules and regulations to govern proceedings instituted by and before it; but, until such rules and regulations are provided by law, the commission may make rules and regulations to govern such proceedings.

7. Connecting and intersecting lines of transportation and communications corporations

Section 7. Every public service corporation organized or authorized under the laws of the state to do any transportation or transmission business within the state shall have the right to construct and operate lines connecting any points within the state, and to connect at the state boundaries with like lines; and every such corporation shall have the right with any of its lines to cross, intersect, or connect with, any lines of any other public service corporation.

8. Transportation by connecting carriers

Section 8. Every public service corporation doing a transportation business within the state shall receive and transport, without delay or discrimination, cars loaded or empty, property, or passengers delivered to it by any other public service corporation doing a similar business, and deliver cars, loaded or empty, without delay or discrimination, to other transportation corporations, under such regulations as shall be prescribed by the corporation commission, or by law.

9. Transmission of messages by connecting carriers

Section 9. Every public service corporation engaged in the business of transmitting messages for profit shall receive and transmit, without delay or discrimination, any

messages delivered to it by any other public service corporation engaged in the business of transmitting messages for profit, and shall, with its lines, make physical connection with the lines of any public service corporation engaged in the business of transmitting messages for profit, under such rules and regulations as shall be prescribed by the corporation commission, or by law; Provided, that such public service corporations shall deliver messages to other such corporations, without delay or discrimination, under such rules and regulations as shall be prescribed by the corporation commission, or by law.

10. Railways as public highways; other corporations as common carriers

Section 10. Railways heretofore constructed, or that may hereafter be constructed, in this state, are hereby declared public highways and all railroads are declared to be common carriers and subject to control by law. All electric, transmission, telegraph, telephone, or pipeline corporations, for the transportation of electricity, messages, water, oil, or other property for profit, are declared to be common carriers and subject to control by law.

11. Movable property as personal property; liability of property to attachment, execution and sale

Section 11. The rolling stock and all other movable property belonging to any public service corporation in this state, shall be considered personal property, and its real and personal property, and every part thereof, shall be liable to attachment, execution, and sale in the same manner as the property of individuals; and the law-making power shall enact no laws exempting any such property from attachment, execution, or sale.

12. Charges for service; discrimination; free or reduced rate transportation

Section 12. All charges made for service rendered, or to be rendered, by public service corporations within this state shall be just and reasonable, and no discrimination in charges, service, or facilities shall be made between persons or places for rendering a like and contemporaneous service, except that the granting of free or reduced rate transportation may be authorized by law, or by the corporation commission, to the classes of persons described in the act of Congress approved February 11, 1887, entitled An Act to Regulate Commerce, and the amendments thereto, as those to whom free or reduced rate transportation may be granted.

13. Reports to commission

Section 13. All public service corporations and corporations whose stock shall be offered for sale to the public shall make such reports to the corporation commission, under oath, and provide such information concerning their acts and operations as may be required by law, or by the corporation commission.

14. Value of property of public service corporations

Section 14. The corporation commission shall, to aid it in the proper discharge of its duties, ascertain the fair value of the property within the state of every public service corporation doing business therein; and every public service corporation doing business within the state shall furnish to the commission all evidence in its possession, and all

assistance in its power, requested by the commission in aid of the determination of the value of the property within the state of such public service corporation.

15. Acceptance of constitutional provisions by existing corporations

Section 15. No public service corporation in existence at the time of the admission of this state into the union shall have the benefit of any future legislation except on condition of complete acceptance of all provisions of this Constitution applicable to public service corporations.

16. Forfeitures for violations

Section 16. If any public service corporation shall violate any of the rules, regulations, orders, or decisions of the corporation commission, such corporation shall forfeit and pay to the state not less than one hundred dollars nor more than five thousand dollars for each such violation, to be recovered before any court of competent jurisdiction.

17. Appeal to courts

Section 17. Nothing herein shall be construed as denying to public service corporations the right of appeal to the courts of the state from the rules, regulations, orders, or decrees fixed by the corporation commission, but the rules, regulations, orders, or decrees so fixed shall remain in force pending the decision of the courts.

18. Repeal

19. Power to impose fines

Section 19. The corporation commission shall have the power and authority to enforce its rules, regulations, and orders by the imposition of such fines as it may deem just, within the limitations prescribed in section 16 of this article.

ARTICLE XVI. MILITIA

1. Composition of militia

Section 1. The militia of the state of Arizona shall consist of all capable citizens of the state between the ages of eighteen and forty-five years, and of those between said ages who shall have declared their intention to become citizens of the United States, residing therein, subject to such exemptions as now exist, or as may hereafter be created, by the laws of the United States or of this state.

2. Composition and designation of organized militia

Section 2. The organized militia shall be designated "The National Guard of Arizona," and shall consist of such organized military bodies as now exist under the laws of the territory of Arizona or as may hereafter be authorized by law.

3. Conformity to federal regulations

Section 3. The organization, equipment, and discipline of the national guard shall conform as nearly as shall be practicable to the regulations for the government of the armies of the United States.

ARTICLE XVII. WATER RIGHTS

1. Riparian water rights

Section 1. The common law doctrine of riparian water rights shall not obtain or be of any force or effect in the state.

2. Recognition of existing rights

Section 2. All existing rights to the use of any of the waters in the state for all useful or beneficial purposes are hereby recognized and confirmed.

ARTICLE XVIII. LABOR

1. Eight-hour day

Section 1. Eight hours and no more, shall constitute a lawful day's work in all employment by, or on behalf of, the state or any political subdivision of the State. The legislature shall enact such laws as may be necessary to put this provision into effect, and shall prescribe proper penalties for any violations of said laws.

2. Child labor

Section 2. No child under the age of fourteen years shall be employed in any gainful occupation at any time during the hours in which the public schools of the district in which the child resides are in session; nor shall any child under sixteen years of age be employed underground in mines, or in any occupation injurious to health or morals or hazardous to life or limb; nor for more than eight hours in any day.

3. Contractual immunity of employer from liability for negligence

Section 3. It shall be unlawful for any person, company, association, or corporation to require of its servants or employees as a condition of their employment, or otherwise, any contract or agreement whereby such person, company, association, or corporation shall be released or discharged from liability or responsibility on account of personal injuries which may be received by such servants or employees while in the service or employment of such person, company, association, or corporation, by reason of the negligence of such person, company, association, corporation, or the agents or employees thereof; and any such contract or agreement if made, shall be null and void.

4. Fellow servant doctrine

Section 4. The common law doctrine of fellow servant, so far as it affects the liability of a master for injuries to his servant resulting from the acts or omissions of any other servant or servants of the common master is forever abrogated.

5. Contributory negligence and assumption of risk

Section 5. The defense of contributory negligence or of assumption of risk shall, in all cases whatsoever, be a question of fact and shall, at all times, be left to the jury.

6. Recovery of damages for injuries

Section 6. The right of action to recover damages for injuries shall never be abrogated, and the amount recovered shall not be subject to any statutory limitation.

7. Employer's liability law

Section 7. To protect the safety of employees in all hazardous occupations, in mining, smelting, manufacturing, railroad or street railway transportation, or any other industry the legislature shall enact an employer's liability law, by the terms of which any employer, whether individual, association, or corporation shall be liable for the death or injury, caused by any accident due to a condition or conditions of such occupation, of any employee in the service of such employer in such hazardous occupation, in all cases in

which such death or injury of such employee shall not have been caused by the negligence of the employee killed or injured.

8. Workmen's compensation law

Section 8. The legislature shall enact a workmen's compensation law applicable to workmen engaged in manual or mechanical labor in all public employment whether of the state, or any political subdivision or municipality thereof as may be defined by law and in such private employments as the legislature may prescribe by which compensation shall be required to be paid to any such workman, in case of his injury and to his dependents, as defined by law, in case of his death, by his employer, if in the course of such employment personal injury to or death of any such workman from any accident arising out of and in the course of, such employment, is caused in whole, or in part, or is contributed to, by a necessary risk or danger of such employment, or a necessary risk or danger inherent in the nature thereof, or by failure of such employer, or any of his or its agents or employee or employees to exercise due care, or to comply with any law affecting such employment; provided that it shall be optional with any employee engaged in any such private employment to settle for such compensation, or to retain the right to sue said employer or any person employed by said employer, acting in the scope of his employment, as provided by this Constitution; and, provided further, in order to assure and make certain a just and humane compensation law in the state of Arizona, for the relief and protection of such workmen, their widows, children or dependents, as defined by law, from the burdensome, expensive and litigious remedies for injuries to or death of such workmen, now existing in the state of Arizona, and producing uncertain and unequal compensation therefor, such employee, engaged in such private employment, may exercise the option to settle for compensation by failing to reject the provisions of such workmen's compensation law prior to the injury, except that if the injury is the result of an act done by the employer or a person employed by the employer knowingly and purposely with the direct object of injuring another, and the act indicates a wilful disregard of the life, limb or bodily safety of employees, then such employee may, after the injury, exercise the option to accept compensation or to retain the right to sue the person who injured him.

The percentages and amounts of compensation provided in house bill no. 227 enacted by the seventh legislature of the state of Arizona, shall never be reduced nor any industry included within the provision of said house bill no. 227 eliminated except by initiated or referred measure as provided by this Constitution.

9. Blacklists

Section 9. The exchange, solicitation, or giving out of any labor "black list," is hereby prohibited, and suitable laws shall be enacted to put this provision into effect.

10. Employment of aliens

Section 10. No person not a citizen or ward of the United States shall be employed upon or in connection with any state, county or municipal works or employment; provided, that nothing herein shall be construed to prevent the working of prisoners by the state or by any county or municipality thereof on street or road work or other public work and that the provisions of this section shall not apply to the employment of any

teacher, instructor, or professor authorized to teach in the United States under the teacher exchange program as provided by federal statutes enacted by the congress of the United States or the employment of university or college faculty members. The legislature shall enact laws for the enforcement and shall provide for the punishment of any violation of this section.

ARTICLE XIX. MINES

Mines

(Version amended by 1992 Proposition 101)

The office of mine inspector is hereby established. The legislature shall enact laws so regulating the operation and equipment of all mines in the state as to provide for the health and safety of workers therein and in connection therewith, and fixing the duties of said office. Upon approval of such laws by the governor, the governor, with the advice and consent of the senate, shall forthwith appoint a mine inspector, who shall serve until his successor shall have been elected at the first general election thereafter and shall qualify. Said successor and all subsequent incumbents of said office shall be elected at general elections, and shall serve for four years. The initial four year term shall be served by the mine inspector elected in the general election held in November, 1994.

ARTICLE XIX. MINES

Mines

(Version amended by 1992 Proposition 107)

The office of mine inspector is hereby established. The legislature, at its first session, shall enact laws so regulating the operation and equipment of all mines in the state as to provide for the health and safety of workers therein and in connection therewith, and fixing the duties of said office. Upon approval of such laws by the governor, the governor, with the advice and consent of the senate, shall forthwith appoint a mine inspector, who shall serve until his successor shall have been elected at the first general election thereafter and shall qualify. Said successor and all subsequent incumbents of said office shall be elected at general elections, and shall serve for a term of two years. No mine inspector shall serve more than four consecutive terms in that office. No mine inspector, after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993.

ARTICLE XX. ORDINANCE

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

First. Toleration of religious sentiment

First. Perfect toleration of religious sentiment shall be secured to every inhabitant of this state, and no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship, or lack of the same.

Second. Polygamy

Second. Polygamous or plural marriages, or polygamous co-habitation, are forever prohibited within this state.

Third. Introduction of intoxicating liquors into Indian country

Third. The introduction of intoxicating liquors for resale purposes into Indian country is prohibited within this state until July 1, 1957.

Fourth. Public lands; Indian lands

Fourth. The people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated and ungranted public lands lying within the boundaries thereof and to all lands lying within said boundaries owned or held by any Indian or Indian tribes, the right or title to which shall have been acquired through or from the United States or any prior sovereignty, and that, until the title of such Indian or Indian tribes shall have been extinguished, the same shall be, and remain, subject to the disposition and under the absolute jurisdiction and control of the Congress of the United States.

Fifth. Taxation

Fifth. The lands and other property belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands and other property situated in this state belonging to residents thereof, and no taxes shall be imposed by this state on any lands or other property within an Indian reservation owned or held by any Indian; but nothing herein shall preclude the state from taxing as other lands and other property are taxed, any lands and other property outside of an Indian reservation owned or held by any Indian, save and except such lands as have been granted or acquired as aforesaid, or as may be granted or confirmed to any Indian or Indians under any act of Congress.

Sixth. Territorial debts and liabilities

Sixth. The debts and liabilities of the territory of Arizona, and the debts of the counties thereof, valid and subsisting at the time of the passage of the enabling act approved June 20, 1910, are hereby assumed and shall be paid by the state of Arizona, and the state of Arizona shall, as to all such debts and liabilities, be subrogated to all the rights, including rights of indemnity and reimbursement, existing in favor of said territory or of any of the several counties thereof, at the time of the passage of the said enabling act; Provided that nothing in this ordinance shall be construed as validating or in any manner legalizing any

territory, county, municipal, or other bonds, obligations, or evidences of indebtedness of said territory or the counties or municipalities thereof which now are or may be invalid or illegal at the time the said state of Arizona is admitted as a state, and the legislature or the people of the state of Arizona shall never pass any law in any manner validating or legalizing the same.

Seventh. Public school system; suffrage

Seventh. Provisions shall be made by law for the establishment and maintenance of a system of public schools which shall be open to all the children of the state and be free from sectarian control, and said schools shall always be conducted in English.

The state shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude.

Eighth. English language

Eighth. The ability to read, write, speak, and understand the English language sufficiently well to conduct the duties of the office without the aid of an interpreter, shall be a necessary qualification for all state officers and members of the state legislature.

Ninth. Location of state capital

Ninth. The capital of the state of Arizona, until changed by the electors voting at an election provided for by the legislature for that purpose shall be at the city of Phoenix, but no such election shall be called or provided for prior to the thirty-first day of December, nineteen hundred and twenty-five.

Tenth. Repeal

Eleventh. Repeal

Twelfth. Lands granted to state

Twelfth. The state of Arizona and its people hereby consent to all and singular the provisions of the enabling act approved June 20, 1910, concerning the lands thereby granted or confirmed to the state, the terms and conditions upon which said grants and confirmations are made, and the means and manner of enforcing such terms and conditions, all in every respect and particular as in the aforesaid enabling act provided.

Thirteenth. Ordinance as part of constitution; amendment

Thirteenth. This ordinance is hereby made a part of the Constitution of the state of Arizona, and no future constitutional amendment shall be made which in any manner changes or abrogates this ordinance in whole or in part without the consent of Congress.

ARTICLE XXI. MODE OF AMENDING

1. Introduction in legislature; initiative petition; election

Section 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, or by initiative petition signed by a number of qualified electors equal to fifteen per centum of the total number of votes for all candidates for governor at the last preceding general election. Any proposed amendment or amendments which shall be introduced in either house of the legislature, and which shall be approved by a majority of the members elected to each of the two houses, shall be entered on the journal of each house, together with the ayes and nays thereon. When any proposed amendment or amendments shall be thus passed by a majority of each house of the legislature and entered on the respective journals thereof, or when any elector or electors shall file with the secretary of state any proposed amendment or amendments together with a petition therefor signed by a number of electors equal to fifteen per centum of the total number of votes for all candidates for governor in the last preceding general election, the secretary of state shall submit such proposed amendment or amendments to the vote of the people at the next general election (except when the legislature shall call a special election for the purpose of having said proposed amendment or amendments voted upon, in which case the secretary of state shall submit such proposed amendment or amendments to the qualified electors at said special election,) and if a majority of the qualified electors voting thereon shall approve and ratify such proposed amendment or amendments in said regular or special election, such amendment or amendments shall become a part of this constitution. Until a method of publicity is otherwise provided by law, the secretary of state shall have such proposed amendment or amendments published for a period of at least ninety days previous to the date of said election in at least one newspaper in every county of the state in which a newspaper shall be published, in such manner as may be prescribed by law. If more than one proposed amendment shall be submitted at any election, such proposed amendments shall be submitted in such manner that the electors may vote for or against such proposed amendments separately.

2. Convention

Section 2. No Convention shall be called by the Legislature to propose alterations, revisions, or amendments to this Constitution, or to propose a new Constitution, unless laws providing for such Convention shall first be approved by the people on a Referendum vote at a regular or special election, and any amendments, alterations, revisions, or new Constitution proposed by such Convention shall be submitted to the electors of the State at a general or special election and be approved by the majority of the electors voting thereon before the same shall become effective.

ARTICLE XXII. SCHEDULE AND MISCELLANEOUS

1. Existing rights, actions, suits, proceedings, contracts, claims, or demands; process

Section 1. No rights, actions, suits, proceedings, contracts, claims, or demands, existing at the time of the admission of this State into the Union, shall be affected by a change in the form of government, from Territorial to State, but all shall continue as if no change had taken place; and all process which may have been issued under the authority of the Territory of Arizona, previous to its admission into the Union, shall be as valid as if issued in the name of the State.

2. Territorial laws

Section 2. All laws of the Territory of Arizona now in force, not repugnant to this Constitution, shall remain in force as laws of the State of Arizona until they expire by their own limitations or are altered or repealed by law; Provided, that wherever the word Territory, meaning the Territory of Arizona, appears in said laws, the word State shall be substituted.

3. Debts, fines, penalties, and forfeitures

Section 3. All debts, fines, penalties, and forfeitures which have accrued, or may hereafter accrue, to the Territory of Arizona shall inure to the State of Arizona.

4. Recognizances; bonds; estate; judgments; choses in action

Section 4. All recognizances heretofore taken, or which may be taken, before the change from a Territorial to a State government, shall remain valid, and shall pass to and may be prosecuted in the name of the State, and all bonds executed to the Territory of Arizona, or to any county or municipal corporation, or to any officer, or court, in his or its official capacity, shall pass to the State authorities and their successors in office for the uses therein expressed, and may be sued for and recovered accordingly; and all the estate, real, personal, and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims, demands or debts of whatever description, belonging to the Territory of Arizona, shall inure to and vest in the State of Arizona, and may be sued for and recovered by the State of Arizona in the same manner, and to the same extent, as the same might or could have been by the Territory of Arizona.

5. Criminal prosecutions and penal actions; offenses; penalties; actions and suits

Section 5. All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Arizona before the change from a Territorial to a State government, and which shall not be prosecuted before such change, may be prosecuted in the name, and by the authority, of the State of Arizona, with like effect as though such change had not taken place, and all penalties incurred and punishments inflicted shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity, which may be pending in any of the courts, of the Territory of Arizona at the time of the change from a Territorial to a State government,

shall be continued and transferred to the court of the State, or of the United States, having jurisdiction thereof.

6. Territorial, district, county, and precinct officers

Section 6. All Territorial, district, county, and precinct officers who may be in office at the time of the admission of the State into the Union shall hold their respective offices until their successors shall have qualified, and the official bonds of all such officers shall continue in full force and effect while such officers remain in office.

7. Causes pending in district courts of territory; records, papers, and property

Section 7. Whenever the judge of the superior court of any county, elected or appointed under the provisions of this Constitution, shall have qualified, the several causes then pending in the district court of the Territory, and in and for such county, except such causes as would have been within the exclusive jurisdiction of the United States courts, had such courts existed at the time of the commencement of such causes within such county, and the records, papers, and proceedings of said district court, and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court of such county.

It shall be the duty of the clerk of the district court having custody of such papers, records, and property, to transmit to the clerk of said superior court the original papers in all cases pending in such district and belonging to the jurisdiction of said superior court, together with a transcript, or transcripts, of so much of the record of said district court as shall relate to the same; and until the district courts of the Territory shall be superseded in manner aforesaid, and as in this Constitution provided, the said district courts, and the judges thereof, shall continue with the same jurisdiction and powers, to be exercised in the same judicial district, respectively, as heretofore, and now, constituted.

8. Probate records and proceedings

Section 8. When the State is admitted into the Union, and the superior courts, in their respective counties, are organized, the books, records, papers, and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall pass into the jurisdiction and possession of the superior court of the same county created by this Constitution, and the said court shall proceed to final judgment or decree, order, or other determination, in the several matters and causes with like effect as the probate court might have done if this Constitution had not been adopted.

9. Causes pending in supreme court of territory; records, papers, and property

Section 9. Whenever a quorum of the judges of the Supreme Court of the State shall have been elected, and qualified, and shall have taken office, under this Constitution, the causes then pending in the Supreme Court of the Territory, except such causes as would have been within the exclusive jurisdiction of the United States courts, had such courts existed at the time of the commencement of such causes, and the papers, records, and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Supreme Court of the State, and until so superseded, the Supreme Court of the Territory, and the judges thereof, shall continue, with like powers and jurisdiction as if this Constitution had not been adopted, or the State

admitted into the Union; and all causes pending in the Supreme Court of the Territory at said time, and which said causes would have been within the exclusive jurisdiction of the United States courts, had such courts existed, at the time of the commencement of such causes, and the papers, records, and proceedings of said court, relating thereto, shall pass into the jurisdiction of the United States courts, all as in the Enabling Act approved June 20, 1910, provided.

10. Seals of supreme court, superior courts, municipalities, and county officers

Section 10. Until otherwise provided by law, the seal now in use in the Supreme Court of the Territory, shall be the seal of the Supreme Court of the State, except that the word "State", shall be substituted for the word "Territory" on said seal. The seal of the superior courts of the several counties of the State, until otherwise provided by law, shall be the vignette of Abraham Lincoln, with the words "Seal of the Superior Court The seal of municipalities, and of all county officers, in the Territory, shall be the seals of such municipalities and county officers, respectively, under the State, until otherwise provided by law, except that the word "Territory", or "Territory of Arizona", be changed to read "State" or "State of Arizona", where the same may appear on any such seals.

11. Effective date of constitution

Section 11. The provisions of this Constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Arizona admitted into the Union.

12. Election of representative in congress

Section 12. One Representative in the Congress of the United States shall be elected from the State at large, and at the same election at which officers shall be elected under the Enabling Act, approved June 20, 1910, and, thereafter, at such times and in such manner as may be prescribed by law.

13. Continuation in office until qualification of successor

Section 13. The term of office of every officer to be elected or appointed under this Constitution or the laws of Arizona shall extend until his successor shall be elected and shall qualify.

14. Initiative

Section 14. Any law which may be enacted by the Legislature under this Constitution may be enacted by the people under the Initiative. Any law which may not be enacted by the Legislature under this Constitution shall not be enacted by the people.

15. Public institutions

Section 15. Correctional and penal institutions, and institutions for the benefit of persons who have mental or physical disabilities and such other institutions as the public good may require, shall be established and supported by the State in such manner as may be prescribed by law.

16. Confinement of minor offenders

Section 16. It shall be unlawful to confine any minor under the age of eighteen years, accused or convicted of crime, in the same section of any jail or prison in which adult prisoners are confined. Suitable quarters shall be prepared for the confinement of such minors.

17. Compensation of public officers

Section 17. All State and county officers (except notaries public) and all justices of the peace and constables, whose precinct includes a city or town or part thereof, shall be paid fixed and definite salaries, and they shall receive no fees for their own use.

18. Nomination of incumbent public officers to other offices

Section 18. Except during the final year of the term being served, no incumbent of a salaried elective office, whether holding by election or appointment, may offer himself for nomination or election to any salaried local, State or federal office.

19. Lobbying

Section 19. The Legislature shall enact laws and adopt rules prohibiting the practice of lobbying on the floor of either House of the Legislature, and further regulating the practice of lobbying.

20. Design of state seal

Section 20. The seal of the State shall be of the following design: In the background shall be a range of mountains, with the sun rising behind the peaks thereof, and at the right side of the range of mountains there shall be a storage reservoir and a dam, below which in the middle distance are irrigated fields and orchards reaching into the foreground, at the right of which are cattle grazing. To the left in the middle distance on a mountain side is a quartz mill in front of which and in the foreground is a miner standing with pick and shovel. Above this device shall be the motto: "Ditat Deus." In a circular band surrounding the whole device shall be inscribed: "Great Seal of The State of Arizona", with the year of admission of the State into the Union.

21. Enactment of laws to carry constitution into effect

Section 21. The Legislature shall enact all necessary laws to carry into effect the provisions of this Constitution.

22. Judgments of death

Section 22. The judgment of death shall be inflicted by administering an intravenous injection of a substance or substances in a lethal quantity sufficient to cause death except that defendants sentenced to death for offenses committed prior to the effective date of the amendment to this section shall have the choice of either lethal injection or lethal gas. The lethal injection or lethal gas shall be administered under such procedures and

supervision as prescribed by law. The execution shall take place within the limits of the state prison.

ARTICLE XXIII. Repeal

ARTICLE XXIV. Repeal

ARTICLE XXV. RIGHT TO WORK

Right to work or employment without membership in labor organization

No person shall be denied the opportunity to obtain or retain employment because of non-membership in a labor organization, nor shall the State or any subdivision thereof, or any corporation, individual or association of any kind enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of non-membership in a labor organization.

ARTICLE XXVI. RIGHT OF LICENSED REAL ESTATE BROKERS AND SALESMEN TO PREPARE INSTRUMENTS INCIDENT TO PROPERTY TRANSACTIONS

1. Powers of real estate broker or salesman

Section 1. Any person holding a valid license as a real estate broker or a real estate salesman regularly issued by the Arizona State Real Estate Department when acting in such capacity as broker or salesman for the parties, or agent for one of the parties to a sale, exchange, or trade, or the renting and leasing of property, shall have the right to draft or fill out and complete, without charge, any and all instruments incident thereto including, but not limited to, preliminary purchase agreements and earnest money receipts, deeds, mortgages, leases, assignments, releases, contracts for sale of realty, and bills of sale.

ARTICLE XXVII. REGULATION OF PUBLIC HEALTH, SAFETY AND WELFARE

1. Regulation of ambulances; powers of legislature

Section 1. The legislature may provide for the regulation of ambulances and ambulance services in this state in all matters relating to services provided, routes served, response times and charges.

ARTICLE XXVIII. ENGLISH AS THE OFFICIAL LANGUAGE

1. English as the official language; applicability

Section 1. (1) In this article, unless the context otherwise requires:

1. "Government" includes all laws, public proceedings, rules, publications, orders, actions, programs, policies, departments, boards, agencies, organizations and instrumentalities of this state or political subdivisions of this state, as appropriate under the circumstances to a particular official action.
2. "Official action" includes the performance of any function or action on behalf of this state or a political subdivision of this state or required by state law that appears to present the views, position or imprimatur of the state or political subdivision or that binds or commits the state or political subdivision, but does not include:
 - (a) The teaching of or the encouragement of learning languages other than English.
 - (b) Actions required under the federal individuals with disabilities education act or other federal laws.
 - (c) Actions, documents or policies necessary for tourism, commerce or international trade.
 - (d) Actions or documents that protect the public health and safety, including law enforcement and emergency services.
 - (e) Actions that protect the rights of victims of crimes or criminal defendants.
 - (f) Using terms of art or phrases from languages other than English.
 - (g) Using or preserving Native American languages.
 - (h) Providing assistance to hearing impaired or illiterate persons.
 - (i) Informal and nonbinding translations or communications among or between representatives of government and other persons if this activity does not affect or impair supervision, management, conduct or execution of official actions and if the representatives of government make clear that these translations or communications are unofficial and are not binding on this state or a political subdivision of this state.
 - (j) Actions necessary to preserve the right to petition for the redress of grievances.
3. "Preserve, protect and enhance the role of English" includes:
 - (a) Avoiding any official actions that ignore, harm or diminish the role of English as the language of government.
 - (b) Protecting the rights of persons in this state who use English.
 - (c) Encouraging greater opportunities for individuals to learn the English language.
 - (d) To the greatest extent possible under federal statute, providing services, programs, publications, documents and materials in English.
4. "Representatives of government" includes all individuals or entities during the performance of the individual's or entity's official actions.

2. Official language of Arizona

Section 2. The official language of the state of Arizona is English.

3. Preserving and enhancing the role of the official language; right to use English

Section 3. A. Representatives of government in this state shall preserve, protect and enhance the role of English as the official language of the government of Arizona.

B. A person shall not be discriminated against or penalized in any way because the person uses or attempts to use English in public or private communication.

4. Official actions to be conducted in English

Section 4. Official actions shall be conducted in English.

5. Rules of construction

Section 5. This article shall not be construed to prohibit any representative of government, including a member of the legislature, while performing official duties, from communicating unofficially through any medium with another person in a language other than English if official action is conducted in English.

6. Standing; notification of attorney general; recovery of costs

Section 6. A. A person who resides or does business in this state may file a civil action for relief from any official action that violates this article in a manner that causes injury to the person.

B. A person who resides or does business in this state and who contends that this article is not being implemented or enforced may file a civil action to determine if the failure or inaction complained of is a violation of this article and for injunctive or mandatory relief.

C. A person shall not file an action under this section unless the person has notified the attorney general of the alleged violation and the attorney general or other appropriate representative of government has not provided appropriate relief within a reasonable time under the circumstances. An action filed under this section may be in addition to or in lieu of any action by officers of this state, including the attorney general.

D. A person who files and is successful in an action under this section may be awarded all costs expended or incurred in the action, including reasonable attorney fees.

ARTICLE XXIX. PUBLIC RETIREMENT SYSTEMS

1. Public retirement systems

Section 1. A. Public retirement systems shall be funded with contributions and investment earnings using actuarial methods and assumptions that are consistent with generally accepted actuarial standards.

B. The assets of public retirement systems, including investment earnings and contributions, are separate and independent trust funds and shall be invested, administered and distributed as determined by law solely in the interests of the members and beneficiaries of the public retirement systems.

C. Membership in a public retirement system is a contractual relationship that is subject to article II, section 25, and public retirement system benefits shall not be diminished or impaired.

ARTICLE XXX. MARRIAGE

1. Marriage

Section 1. Only a union of one man and one woman shall be valid or recognized as a marriage in this state.

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5/16/2024

Fern Benally
District 1 Supervisor

Alberto L. Peshlaka
Vice-Chairman, District 2

Jason E. Whiting
Supervisor, District 3

Daryl Seymore
Supervisor, District 4

Dawnafe Whitesinger
Chairwoman, District 5

Melissa W. Buckley
Clerk of the Board of Supervisors

100 East Code Talkers Drive
South Highway 77
P.O. Box 668
Holbrook, AZ 86025

Re: Notice of Prospective Litigation; Demand for Records Retention

Dear Ms. Benally, Mr. Peshlaka, Mr. Whiting, Ms. Whitesinger, and Ms. Buckley,

I am an aggrieved citizen of the United States and of the state of Arizona, and I am contemplating filing a lawsuit against the relevant parties pertaining to the continuing concerns I have regarding the integrity of all elections that took place after NOVEMBER 30, 2022. Accordingly, **I hereby notify you and instruct you to retain any and all documents and other materials related to all post-2022 state elections through the date of this letter and continuing thereafter.**

As you are likely aware, federal and, in many cases, state law requires that all records and papers which come into the possession of an election official relating to any application, registration, payment of poll tax, or other act requisite to voting in the election be kept and maintained for a period of twenty-two months from the date of the respective election. Among the records and papers that must be maintained are paper ballots and records, which may be necessary for a post-tabulation audit.

Given the litigation I am contemplating commencing in regard to the post-2022 elections, I demand that you retain any and all records, including, but not limited to poll books; precinct register pages with signatures and button text; all voting machine tapes AVC and ICX; all results reports including the worksheet, the ICC results printout, the ICX results report, and the challenge removal reports; all public and protective count sheets for early voting; all elections verification forms for early voting; all records of elections submitted after the election reflecting all machines used in the election even if delivered on Election Day; all notation of irregularities reports; the list of early voters checked during preparation and verification; the reports printed from any voter registration computer system reflecting every individual

given credit for voting Election Day, early voting and absentee by mail; up-to-date turnout reports for each county or parish in the state; and AVC layout sheets showing lockout information in each precinct.

In addition, please retain all information and documents pertaining to temporary hires, including hires from any public or private entity, for the purpose of elections; solicitation letters to qualified electors to participate voluntarily or for payment to work the election polls; any and all contracts signed by authorities vested in you with federal or state entities, including but not limited to the U.S. Department of Homeland Security, Federal Bureau of Investigation and other public or private entities (including but not limited to Craig Newmark Philanthropies and Facebook that have contracted, are currently contracting or otherwise engaging in any transactions or business with any federal or state entity to provide services, which may include but are not limited to cybersecurity, training, monitoring, transportation paper shredding, and other services ostensibly for the purpose of ensuring election integrity. This request also encompasses any and all communications, documents, e-mails, text messages, voice recordings, and other information or tangible evidence in your possession transmitted between or among public and private entities, including but not limited to the U.S. Department of Homeland Security, the Cybersecurity and Infrastructure Security Agency, and/or the Center for Internet Security, Inc.(CIS Security), including its subsidiary such as Elections Infrastructure Information Sharing and Analysis Center (EI ISAC), relating to post-2022 state elections.

This notice requires you to retain any and all records pertaining to any post-2022 or state election **until notified in writing of the end of the retention period, including any election that may take place subsequent to the date of this letter.** In the event the law mandates that a record retention period be specified, please note that all records must be maintained **until at least September 2025.**

This records retention hold, and notice suspends any normal deletion requirements for documents, e-mail, and other information that may otherwise apply. Do not destroy, delete or in any way alter any paper or electronic information relating to my prospective claims or the other areas of interest mentioned above. **Be sure to communicate this requirement to the employees who work under your supervision.**

In determining what information you may have in your possession, custody or control that is pertinent to the claims described above, you should consider the following sources: paper files maintained by you or your department, whether in the office or elsewhere; personal notes, calendars or diaries; information maintained (or stored) electronically by you on any personal or company computer, network, smartphone, compact disc or DVD, jump drive, or any other electronic storage media; e-mails; voicemails; and text messages. This listing is not intended to be an exclusive listing of potential sources.

If you have possession, custody or control of any information, whether in paper form or electronic form, pertaining to my prospective claims, you are instructed to take immediate steps to preserve it in its original form. For example, do not delete any emails, internet files or other computer files containing information pertaining to the claims. You should also take steps to ensure that emails and files will not automatically be deleted by the system. Once you have identified any relevant information in your possession, please coordinate with me to ensure that I am provided with a copy of it.

If you are aware of any person employed by or otherwise affiliated with your organization, whether presently or formerly, who may have information pertinent to my prospective claims, please provide me with that information. In addition, please make sure that any person who is assigned to manage the computers or files of your organization that may contain information pertinent to my prospective claims is immediately informed of the requirements set forth in this letter. You must ensure that any such person

does not delete any information and makes arrangements to preserve the information contained on the computer or in the files.

To the extent you have any concerns or questions in this regard, please contact me. Thank you for your cooperation in this matter.

Sincerely,

CELIA LAUGHLIN

Celia Laughlin

2169 Hashknife

Overgaard, AZ. 85933

Celia.lauglin@gmail.com

5/16/2024

Fern Benally
District 1 Supervisor

Alberto L. Peshlaka
Vice-Chairman, District 2

Jason E. Whiting
Supervisor, District 3

Daryl Seymore
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In addition, please retain all information and documents pertaining to temporary hires, including hires from any public or private entity, for the purpose of elections; solicitation letters to qualified electors to participate voluntarily or for payment to work the election polls; any and all contracts signed by authorities vested in you with federal or state entities, including but not limited to the U.S. Department of Homeland Security, Federal Bureau of Investigation and other public or private entities (including but not limited to Craig Newmark Philanthropies and Facebook that have contracted, are currently contracting or otherwise engaging in any transactions or business with any federal or state entity to provide services, which may include but are not limited to cybersecurity, training, monitoring, transportation paper shredding, and other services ostensibly for the purpose of ensuring election integrity. This request also encompasses any and all communications, documents, e-mails, text messages, voice recordings, and other information or tangible evidence in your possession transmitted between or among public and private entities, including but not limited to the U.S. Department of Homeland Security, the Cybersecurity and Infrastructure Security Agency, and/or the Center for Internet Security, Inc.(CIS Security), including its subsidiary such as Elections Infrastructure Information Sharing and Analysis Center (EI ISAC), relating to post-2022 state elections.

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This records retention hold, and notice suspends any normal deletion requirements for documents, e-mail, and other information that may otherwise apply. Do not destroy, delete or in any way alter any paper or electronic information relating to my prospective claims or the other areas of interest mentioned above. **Be sure to communicate this requirement to the employees who work under your supervision.**

In determining what information you may have in your possession, custody or control that is pertinent to the claims described above, you should consider the following sources: paper files maintained by you or your department, whether in the office or elsewhere; personal notes, calendars or diaries; information maintained (or stored) electronically by you on any personal or company computer, network, smartphone, compact disc or DVD, jump drive, or any other electronic storage media; e-mails; voicemails; and text messages. This listing is not intended to be an exclusive listing of potential sources.

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does not delete any information and makes arrangements to preserve the information contained on the computer or in the files.

To the extent you have any concerns or questions in this regard, please contact me. Thank you for your cooperation in this matter.

Sincerely,

CELIA LAUGHLIN

Celia Laughlin

2169 Hashknife

Overgaard, AZ. 85933

Celia.lauglin@gmail.com

From: [Donna Shurwin](#)
To: [Daryl Seymore](#)
Subject: Hand Counting an Election
Date: Tuesday, July 9, 2024 9:38:59 AM
Attachments: [MO Hand Count Manual.pdf](#)

You don't often get email from donnashurwin@gmail.com. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

So that you have an understanding of how hand counting an election works, here's an overview.

Document is unavailable

From: [Donna Shurwin](#)
To: [Jason Whiting](#)
Subject: How to Hand Count An Election
Date: Tuesday, July 9, 2024 9:45:50 AM
Attachments: [MO Hand Count Manual.pdf](#)

You don't often get email from donnashurwin@gmail.com. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

So that you have an opportunity to understand what it takes to hand count an election, here is an overview of what it takes.

Document is unavailable

From: [Daryl Seymore](#)
To: [Bryan Layton](#)
Subject: Re: Follow-up to Call to the Public
Date: Wednesday, June 12, 2024 9:29:01 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

Bryan,
I appreciate our discussion yesterday. Thanks for listening.

I am glad you are addressing the issues that were brought up at call to the public. It seems the demeanor of the group is changing, and it seems they feel we are listening.
Thanks for your efforts on election integrity.
Supervisor Seymore

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Tuesday, June 11, 2024 9:12:13 PM
Cc: Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>; Rochelle Lacapa <rochelle.lacapa@navajocountyaz.gov>
Subject: Follow-up to Call to the Public

Supervisors,

For your information and reference, we have already responded to some of the main follow-up requests presented at today's Call to the Public. As requested, we sent the requestor the certifications for ES&S (staff will also post these to the website shortly). The Board was also asked regarding the logs of the ES&S software. We let the requestor know that the report of activity on the ES&S system is available in the 'Elections' section under the subheading 'Election Results' and in the drop-down list for '2024' you'll see a file called "Elections Management Report".

Please let me know if you have any questions or concerns—regards,

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Tuesday, June 11, 2024 6:35 PM
To: Jason Wh

Appreciate your time today attending the Board meeting. I hope you'll have a chance to review the materials that have been posted to the County website in the 'Information and FAQs' subheading of the 'Elections' section. There are still a couple of your questions outstanding that staff are working on, but the majority have responses and there is a lot of new information posted there.

Regarding your question below, perhaps there is a misunderstanding. From what Bryan has shared, the DS200s and the PollPads have separate functions and are on completely separate systems. The DS200s are not connected to the internet and don't 'talk' to other computers. They also come programmed from ES&S. PollPads are securely connected to the internet for real-time voter verification. Regarding the voter in Whiteriver you mentioned, Bryan has looked into that and has more information that documents what happened.

Regards,

BRYAN LAYTON

County Manager

Navajo County

From: celiajoanlaughlin@proton.me <celiajoanlaughlin@proton.me>

Sent: Monday, June 10, 2024 10:36 PM

To: Jason Whiting <jason.whiting@navajocountyaz.gov>

Cc: Celia Laughlin <celia.laughlin@yahoo.com>; belinda@godswhls.com <belinda@godswhls.com>; KellyMeixler@proton.me <KellyMeixler@proton.me>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>

Subject: Re: Update on our conversation last week

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Jason,

After I've had time to process my thoughts on this, I noticed one thing that I had not initially noticed. It said that due to operator error on the DS 200 that the White river resident, I would have to ask who was the operator that caused the air? It could not have been the pole workers because they weren't operating the DS 200. It didn't happen to the ballot voter because it was at the pole pad where she was told she had already voted. So it would have to have taken place at the actual tabulator. The DS 200.

Knowing that, brings me to the conclusion that operator error seems to mean that the programmer of the DS 200 made the error. ENS has had to change their count results several times across the country because of programming error. Was this what caused that error and is this why you are pulling back the 200s?

If it was, I would just ask what the name of the programmer was. Of course I would keep this confidential, but just because I want to know if you know the name of the programmer.... If that's the case.

I really really am hoping that we're going to the right place with this. I feel like we are...only if we get the assessment of the 850 before the vote, but even so, it may get us to a hand count at the polling locations. I've got a really very successful hand count model to share with you that I know our poll workers and People within this community would LOVE to be a part of,

...and it would make this an absolutely exciting opportunity to “GET OUT TO VOTE!” And call on all citizens to become a part of the process!

Thank you Jason!

Sent from [Proton Mail](#) for iOS

On Mon, Jun 10, 2024 at 3:20 PM, Jason Whiting <jason.whiting@navajocountyaz.gov> wrote:

Good afternoon everyone,

Thank you for your time to meet last week and appreciate the discussion. When we meet last week we said we would be sure to touch base and provide an update early this week. That is the purpose of this email and I wanted to touch base on two of those items:

1. Questions regarding the DS200 tabulators—we have assembled responses to many of the questions and have prepared an updated Q&A handout which will be posted to the County website tomorrow in the 'Elections' section under 'Information and FAQs'. This should be posted by noon tomorrow. We will continue to work on the remaining questions.
2. Board consideration to discontinue use of DS200 tabulators and return to only using central count—after looking into the DS200s more, staff's opinion is that there is appropriate security and protections in-place. However, it is also the opinion of staff that the DS200 on-site tabulators have not helped us achieve the efficiencies here in Navajo County that we had anticipated. As you know, there was an instance of operator error at the Whiteriver location which caused confusion. For now, staff feels that the best way to tabulate ballots is to do it all at central count where everything is directly observed by law enforcement, republicans, democrats, and streamed live on the website. At tomorrow's BOS meeting, staff will ask the Board to vote to discontinue the use of DS200s. If the Board chooses to continue to use the DS200s, staff will focus on poll worker training and oversight to mitigate operator error.

Thanks again and I wanted to be sure to touch base with you and provide an update as we talked about.



Jason E. Whiting
District III Supervisor

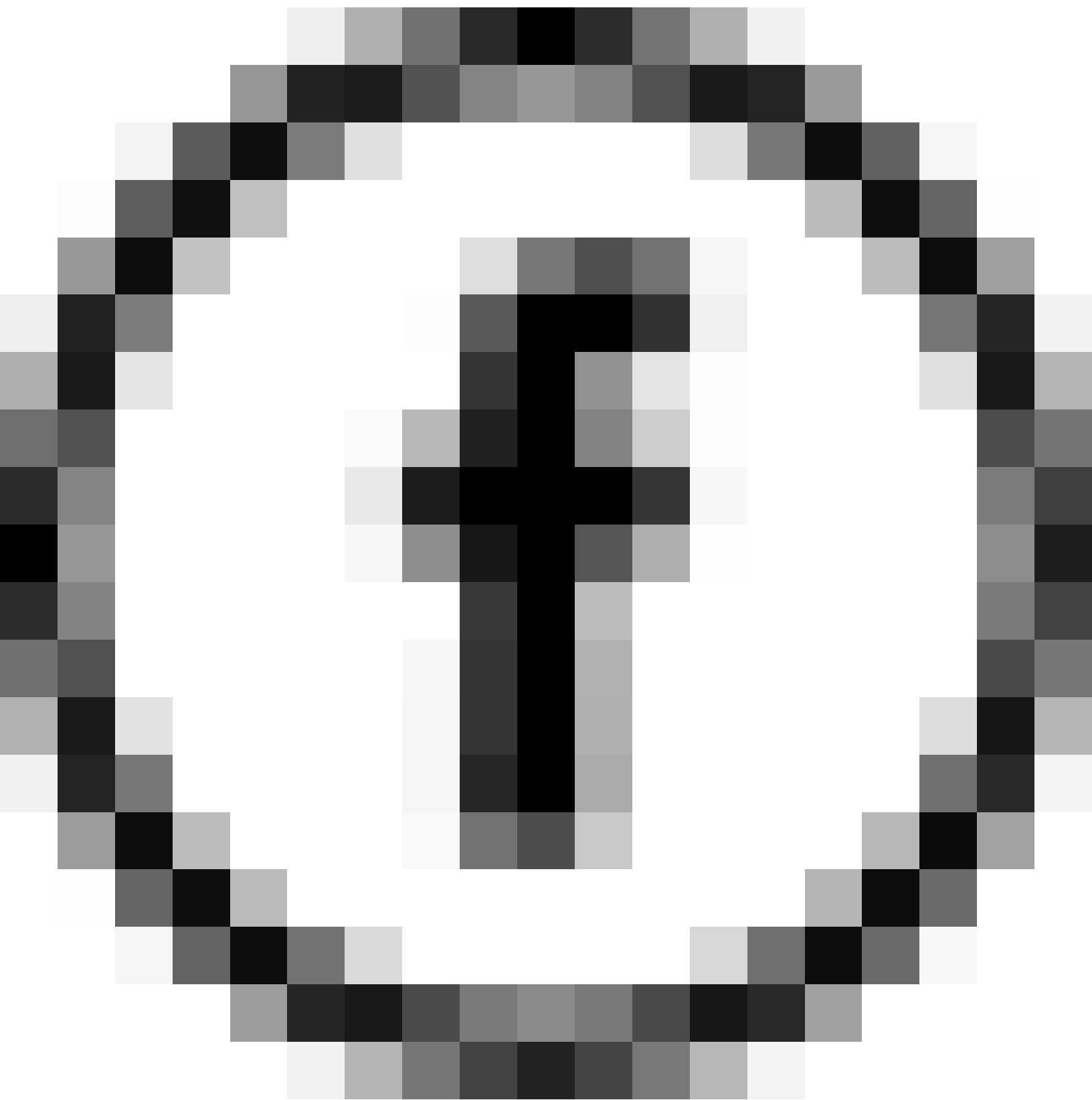


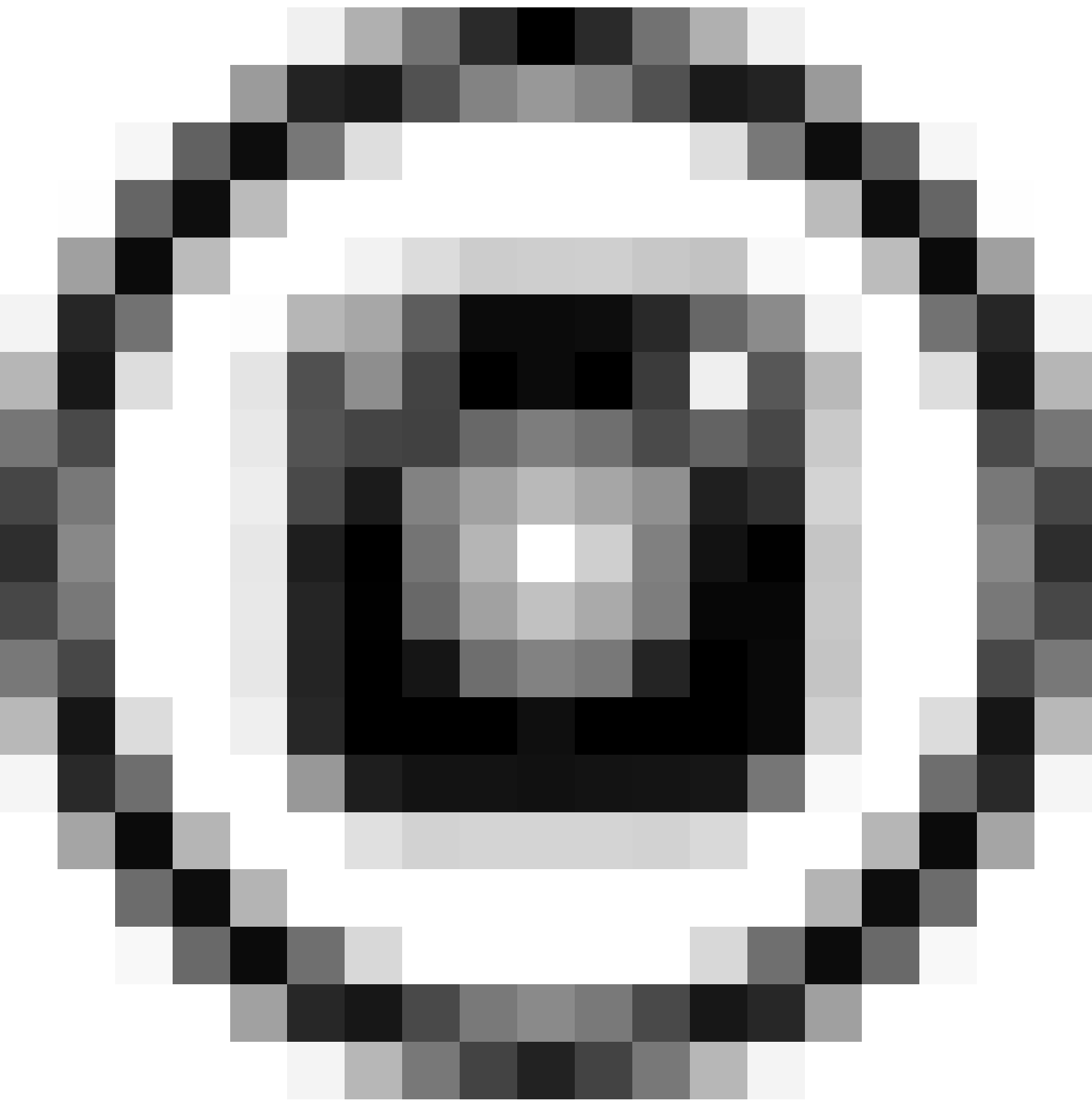
Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

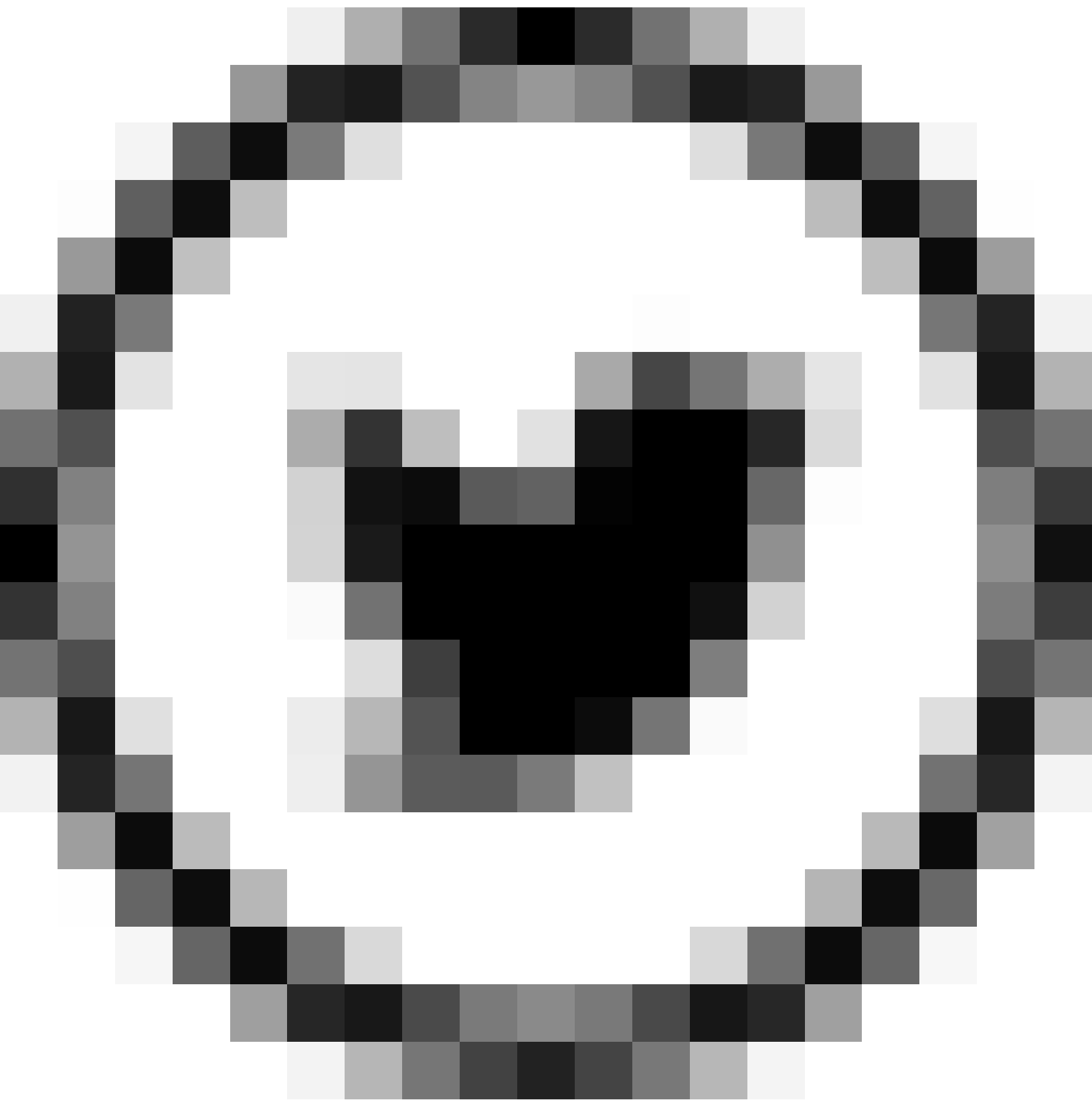
Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

Teamwork | Accountability | Integrity | Excellence | Innovation







From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Re: HB2305 - 561R - Senate Fact Sheet
Date: Wednesday, July 17, 2024 8:07:34 AM

Thanks

From: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Sent: Wednesday, July 17, 2024 8:00:51 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: RE: HB2305 - 561R - Senate Fact Sheet

Yes, I will have the her party chair contact her. Thank you!

From: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Sent: Wednesday, July 17, 2024 7:48 AM
To: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Subject: Fwd: HB2305 - 561R - Senate Fact Sheet

Goodmorning Rayleen,
Could you respond to Teena Parham regarding her request.
Thanks,
Daryl

From: Teena Parham <teenalp@icloud.com>
Sent: Wednesday, July 17, 2024 7:11:41 AM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: HB2305 - 561R - Senate Fact Sheet

[You don't often get email from teenalp@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Caution: This email originated from outside of Navajo County.

https://www.azleg.gov/legtext/56leg/1R/summary/S.2305ELEC_ASPASSED_COW.DOCX.htm

Hey Mr. Supervisor. I would like to volunteer to hand count. The above link shows it can be done.

Teena Parham

Overgaard

From: Daryl Seymore
To: [Adrian Fontes](#); [Jason Whiting](#); [Fern Benally](#); [Alberto Peshlakai](#); [Dawnafe Whitesinger](#)
Cc: [Michael Sample](#); [Rayleen Richards](#); [Brad Carlyon](#); [Melissa Buckley](#)
Subject: Re: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit
Date: Tuesday, May 28, 2024 3:19:20 PM
Attachments: [Outlook-kzyvbimk.png](#)

From: Adrian Fontes <afontes@azsos.gov>
Sent: Thursday, May 23, 2024 11:09:49 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Fern Benally <fern.benally@navajocountyaz.gov>; Alberto Peshlakai <Alberto.Peshlakai@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Dawnafe Whitesinger <Dawnafe.Whitesinger@navajocountyaz.gov>
Cc: Michael Sample <Michael.Sample@navajocountyaz.gov>; Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Brad Carlyon <Bradley.Carlyon@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: Letter re: Legality of Hand Tabulation of Ballots, Expanding the Hand Count Audit

Some people who received this message don't often get email from afontes@azsos.gov. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Dear Navajo County Board of Supervisors,

Attached is a letter outlining my concerns with the legality of hand tabulation of an election and expanding the hand count audit. It's my hope this letter will put to rest the legality of these notions. I look forward to work with you, continuing to carry out safe, free, and transparent elections in Arizona.

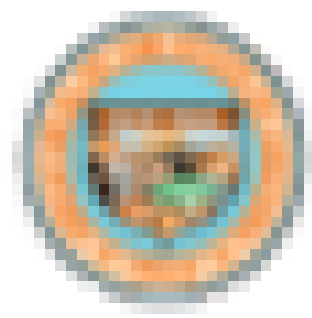


Adrian Fontes
Arizona Secretary of State

Arizona Secretary of State | <https://azsos.gov>

1700 W. Washington St., 7th Fl. | Phoenix, AZ 85007

This message and any messages in response to the sender of this message may be subject to a public records request.



ADRIAN

FONTES

SECRETARY OF STATE

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Cc: [Daryl Seymore](#); [Rochelle Lacapa](#)
Subject: Re: Ninth Circuit Court Ruling
Date: Friday, July 26, 2024 11:01:12 AM

Thank you

On Jul 26, 2024, at 10:29 AM, Bryan Layton
<Bryan.Layton@navajocountyaz.gov> wrote:

Chairman and Supervisor - just FYI that we have responded to Steve directly on this. Rochelle spent quite a bit of time yesterday working with the County Attorney's Office to clarify the ruling, and our understanding is consistent with others (as seen in the article below).

Please feel free the language below that Rochelle developed to respond to other inquiries on this topic.

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Friday, July 26, 2024 10:26 AM
To: SBStrains <SBStrains@proton.me>
Subject: Re: Ninth Circuit Court Ruling

Steve,

Appreciate you reaching out. We are aware of the 9th Circuit Court of Appeals ruling in the Mi Familia case and have taken steps to ensure Navajo County is in full compliance with the partial stay order entered by the 9th Circuit Court of Appeals as well as all State, and Federal laws. We found that the ruling is summarized pretty well in the following article:

<https://www.kawc.org/news/2024-07-18/decision-by-9th-court-provides-clarity-about-citizenship-and-voter-registration-in-arizona>

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 25, 2024 12:41 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>; County Manager <CountyManager@navajocountyaz.gov>
Subject: Ninth Circuit Court Ruling

Caution: This email originated from outside of Navajo County.

Good afternoon Daryl, Jason and Bryan,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

This means that we have a major change that must be addressed immediately with regard to our voting processes and the system. ANY AND ALL "FEDERAL ONLY" ballots that have already been cast must be removed and discarded as not applicable. ANY AND ALL ballots that have been received by mail, or via a drop box, whereby the registrant has not already proven citizenship must legally be discarded and shall not be counted in this July 30 Primary Election.

To be clear, as this is now the law, ONLY U.S. CITIZENS AND CITIZENS OF ARIZONA MAY VOTE IN ELECTIONS IN ARIZONA. PERIOD!

We, the citizens of Navajo County demand that all mail-in ballots and ballots received in Drop Boxes be re-examined to be absolutely certain that the registrant is a citizen of both the United States and of the State of Arizona. ANY ballots marked "Federal Only" are to be discarded and shall not be counted! An examination and audit after the election which results in illegal ballots being found counted can and will be a cause of action to refuse certification of the election.

We hold the Navajo County Board of Supervisors, the Navajo County Recorder, and Recorder's Office, and the Navajo County Elections Department responsible to insure that ONLY U.S. AND ARIZONA RESIDENTS are allowed to vote in both the July 30 Primary, and the General Election held later this year for all ballots cast, mail-in, Drop Boxes, and cast in person on Election Day.

Respectfully,

Steve Carvajal
CEO
SBS Training Solutions, LLC
www.sbstrains.com

From: [Jason Whiting](#)
To: [Bryan Layton](#)
Cc: [Daryl Seymore](#); [Rochelle Lacapa](#)
Subject: Re: Ninth Circuit Court Ruling
Date: Friday, July 26, 2024 11:01:16 AM

Thank you

On Jul 26, 2024, at 10:29 AM, Bryan Layton
<Bryan.Layton@navajocountyaz.gov> wrote:

Chairman and Supervisor - just FYI that we have responded to Steve directly on this. Rochelle spent quite a bit of time yesterday working with the County Attorney's Office to clarify the ruling, and our understanding is consistent with others (as seen in the article below).

Please feel free the language below that Rochelle developed to respond to other inquiries on this topic.

Bryan Layton
County Manager
Navajo County

From: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Sent: Friday, July 26, 2024 10:26 AM
To: SBStrains <SBStrains@proton.me>
Subject: Re: Ninth Circuit Court Ruling

Steve,

Appreciate you reaching out. We are aware of the 9th Circuit Court of Appeals ruling in the Mi Familia case and have taken steps to ensure Navajo County is in full compliance with the partial stay order entered by the 9th Circuit Court of Appeals as well as all State, and Federal laws. We found that the ruling is summarized pretty well in the following article:

<https://www.kawc.org/news/2024-07-18/decision-by-9th-court-provides-clarity-about-citizenship-and-voter-registration-in-arizona>

From: SBStrains <SBStrains@proton.me>
Sent: Thursday, July 25, 2024 12:41 PM
To: Jason Whiting <jason.whiting@navajocountyaz.gov>; Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>; County Manager <CountyManager@navajocountyaz.gov>
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Respectfully,

Steve Carvajal
CEO
SBS Training Solutions, LLC
www.sbstrains.com

From: [Daryl Seymore](#)
To: [Rayleen Richards](#)
Subject: Re: ONLY CITIZENS MAY VOTE IN ARIZONA
Date: Thursday, July 25, 2024 2:42:22 PM

Thank you.

Get [Outlook for Android](#)

From: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>
Sent: Thursday, July 25, 2024 2:31:37 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>; Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>; Michael Sample <Michael.Sample@navajocountyaz.gov>
Subject: RE: ONLY CITIZENS MAY VOTE IN ARIZONA

I am including Mike since this effects his office. They are aware of this, and Rochelle is putting together a statement to send out to the Supervisors.

From: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Sent: Thursday, July 25, 2024 2:06 PM
To: Bryan Layton <Bryan.Layton@navajocountyaz.gov>
Cc: Rayleen Richards <Rayleen.Richards@navajocountyaz.gov>; Melissa Buckley <Melissa.Buckley@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

I am sharing this with you. I will ask if we have done this.

Thanks

Get [Outlook for Android](#)

From: Voter Intergrity <VotesNav@proton.me>
Sent: Thursday, July 25, 2024 1:37:28 PM
To: Daryl Seymore <daryl.seymore@navajocountyaz.gov>
Subject: ONLY CITIZENS MAY VOTE IN ARIZONA

You don't often get email from votesnav@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Attn: BoS Daryl Seymore,

You are formally on Notice,

On July 18th of this year, the United States Court of Appeals for the Ninth Circuit rendered an important decision with regard to voters and voting in Arizona. The Court held that "ONLY CITIZENS MAY VOTE IN ARIZONA" and that "ANY PERSON WHO ATTEMPTS TO REGISTER WITHOUT PROPER PROOF OF CITIZENSHIP WILL BE REJECTED". This is now the law!

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Sent with [Proton Mail](#) secure email.

From: [Jason Whiting](#)
To: [SBStrains](#)
Cc: [Daryl Seymore](#); [Bryan Layton](#); [Melissa Buckley](#)
Subject: Re: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:20:39 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Steve,

I wanted to follow up with you on this email. After we had breakfast it was my understanding that you would be sending an outline of what all you wanted to have happen and that the person you had been working with would send a list of what he wanted to do so we could review those items in preparation to continuing the conversation. I did get your below email but did not understand it to be the email that outlined what we talked about.

Can you have the person your working with provide you or send to us a list of the items they are hoping to be able to do?

I am sorry I should have asked after you sent this but assumed you would be sending the more detailed list of items. Can you do that by chance?

Thanks,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

Teamwork | Accountability | Integrity | Excellence | Innovation

On Jul 11, 2024, at 6:46 AM, SBStrains <SBStrains@proton.me> wrote:

You don't often get email from sbstrains@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

Good morning Jason and Daryl,

Thank you for your time yesterday to discuss conducting a security assessment with regard to Navajo County's election machines and processes. As we discussed, this is an excellent means to determine that the machines and processes are safe and secure.

There isn't any downside to having a security assessment completed by a recognized expert in the field, such as the individual I mentioned, Clay Parikh. He is certified at many levels, including conducting the same type of security assessments on/at military and nuclear installations. He spent many years working as a leader for the testing laboratory that conducted all of tests to certify every major manufacturer of election systems machinery. I, personally do not know of anyone more capable of conducting such a security assessment for our election systems.

I have personally worked with Clay on previous security assessments on various high-security operations and sites for the military and will personally vouch for his integrity, honesty, and competence. My company, SBS Training Solutions, will be happy to assume the costs associated to bring Clay in to perform this assessment. The County will not be required to spend any monies with regard to Clay's time or efforts. The assessment will take no more than 2 business days to complete and should provide minimal disruption of any/all County business, other than asking questions of individuals, etc. We would strongly advise that any and all County IT personnel take part in this security assessment so that they may learn how to conduct many of the test themselves going forward as an ongoing security process development plan. This assessment will NOT require any "opening of the hood" of any of the machines. This will not violate any warranty factors with ES&S, with the poll pads, or any other systems utilized for the elections.

In my humble opinion, it would not be practical, (if even possible), to attempt to conduct this security assessment before the July 30 primary election as the County Elections Department is in the process of making ready for the upcoming Primary Election, 19 days hence. Therefore, I would suggest that we seek to have this security assessment take place between August 15 - August 30, giving time to complete the Primary elections and deal with any post-primary issues.

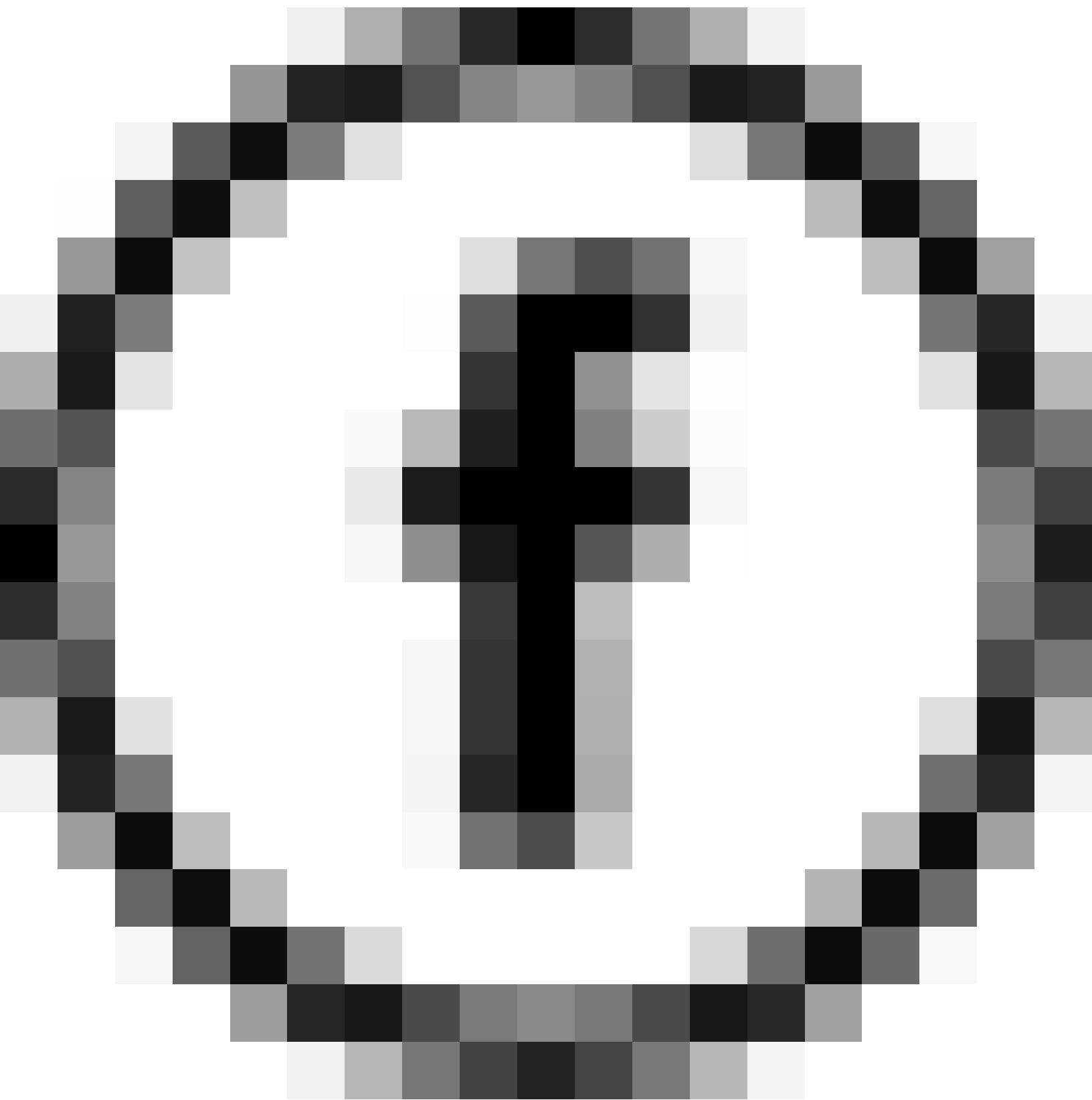
Conducting this security assessment is a big win/win for all concerned.

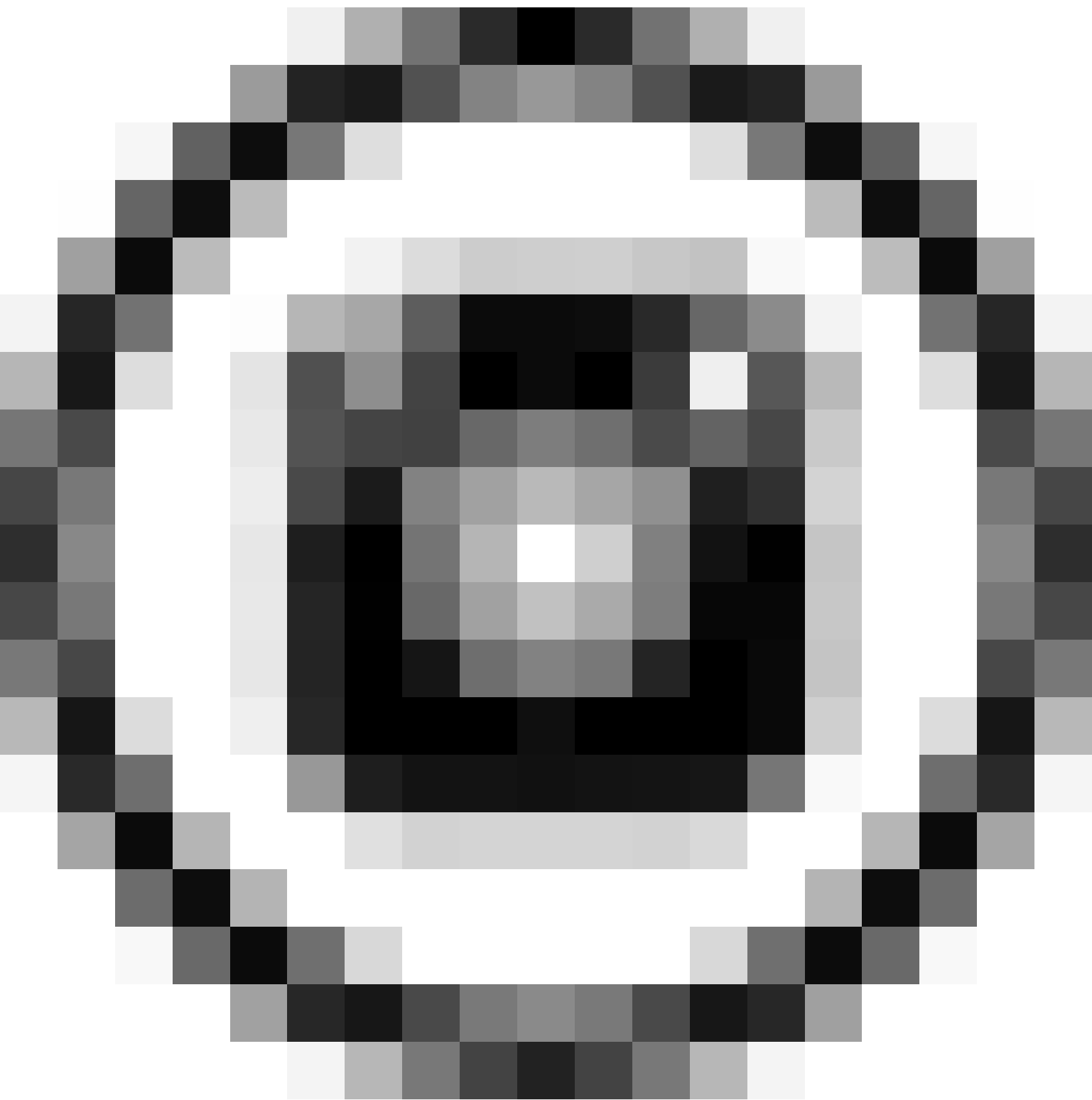
Please let me know if you have any questions or comments.

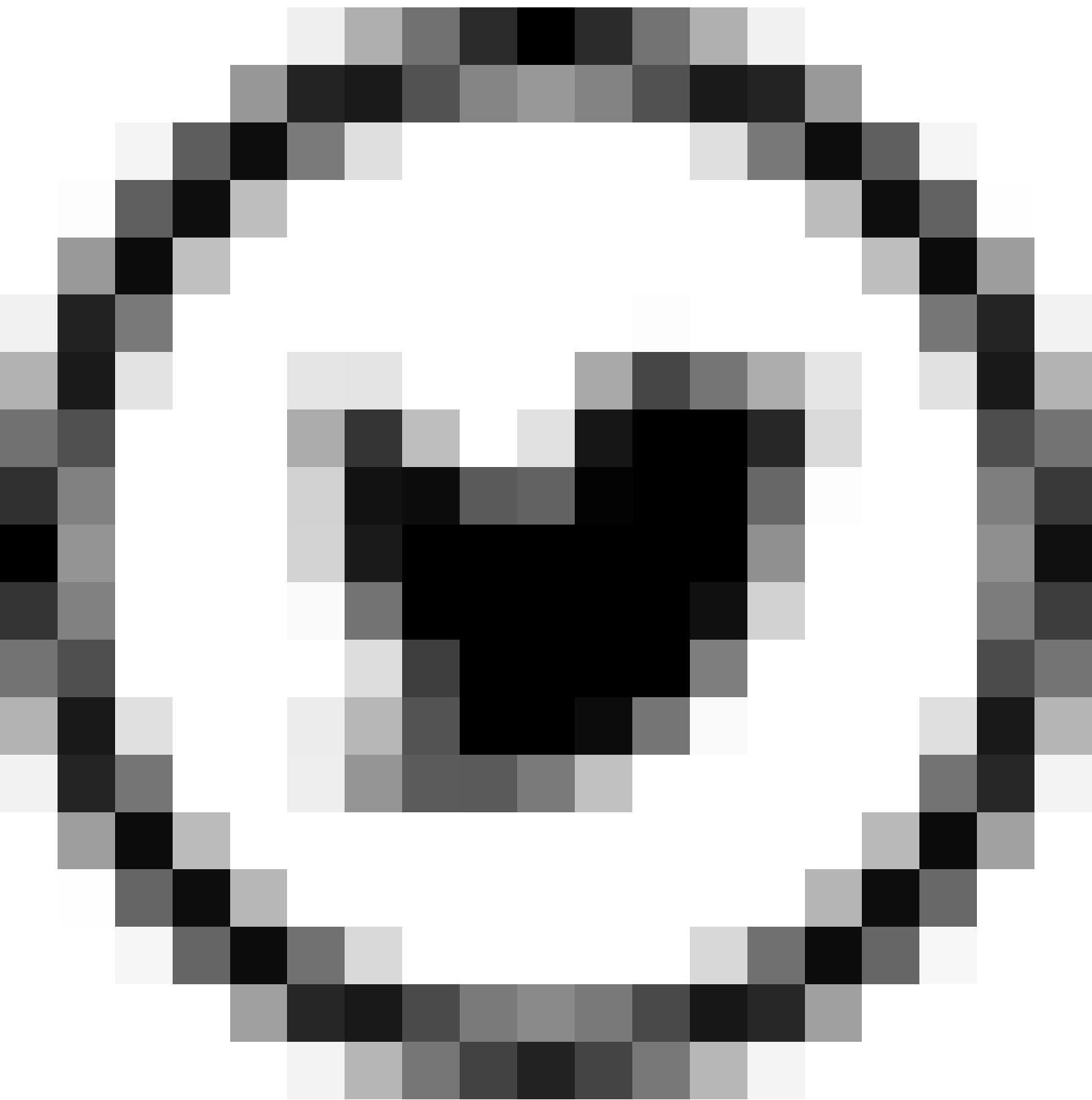
Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)

www.sbstrains.com







From: [Jason Whiting](#)
To: [SBStrains](#)
Cc: [Daryl Seymore](#); [Bryan Layton](#); [Melissa Buckley](#)
Subject: Re: Security Assessment for Election Machines and Processes
Date: Tuesday, July 23, 2024 1:20:43 PM
Attachments: [image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

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I wanted to follow up with you on this email. After we had breakfast it was my understanding that you would be sending an outline of what all you wanted to have happen and that the person you had been working with would send a list of what he wanted to do so we could review those items in preparation to continuing the conversation. I did get your below email but did not understand it to be the email that outlined what we talked about.

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Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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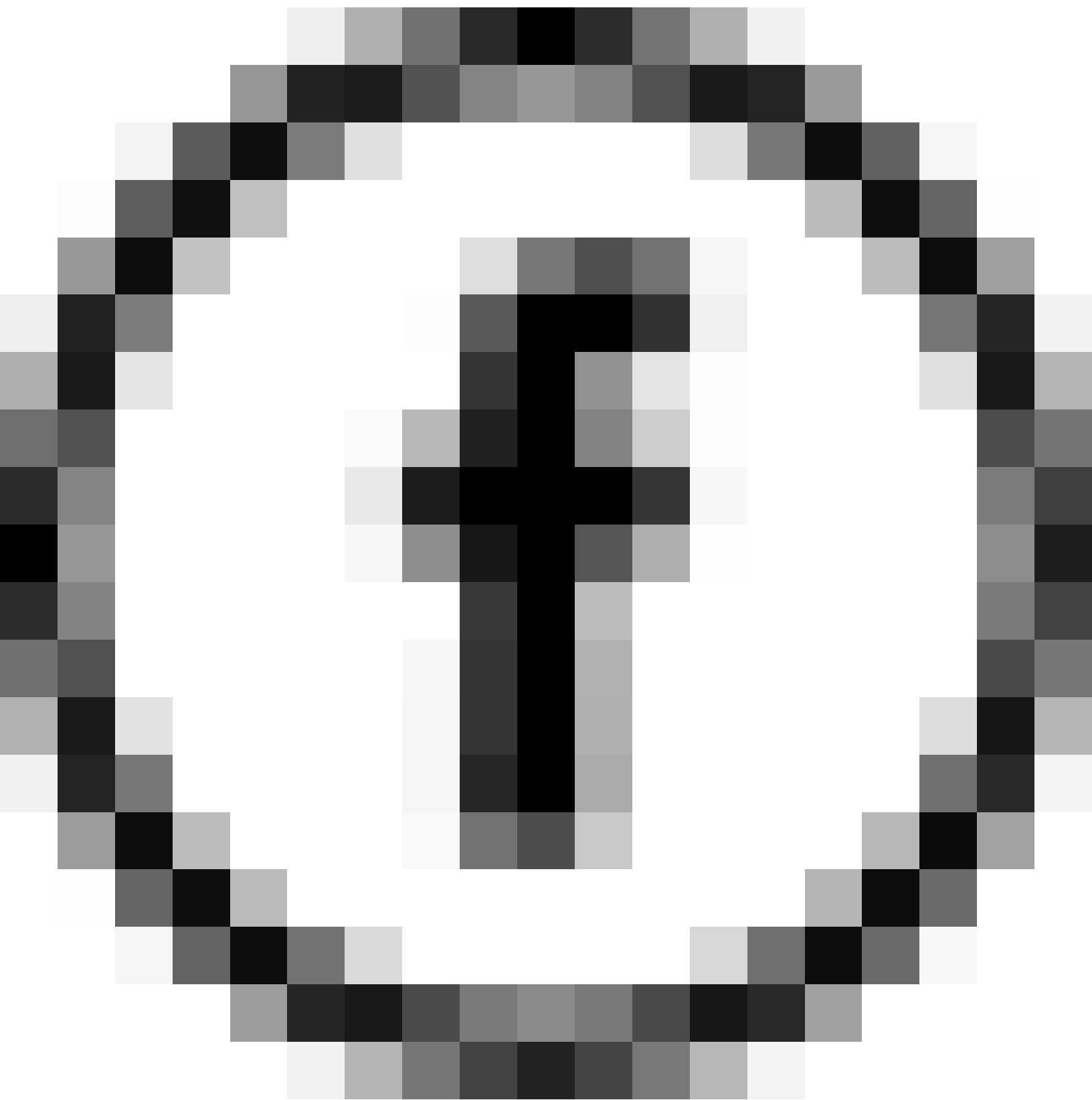
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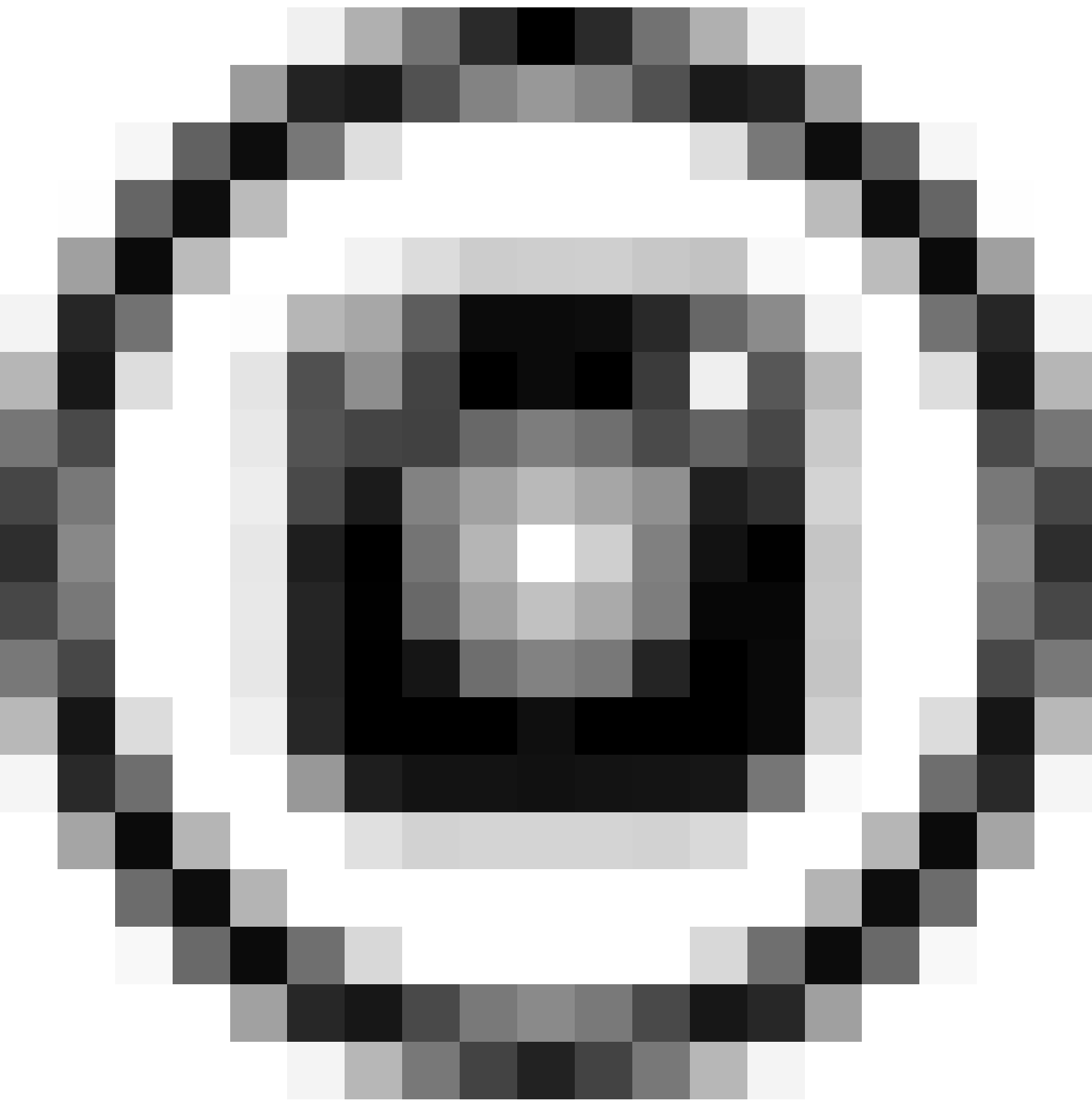
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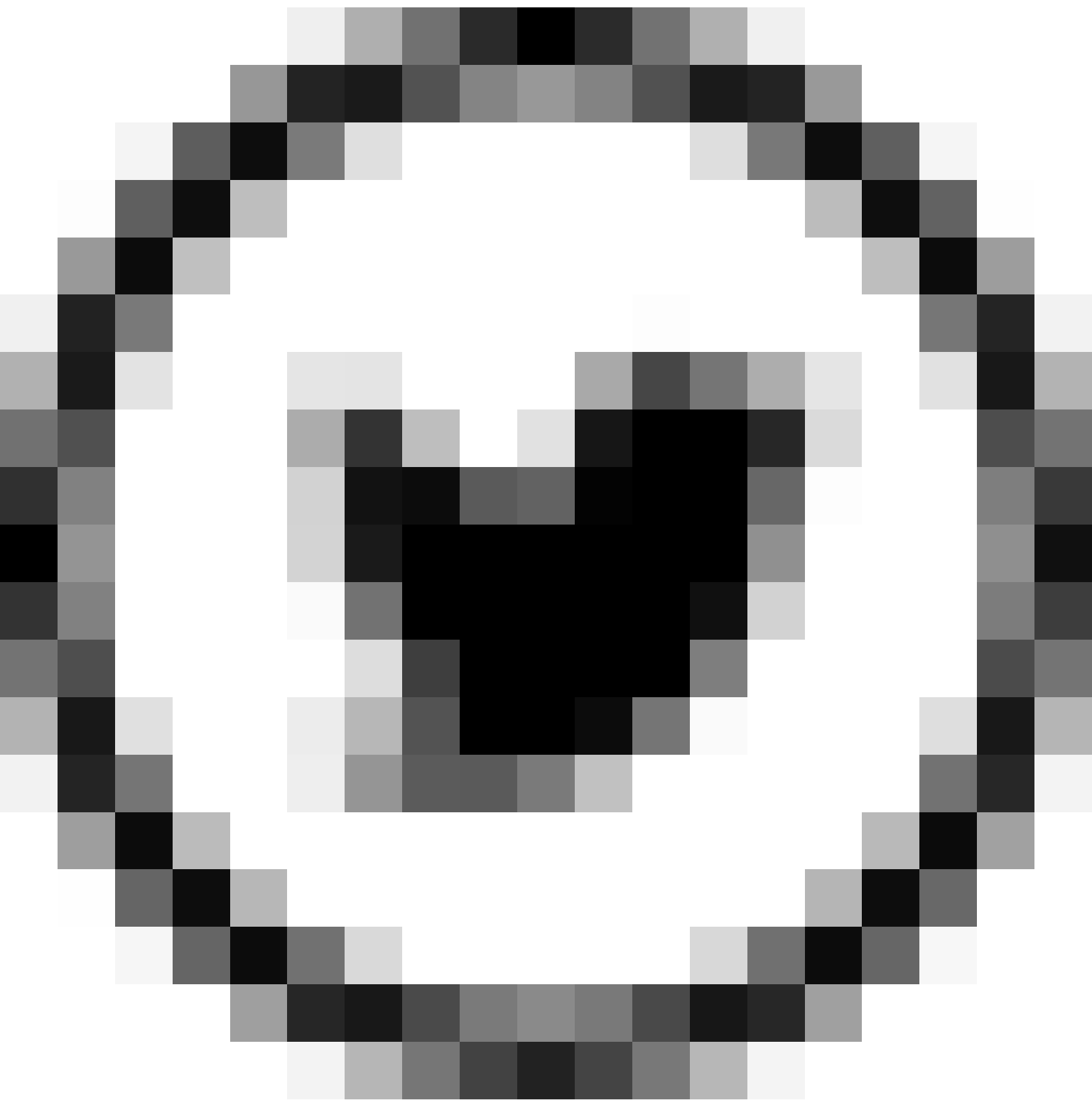
Thank you,

Steve R. Carvajal
CEO
SBS Training Solutions
480-620-7490 (c)

www.sbstrains.com







From: [Jason Whiting](#)
To: celiajoanlaughlin@proton.me
Subject: Re: Today at the Board of Supervisors Meeting!
Date: Friday, May 17, 2024 12:37:28 PM
Attachments: [arizona...son.pdf](#)
[Letter to...docx](#)
[Letter to...docx](#)

Good afternoon,

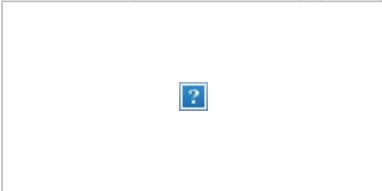
Thank you for your email and the request for me to take some time and read through it and get back to you. I am certainly happy to read through what you have put together and will be in touch but wanted to thank you for sending this my way.

Sincerely,

<!--[if !vml]-->



Jason E. Whiting
District III Supervisor
Work: 928.524.4053 Fax: 928.524.4239
Email: jason.whiting@navajocountyaz.gov
Web: www.navajocountyaz.gov
Address: 100 East Code Talkers Drive, Holbrook, AZ 86025
Teamwork | Accountability | Integrity | Excellence | Innovation



On May 16, 2024, at 4:03 PM, celiajoanlaughlin@proton.me wrote:

You don't often get email from celiajoanlaughlin@proton.me. [Learn why this is important](#)

Caution: This email originated from outside of Navajo County.

MAY 16, 2024

SUPERVISOR JASON WHITING

I am writing this email to follow your directions, specifically that you gave to me at the Board of Supervisors Meeting wherein you told me to speak to you, call your office and you would meet with me personally, regarding the Integrity of our Elections. I have several very important grievances and I also have new information from Courts across the country rolling in daily with new material evidence discovered, as well as recent judgements and decisions and rulings made this week in other courts around the country, pertaining to matters that affect the machines we are using here. And that seriously validates the citizens concerns.

I want to make an appointment with you specifically, because you said that if I reached out to you that you personally, would see to it that we are answered and given a meeting.

You said that have answered my questions and that someone else is working on this with our party leaders. I had new information that I have not shared with anybody. I also know that you shut me down. This is not party related, as you simply assumed when you informed us that. you were dealing with party leadership. I had news that would possibly change a little bit of the trajectory in which these things were moving. Who would know...unless I said it. (It was not in Melissa Buckleys letter that I handed her, but I was given it right before the meeting which is why I needed more speaking time.

I am attaching documents with this email that I thought you may want to spend some time studying before we meet again, because you gravely denied me my AZSC A1S21 AND AZSC A1 S4 AND AZSC A1 S6 rights. You imposed upon my Right to Free Speech, my 1st Amendment Right, teetering on my 5th Amendment Right and my 14th Amendment Right and I was not OUT OF ORDER! AZSC A1 S21 is perpetual and not event limited.

https://share.icloud.com/photos/0bc_FAJYzQBEunV3b-JcZzDw
<https://share.icloud.com/photos/015c97wKf4aaddHe3A-aHydgQ>
<https://share.icloud.com/photos/031kWT0z9qP5cZrAyxEVwqGhw>

So please, Definitely read up on this material before you ever tell your voters again, that we cannot express our thoughts or convictions in our Board of Supervisors Meetings, which is exactly the place to speak to our Board and get it on record. ... which I had spent numerous hours the night before. Simply trying to tighten up all the information I had to fit is just above 3 minutes took awhile.

You have had 2, OVER 2 years to address the citizens in this county and respond to what they have been asking for. Re-mapping was, at best a hoax. At worst? It was deceptive patronizing that resulted in giving one party more precincts with Democrat only voters and 2 EMPTY PRECINCTS, gaining only 5. Not Good. But I did not get to express that. And that is not on record. So you denied me THAT right.

THAT was your Solution? That is news!

I had THAT news in my hand, but since you oppressed me, interrupted me, humiliated me, obsonding me childishly, intimidated me, treated me with a lack of respect that I have not been treated before, in a public forum of all places. and you left me disarmed. I left out some pertinent information. After reading through the AZ Constitution and counseling with lawyers, I am now aware that this should not ever happen again.

You took that time away from me when you decided you were not allowing citizens to yield their time to someone else. We were actually going to save you time....as my speech was not going to take a full extra 3 minutes. So you basically LOST time in that Board Meeting with us. You spent MORE time on repeating yourself literally breaking our 1st Amendment Rights and telling us what we could and could not say, and less time allowing your citizens to creatively save time for the Board. You see? We were actually trying to help YOU for time. In the end, Our AZ Constitution and our US Constitution are beautifully written with divine wisdom and inspiration, to adequately secure peace and order between the government and the people, if both parties obey them. You were the party that did not obey them on Tuesday morning. If we stick to the Constitution and Roberts Rules of Order, ALL matters would simply fall into place with peace and tranquility.

Here are some things you may want to help out with. 1) Can we talk about the Preservation of 2022 Ballots,etc. beyond the 22 months coming soon. 2) When day can you meet before the net BOS? 3) Where? 4) What time?

CTCL GRANT REPORT:

https://share.icloud.com/photos/00bUjLAh6JlmjBXCiV8sCT_CA

Attached are some flyers that are going out in regard to the afore-mentioned meeting.
The Az. Constitution

Celia Laughlin
928-242-6003
Celia.laughlin@gmail.com

Sent with [Proton Mail](#) secure email.

----- Forwarded Message -----

From: votesnav@proton.me <votesnav=proton.me@vrmailer3.com>
Date: On Tuesday, May 14th, 2024 at 6:14 PM
Subject: Today at the Board of Supervisors Meeting!
To: celiajoanlaughlin@proton.me <celiajoanlaughlin@proton.me>

[View this email in your browser](#)

Voter Integrity Newsletter

Today at the BOS Meeting!!!

The BOS (Board of Supervisors) sets the rules in advance and post them online for all to see. The CALL TO THE PUBLIC, (as stated on the Agenda) *“Individuals may address the Board on any relevant issue for up to 3 minutes”*. Whiting opted to change the rules and violate our rights to free speech and to address our grievances as is guaranteed by the 1st amendment of the US constitution. He censored it if he didn't deem it as “new”, we were cut short or removed. He also said that there was a “forum” where we could address our grievances regarding the election subjects. We have not been informed that there is such a form. A one-on-one meeting is not a forum and a phone call to one of the board members of the election officials is not a forum of which would not be part of the public record. They do not want us on record.

Whiting violated his oath of office, the Arizona constitution, and the US constitution. He violated all our civil rights. Supervisor Whiting was wrong on so many levels and is unfit to be a supervisor. He needs to resign without delay! And all those who continue to trample on our right to free speech in this Navajo County Public Forum.

Upcoming Events

Meet The Candidates

Dream City Church
4703 Vallery Lane
Lakeside, AZ 85929

Thursday, May 16th 6pm

Board of Supervisors Meeting

Board of Supervisors Chambers
100 East Code Talkers Drive,
Holbrook, AZ

Tuesday, May 28th @ 9am

Check out the links below for clips and the meeting in full.

BOS Meeting 5-14-24
Video

Prayer by Jason Whiting

Belinda - Sheriffs

Click to [edit Email Preferences](#) or [Unsubscribe](#) from this list.

Voter Integrity
8765 bobcat drive
show low, az 85901 - United States
Telephone: 6366332251



Preamble

We the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution.

ARTICLE I. STATE BOUNDARIES

1. Designation of boundaries

The boundaries of the State of Arizona shall be as follows, namely: Beginning at a point on the Colorado River twenty English miles below the junction of the Gila and Colorado Rivers, as fixed by the Gadsden Treaty between the United States and Mexico, being in latitude thirty-two degrees, twenty-nine minutes, forty-four and forty-five one-hundredths seconds north and longitude one hundred fourteen degrees, forty-eight minutes, forty-four and fifty-three one-hundredths seconds west of Greenwich; thence along and with the international boundary line between the United States and Mexico in a southeastern direction to Monument Number 127 on said boundary line in latitude thirty-one degrees, twenty minutes north; thence east along and with said parallel of latitude, continuing on said boundary line to an intersection with the meridian of longitude one hundred nine degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being identical with the southwestern corner of New Mexico; thence north along and with said meridian of longitude and the west boundary of New Mexico to an intersection with the parallel of latitude thirty-seven degrees north, being the common corner of Colorado, Utah, Arizona, and New Mexico; thence west along and with said parallel of latitude and the south boundary of Utah to an intersection with the meridian of longitude one hundred fourteen degrees, two minutes, fifty-nine and twenty-five one-hundredths seconds west, being on the east boundary line of the State of Nevada; thence south along and with said meridian of longitude and the east boundary of said State of Nevada, to the center of the Colorado River; thence down the mid-channel of said Colorado River in a southern direction along and with the east boundaries of Nevada, California, and the Mexican Territory of Lower California, successively, to the place of beginning.

2. Alteration of state boundaries

Section 2. The legislature, in cooperation with the properly constituted authority of any adjoining state, is empowered to change, alter, and redefine the state boundaries, such change, alteration and redefinition to become effective only upon approval of the Congress of the United States.

ARTICLE II. DECLARATION OF RIGHTS

1. Fundamental principles; recurrence to

Section 1. A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government.

2. Political power; purpose of government

Section 2. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

2.1. Victims' Bill of Rights

Section 2.1. (A) To preserve and protect victims' rights to justice and due process, a victim of crime has a right:

1. To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.
2. To be informed, upon request, when the accused or convicted person is released from custody or has escaped.
3. To be present at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
4. To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
5. To refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.
6. To confer with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.
7. To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.
8. To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
9. To be heard at any proceeding when any post-conviction release from confinement is being considered.
10. To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.
11. To have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.
12. To be informed of victims' constitutional rights.

(B) A victim's exercise of any right granted by this section shall not be grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

(C) "Victim" means a person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused.

(D) The legislature, or the people by initiative or referendum, have the authority to enact substantive and procedural laws to define, implement, preserve and protect the rights

guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.

(E) The enumeration in the constitution of certain rights for victims shall not be construed to deny or disparage others granted by the legislature or retained by victims.

3. Supreme law of the land

Section 3. The Constitution of the United States is the supreme law of the land.

4. Due process of law

Section 4. No person shall be deprived of life, liberty, or property without due process of law.

5. Right of petition and of assembly

Section 5. The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.

6. Freedom of speech and press

Section 6. Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.

7. Oaths and affirmations

Section 7. The mode of administering an oath, or affirmation, shall be such as shall be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

8. Right to privacy

Section 8. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

9. Irrevocable grants of privileges, franchises or immunities

Section 9. No law granting irrevocably any privilege, franchise, or immunity shall be enacted.

10. Self-incrimination; double jeopardy

Section 10. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

11. Administration of justice

Section 11. Justice in all cases shall be administered openly, and without unnecessary delay.

12. Liberty of conscience; appropriations for religious purposes prohibited; religious freedom

Section 12. The liberty of conscience secured by the provisions of this constitution shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated

for or applied to any religious worship, exercise, or instruction, or to the support of any religious establishment. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned touching his religious belief in any court of justice to affect the weight of his testimony.

13. Equal privileges and immunities

Section 13. No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

14. Habeas corpus

Section 14. The privilege of the writ of habeas corpus shall not be suspended by the authorities of the state.

15. Excessive bail; cruel and unusual punishment

Section 15. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

16. Corruption of blood; forfeiture of estate

Section 16. No conviction shall work corruption of blood, or forfeiture of estate.

17. Eminent domain; just compensation for private property taken; public use as judicial question

Section 17. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes, or ditches, on or across the lands of others for mining, agricultural, domestic, or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having first been made, paid into court for the owner, secured by bond as may be fixed by the court, or paid into the state treasury for the owner on such terms and conditions as the legislature may provide, and no right of way shall be appropriated to the use of any corporation other than municipal, until full compensation therefore be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

18. Imprisonment for debt

Section 18. There shall be no imprisonment for debt, except in cases of fraud.

19. Bribery or illegal rebating; witnesses; self-incrimination no defense

Section 19. Any person having knowledge or possession of facts that tend to establish the guilt of any other person or corporation charged with bribery or illegal rebating, shall not be excused from giving testimony or producing evidence, when legally called upon to

do so, on the ground that it may tend to incriminate him under the laws of the state; but no person shall be prosecuted or subject to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may so testify or produce evidence.

20. Military power subordinate to civil power

Section 20. The military shall be in strict subordination to the civil power.

21. Free and equal elections

Section 21. All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

22. Bailable offenses

Section 22. A. All persons charged with crime shall be bailable by sufficient sureties, except:

1. For capital offenses, sexual assault, sexual conduct with a minor under fifteen years of age or molestation of a child under fifteen years of age when the proof is evident or the presumption great.
2. For felony offenses committed when the person charged is already admitted to bail on a separate felony charge and where the proof is evident or the presumption great as to the present charge.
3. For felony offenses if the person charged poses a substantial danger to any other person or the community, if no conditions of release which may be imposed will reasonably assure the safety of the other person or the community and if the proof is evident or the presumption great as to the present charge.
4. For serious felony offenses as prescribed by the legislature if the person charged has entered or remained in the United States illegally and if the proof is evident or the presumption great as to the present charge.

B. The purposes of bail and any conditions of release that are set by a judicial officer include:

1. Assuring the appearance of the accused.
2. Protecting against the intimidation of witnesses.
3. Protecting the safety of the victim, any other person or the community.

23. Trial by jury; number of jurors specified by law

Section 23. The right of trial by jury shall remain inviolate. Juries in criminal cases in which a sentence of death or imprisonment for thirty years or more is authorized by law shall consist of twelve persons. In all criminal cases the unanimous consent of the jurors shall be necessary to render a verdict. In all other cases, the number of jurors, not less than six, and the number required to render a verdict, shall be specified by law.

24. Rights of accused in criminal prosecutions

Section 24. In criminal prosecutions, the accused shall have the right to appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the

county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

25. Bills of attainder; ex post facto laws; impairment of contract obligations

Section 25. No bill of attainder, ex-post-facto law, or law impairing the obligation of a contract, shall ever be enacted.

26. Bearing arms

Section 26. The right of the individual citizen to bear arms in defense of himself or the state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.

27. Standing army; quartering soldiers

Section 27. No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

28. Treason

Section 28. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

29. Hereditary emoluments, privileges or powers; perpetuities or entailments

Section 29. No hereditary emoluments, privileges, or powers shall be granted or conferred, and no law shall be enacted permitting any perpetuity or entailment in this state.

30. Indictment or information; preliminary examination

Section 30. No person shall be prosecuted criminally in any court of record for felony or misdemeanor, otherwise than by information or indictment; no person shall be prosecuted for felony by information without having had a preliminary examination before a magistrate or having waived such preliminary examination.

31. Damages for death or personal injuries

Section 31. No law shall be enacted in this state limiting the amount of damages to be recovered for causing the death or injury of any person.

32. Constitutional provisions mandatory

Section 32. The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

33. Reservation of rights

Section 33. The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.

34. Industrial pursuits by state and municipal corporations

Section 34. The state of Arizona and each municipal corporation within the state of Arizona shall have the right to engage in industrial pursuits.

35. Actions by illegal aliens prohibited

Section 35. A person who is present in this state in violation of federal immigration law related to improper entry by an alien shall not be awarded punitive damages in any action in any court in this state.

ARTICLE III. DISTRIBUTION OF POWERS

Distribution of Powers

The powers of the government of the state of Arizona shall be divided into three separate departments, the legislative, the executive, and the judicial; and, except as provided in this constitution, such departments shall be separate and distinct, and no one of such departments shall exercise the powers properly belonging to either of the others.

ARTICLE IV. LEGISLATIVE DEPARTMENT

PART 1. INITIATIVE AND REFERENDUM

1. Legislative authority; initiative and referendum

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

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

(3) Referendum power; emergency measures; effective date of acts. The second of these reserved powers is the referendum. Under this power the legislature, or five per centum of the qualified electors, may order the submission to the people at the polls of any measure, or item, section, or part of any measure, enacted by the legislature, except laws immediately necessary for the preservation of the public peace, health, or safety, or for the support and maintenance of the departments of the state government and state institutions; but to allow opportunity for referendum petitions, no act passed by the legislature shall be operative for ninety days after the close of the session of the legislature enacting such measure, except such as require earlier operation to preserve the public peace, health, or safety, or to provide appropriations for the support and maintenance of the departments of the state and of state institutions; provided, that no such emergency measure shall be considered passed by the legislature unless it shall state in a separate section why it is necessary that it shall become immediately operative, and shall be approved by the affirmative votes of two-thirds of the members elected to each house of the legislature, taken by roll call of ayes and nays, and also approved by the governor; and should such measure be vetoed by the governor, it shall not become a law unless it shall be approved by the votes of three-fourths of the members elected to each house of the legislature, taken by roll call of ayes and nays.

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

(5) Effective date of initiative and referendum measures. Any measure or amendment to the constitution proposed under the initiative, and any measure to which the referendum is applied, shall be referred to a vote of the qualified electors, and shall become law when

approved by a majority of the votes cast thereon and upon proclamation of the governor, and not otherwise.

(6) (A) Veto of initiative or referendum. The veto power of the governor shall not extend to an initiative measure approved by a majority of the votes cast thereon or to a referendum measure decided by a majority of the votes cast thereon.

(6) (B) Legislature's power to repeal initiative or referendum. The legislature shall not have the power to repeal an initiative measure approved by a majority of the votes cast thereon or to repeal a referendum measure decided by a majority of the votes cast thereon.

(6) (C) Legislature's power to amend initiative or referendum. The legislature shall not have the power to amend an initiative measure approved by a majority of the votes cast thereon, or to amend a referendum measure decided by a majority of the votes cast thereon, unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to amend such measure.

(6) (D) Legislature's power to appropriate or divert funds created by initiative or referendum. The legislature shall not have the power to appropriate or divert funds created or allocated to a specific purpose by an initiative measure approved by a majority of the votes cast thereon, or by a referendum measure decided by a majority of the votes cast thereon, unless the appropriation or diversion of funds furthers the purposes of such measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to appropriate or divert such funds.

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

(8) Local, city, town or county matters. The powers of the initiative and the referendum are hereby further reserved to the qualified electors of every incorporated city, town, and county as to all local, city, town, or county matters on which such incorporated cities, towns, and counties are or shall be empowered by general laws to legislate. Such incorporated cities, towns, and counties may prescribe the manner of exercising said powers within the restrictions of general laws. Under the power of the initiative fifteen per centum of the qualified electors may propose measures on such local, city, town, or county matters, and ten per centum of the electors may propose the referendum on legislation enacted within and by such city, town, or county. Until provided by general law, said cities and towns may prescribe the basis on which said percentages shall be computed.

(9) Form and contents of initiative and of referendum petitions; verification. Every initiative or referendum petition shall be addressed to the secretary of state in the case of petitions for or on state measures, and to the clerk of the board of supervisors, city clerk, or corresponding officer in the case of petitions for or on county, city, or town measures; and shall contain the declaration of each petitioner, for himself, that he is a qualified elector of the state (and in the case of petitions for or on city, town, or county measures, of the city, town, or county affected), his post office address, the street and number, if any, of his residence, and the date on which he signed such petition. Each sheet containing petitioners' signatures shall be attached to a full and correct copy of the title

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

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

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

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

(13) Canvass of votes; proclamation. It shall be the duty of the secretary of state, in the presence of the governor and the chief justice of the supreme court, to canvass the votes for and against each such measure or proposed amendment to the constitution within thirty days after the election, and upon the completion of the canvass the governor shall forthwith issue a proclamation, giving the whole number of votes cast for and against each measure or proposed amendment, and declaring such measures or amendments as are approved by a majority of those voting thereon to be law.

(14) Reservation of legislative power. This section shall not be construed to deprive the legislature of the right to enact any measure except that the legislature shall not have the power to adopt any measure that supersedes, in whole or in part, any initiative measure approved by a majority of the votes cast thereon or any referendum measure decided by a majority of the votes cast thereon unless the superseding measure furthers the purposes of the initiative or referendum measure and at least three-fourths of the members of each house of the legislature, by a roll call of ayes and nays, vote to supersede such initiative or referendum measure.

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

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

2. [Penalty for violation of initiative and referendum provisions](#)

Section 2. The legislature shall provide a penalty for any wilful violation of any of the provisions of the preceding section.

PART 2. THE LEGISLATURE

1. Senate; house of representatives; members; special session upon petition of members; congressional and legislative boundaries; citizen commissions

Section 1. (1) The senate shall be composed of one member elected from each of the thirty legislative districts established pursuant to this section.

The house of representatives shall be composed of two members elected from each of the thirty legislative districts established pursuant to this section.

(2) Upon the presentation to the governor of a petition bearing the signatures of not less than two-thirds of the members of each house, requesting a special session of the legislature and designating the date of convening, the governor shall promptly call a special session to assemble on the date specified. At a special session so called the subjects which may be considered by the legislature shall not be limited.

(3) By February 28 of each year that ends in one, an independent redistricting commission shall be established to provide for the redistricting of congressional and state legislative districts. The independent redistricting commission shall consist of five members. No more than two members of the independent redistricting commission shall be members of the same political party. Of the first four members appointed, no more than two shall reside in the same county. Each member shall be a registered Arizona voter who has been continuously registered with the same political party or registered as unaffiliated with a political party for three or more years immediately preceding appointment, who is committed to applying the provisions of this section in an honest, independent and impartial fashion and to upholding public confidence in the integrity of the redistricting process. Within the three years previous to appointment, members shall not have been appointed to, elected to, or a candidate for any other public office, including precinct committeeman or committeewoman but not including school board member or officer, and shall not have served as an officer of a political party, or served as a registered paid lobbyist or as an officer of a candidate's campaign committee.

(4) The commission on appellate court appointments shall nominate candidates for appointment to the independent redistricting commission, except that, if a politically balanced commission exists whose members are nominated by the commission on appellate court appointments and whose regular duties relate to the elective process, the commission on appellate court appointments may delegate to such existing commission (hereinafter called the commission on appellate court appointments' designee) the duty of nominating members for the independent redistricting commission, and all other duties assigned to the commission on appellate court appointments in this section.

(5) By January 8 of years ending in one, the commission on appellate court appointments or its designee shall establish a pool of persons who are willing to serve on and are qualified for appointment to the independent redistricting commission. The pool of candidates shall consist of twenty-five nominees, with ten nominees from each of the two largest political parties in Arizona based on party registration, and five who are not registered with either of the two largest political parties in Arizona.

(6) Appointments to the independent redistricting commission shall be made in the order set forth below. No later than January 31 of years ending in one, the highest ranking officer elected by the Arizona house of representatives shall make one appointment to the independent redistricting commission from the pool of nominees, followed by one

appointment from the pool made in turn by each of the following: the minority party leader of the Arizona house of representatives, the highest ranking officer elected by the Arizona senate, and the minority party leader of the Arizona senate. Each such official shall have a seven-day period in which to make an appointment. Any official who fails to make an appointment within the specified time period will forfeit the appointment privilege. In the event that there are two or more minority parties within the house or the senate, the leader of the largest minority party by statewide party registration shall make the appointment.

(7) Any vacancy in the above four independent redistricting commission positions remaining as of March 1 of a year ending in one shall be filled from the pool of nominees by the commission on appellate court appointments or its designee. The appointing body shall strive for political balance and fairness.

(8) At a meeting called by the secretary of state, the four independent redistricting commission members shall select by majority vote from the nomination pool a fifth member who shall not be registered with any party already represented on the independent redistricting commission and who shall serve as chair. If the four commissioners fail to appoint a fifth member within fifteen days, the commission on appellate court appointments or its designee, striving for political balance and fairness, shall appoint a fifth member from the nomination pool, who shall serve as chair.

(9) The five commissioners shall then select by majority vote one of their members to serve as vice-chair.

(10) After having been served written notice and provided with an opportunity for a response, a member of the independent redistricting commission may be removed by the governor, with the concurrence of two-thirds of the senate, for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office.

(11) If a commissioner or chair does not complete the term of office for any reason, the commission on appellate court appointments or its designee shall nominate a pool of three candidates within the first thirty days after the vacancy occurs. The nominees shall be of the same political party or status as was the member who vacated the office at the time of his or her appointment, and the appointment other than the chair shall be made by the current holder of the office designated to make the original appointment. The appointment of a new chair shall be made by the remaining commissioners. If the appointment of a replacement commissioner or chair is not made within fourteen days following the presentation of the nominees, the commission on appellate court appointments or its designee shall make the appointment, striving for political balance and fairness. The newly appointed commissioner shall serve out the remainder of the original term.

(12) Three commissioners, including the chair or vice-chair, constitute a quorum. Three or more affirmative votes are required for any official action. Where a quorum is present, the independent redistricting commission shall conduct business in meetings open to the public, with 48 or more hours public notice provided.

(13) A commissioner, during the commissioner's term of office and for three years thereafter, shall be ineligible for Arizona public office or for registration as a paid lobbyist.

(14) The independent redistricting commission shall establish congressional and legislative districts. The commencement of the mapping process for both the

congressional and legislative districts shall be the creation of districts of equal population in a grid-like pattern across the state. Adjustments to the grid shall then be made as necessary to accommodate the goals as set forth below:

A. Districts shall comply with the United States Constitution and the United States voting rights act;

B. Congressional districts shall have equal population to the extent practicable, and state legislative districts shall have equal population to the extent practicable;

C. Districts shall be geographically compact and contiguous to the extent practicable;

D. District boundaries shall respect communities of interest to the extent practicable;

E. To the extent practicable, district lines shall use visible geographic features, city, town and county boundaries, and undivided census tracts;

F. To the extent practicable, competitive districts should be favored where to do so would create no significant detriment to the other goals.

(15) Party registration and voting history data shall be excluded from the initial phase of the mapping process but may be used to test maps for compliance with the above goals.

The places of residence of incumbents or candidates shall not be identified or considered.

(16) The independent redistricting commission shall advertise a draft map of congressional districts and a draft map of legislative districts to the public for comment, which comment shall be taken for at least thirty days. Either or both bodies of the legislature may act within this period to make recommendations to the independent redistricting commission by memorial or by minority report, which recommendations shall be considered by the independent redistricting commission. The independent redistricting commission shall then establish final district boundaries.

(17) The provisions regarding this section are self-executing. The independent redistricting commission shall certify to the secretary of state the establishment of congressional and legislative districts.

(18) Upon approval of this amendment, the department of administration or its successor shall make adequate office space available for the independent redistricting commission. The treasurer of the state shall make \$6,000,000 available for the work of the independent redistricting commission pursuant to the year 2000 census. Unused monies shall be returned to the state's general fund. In years ending in eight or nine after the year 2001, the department of administration or its successor shall submit to the legislature a recommendation for an appropriation for adequate redistricting expenses and shall make available adequate office space for the operation of the independent redistricting commission. The legislature shall make the necessary appropriations by a majority vote.

(19) The independent redistricting commission, with fiscal oversight from the department of administration or its successor, shall have procurement and contracting authority and may hire staff and consultants for the purposes of this section, including legal representation.

(20) The independent redistricting commission shall have standing in legal actions regarding the redistricting plan and the adequacy of resources provided for the operation of the independent redistricting commission. The independent redistricting commission shall have sole authority to determine whether the Arizona attorney general or counsel hired or selected by the independent redistricting commission shall represent the people of Arizona in the legal defense of a redistricting plan.

(21) Members of the independent redistricting commission are eligible for reimbursement of expenses pursuant to law, and a member's residence is deemed to be the member's post of duty for purposes of reimbursement of expenses.

(22) Employees of the department of administration or its successor shall not influence or attempt to influence the district-mapping decisions of the independent redistricting commission.

(23) Each commissioner's duties established by this section expire upon the appointment of the first member of the next redistricting commission. The independent redistricting commission shall not meet or incur expenses after the redistricting plan is completed, except if litigation or any government approval of the plan is pending, or to revise districts if required by court decisions or if the number of congressional or legislative districts is changed.

2. Qualifications of members of legislature

Section 2. No person shall be a member of the Legislature unless he shall be a citizen of the United States at the time of his election, nor unless he shall be at least twenty-five years of age, and shall have been a resident of Arizona at least three years and of the county from which he is elected at least one year before his election.

3. Sessions of legislature; special sessions; limitation of subjects for consideration

Section 3. The sessions of the legislature shall be held annually at the capitol of the state, and shall commence on the second Monday of January of each year. The governor may call a special session, whenever in his judgment it is advisable. In calling a special session, the governor shall specify the subjects to be considered, and at such special session no laws shall be enacted except such as relate to the subjects mentioned in the call.

4. Disqualification for membership in Legislature

Section 4. No person holding any public office of profit or trust under the authority of the United States, or of this state, shall be a member of the legislature; Provided, that appointments in the state militia and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not work disqualification for membership within the meaning of this section.

5. Ineligibility of members of legislature to other public offices

Section 5. No member of the legislature, during the term for which he shall have been elected or appointed shall be eligible to hold any other office or be otherwise employed by the state of Arizona or, any county or incorporated city or town thereof. This prohibition shall not extend to the office of school trustee, nor to employment as a teacher or instructor in the public school system.

6. Privilege from arrest; civil process

Section 6. Members of the legislature shall be privileged from arrest in all cases except treason, felony, and breach of the peace, and they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

7. Freedom of debate

Section 7. No member of the legislature shall be liable in any civil or criminal prosecution for words spoken in debate.

8. Organization; officers; rules of procedure

Section 8. Each house, when assembled, shall choose its own officers, judge of the election and qualification of its own members, and determine its own rules of procedure.

9. Quorum; compelling attendance; adjournment

Section 9. The majority of the members of each house shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe. Neither house shall adjourn for more than three days, nor to any place other than that in which it may be sitting, without the consent of the other.

10. Journal of proceedings; roll call

Section 10. Each house shall keep a journal of its proceedings, and at the request of two members the ayes and nays on roll call on any question shall be entered.

11. Disorderly behavior; expulsion of members

Section 11. Each house may punish its members for disorderly behavior, and may, with the concurrence of two-thirds of its members, expel any member.

12. Procedure on bills; approval or disapproval by governor

Section 12. Every bill shall be read by sections on three different days, unless in case of emergency, two-thirds of either house deem it expedient to dispense with this rule. The vote on the final passage of any bill or joint resolution shall be taken by ayes and nays on roll call. Every measure when finally passed shall be presented to the governor for his approval or disapproval.

13. Subject and title of bills

Section 13. Every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be embraced in the title.

14. Legislation by reference prohibited

Section 14. No Act or section thereof shall be revised or amended by mere reference to the title of such act, but the act or section as amended shall be set forth and published at full length.

15. Passage of bills by majority; signing of bills

Section 15. A majority of all members elected to each house shall be necessary to pass any bill, and all bills so passed shall be signed by the presiding officer of each house in open session.

16. Right to protest

Section 16. Any member of the legislature shall have the right to protest and have the reasons of his protest entered on the journal.

17. Extra compensation prohibited; increase or decrease of compensation during term of office

Section 17. The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer, other than a justice of the peace, be increased or diminished during his term of office; provided, however, that when any legislative increase or decrease in compensation of the members of any court or the clerk thereof, or of any board or commission composed of two or more officers or persons whose respective terms of office are not coterminous, has heretofore or shall hereafter become effective as to any member or clerk of such court, or any member of such board or commission, it shall be effective from such date as to each thereof.

18. Suits against state

Section 18. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

19. Local or special laws

Section 19. No local or special laws shall be enacted in any of the following cases, that is to say:

1. Granting divorces.
2. Locating or changing county seats.
3. Changing rules of evidence.
4. Changing the law of descent or succession.
5. Regulating the practice of courts of justice.
6. Limitation of civil actions or giving effect to informal or invalid deeds.
7. Punishment of crimes and misdemeanors.
8. Laying out, opening, altering, or vacating roads, plats, streets, alleys, and public squares.
9. Assessment and collection of taxes.
10. Regulating the rate of interest on money.
11. The conduct of elections.
12. Affecting the estates of deceased persons or of minors.
13. Granting to any corporation, association, or individual, any special or exclusive privileges, immunities, or franchises.
14. Remitting fines, penalties, and forfeitures.
15. Changing names of persons or places.
16. Regulating the jurisdiction and duties of justices of the peace.
17. Incorporation of cities, towns, or villages, or amending their charters.
18. Relinquishing any indebtedness, liability, or obligation to this State.
19. Summoning and empanelling of juries.

20. When a general law can be made applicable.

20. Appropriation bills

Section 20. The general appropriation bill shall embrace nothing but appropriations for the different departments of the state, for state institutions, for public schools, and for interest on the public debt. All other appropriations shall be made by separate bills, each embracing but one subject.

21. Term limits of members of state legislature

Section 21. The members of the first legislature shall hold office until the first Monday in January, 1913. The terms of office of the members of succeeding legislatures shall be two years. No state senator shall serve more than four consecutive terms in that office, nor shall any state representative serve more than four consecutive terms in that office. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993. No legislator, after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until he has been out of office for no less than one full term.

22. Juvenile justice; certain chronic and violent juvenile offenders prosecuted as adults; community alternatives for certain juvenile offenders; public proceedings and records

Section 22. In order to preserve and protect the right of the people to justice and public safety, and to ensure fairness and accountability when juveniles engage in unlawful conduct, the legislature, or the people by initiative or referendum, shall have the authority to enact substantive and procedural laws regarding all proceedings and matters affecting such juveniles. The following rights, duties, and powers shall govern such proceedings and matters:

1. Juveniles 15 years of age or older accused of murder, forcible sexual assault, armed robbery or other violent felony offenses as defined by statute shall be prosecuted as adults. Juveniles 15 years of age or older who are chronic felony offenders as defined by statute shall be prosecuted as adults. Upon conviction all such juveniles shall be subject to the same laws as adults, except as specifically provided by statute and by article 22, section 16 of this constitution. All other juveniles accused of unlawful conduct shall be prosecuted as provided by law. Every juvenile convicted of or found responsible for unlawful conduct shall make prompt restitution to any victims of such conduct for their injury or loss.
2. County attorneys shall have the authority to defer the prosecution of juveniles who are not accused of violent offenses and who are not chronic felony offenders as defined by statute and to establish community-based alternatives for resolving matters involving such juveniles.
3. All proceedings and matters involving juveniles accused of unlawful conduct shall be open to the public and all records of those proceedings shall be public records. Exceptions shall be made only for the protection of the privacy of innocent victims of crime, or when a court of competent jurisdiction finds a clear public interest in confidentiality.

23. Passes and purchase of transportation by public officers; inapplication to national guard

Section 23. It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as such transportation may be purchased by the general public; Provided, that this shall not apply to members of the national guard of Arizona traveling under orders. The legislature shall enact laws to enforce this provision.

24. Enacting clause of bills; initiative bills

Section 24. The enacting clause of every bill enacted by the legislature shall be as follows: "Be it enacted by the Legislature of the State of Arizona," or when the initiative is used: "Be it enacted by the People of the State of Arizona."

25. Continuity of governmental operations in emergency

Section 25. The legislature, in order to insure continuity of state and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate duty to:

1. Provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices.
2. Adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations.

In the exercise of the powers hereby conferred, the legislature shall in all respects conform to the requirements of this constitution except to the extent that in the judgment of the legislature so to do would be impracticable or would admit of undue delay.

ARTICLE V. EXECUTIVE DEPARTMENT

1. Executive department; state officers; terms; election; residence and office at seat of government; duties

(Version amended by 1992 Proposition 100)

Section 1. A. The executive department shall consist of the governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction, each of whom shall hold office for four years beginning on the first Monday of January, 1971 next after the regular general election in 1970.

B. The person having the highest number of the votes cast for the office voted for shall be elected, but if two or more persons have an equal and the highest number of votes for the office, the two houses of the legislature at its next regular session shall elect forthwith, by joint ballot, one of such persons for said office.

C. The officers of the executive department during their terms of office shall reside at the seat of government where they shall keep their offices and the public records, books, and papers. They shall perform such duties as are prescribed by the constitution and as may be provided by law.

1. Term limits on executive department and state officers; term lengths; election; residence and office at seat of government; duties

(Version amended by 1992 Proposition 107)

Section 1. A. The executive department shall consist of the governor, secretary of state, state treasurer, attorney general, and superintendent of public instruction, each of whom shall hold office for a term of four years beginning on the first Monday of January, 1971 next after the regular general election in 1970. No member of the executive department shall hold that office for more than two consecutive terms. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993. No member of the executive department after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term.

B. The person having a majority of the votes cast for the office voted for shall be elected. If no person receives a majority of the votes cast for the office, a second election shall be held as prescribed by law between the persons receiving the highest and second highest number of votes cast for the office. The person receiving the highest number of votes at the second election for the office is elected, but if the two persons have an equal number of votes for the office, the two houses of the legislature at its next regular session shall elect forthwith, by joint ballot, one of such persons for said office.

C. The officers of the executive department during their terms of office shall reside at the seat of government where they shall keep their offices and the public records, books, and papers. They shall perform such duties as are prescribed by the constitution and as may be provided by law.

2. Eligibility to state offices

Section 2. No person shall be eligible to any of the offices mentioned in section 1 of this article except a person of the age of not less than twenty-five years, who shall have

been for ten years next preceding his election a citizen of the United States, and for five years next preceding his election a citizen of Arizona.

3. Governor, commander-in-chief of the military forces

Section 3. The governor shall be commander-in-chief of the military forces of the state, except when such forces shall be called into the service of the United States.

4. Governor; powers and duties; special sessions of legislature; message and recommendations

Section 4. The governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices. He shall take care that the laws be faithfully executed. He may convene the legislature in extraordinary session. He shall communicate, by message, to the legislature at every session the condition of the state, and recommend such matters as he shall deem expedient.

5. Reprieves, commutations and pardons

Section 5. The governor shall have power to grant reprieves, commutation, and pardons, after convictions, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as may be provided by law.

6. Death, resignation, removal or disability of governor; succession to office; impeachment, absence from state or temporary disability

Section 6. In the event of the death of the governor, or his resignation, removal from office, or permanent disability to discharge the duties of the office, the secretary of state, if holding by election, shall succeed to the office of governor until his successor shall be elected and shall qualify. If the secretary of state be holding otherwise than by election, or shall fail to qualify as governor, the attorney general, the state treasurer, or the superintendent of public instruction, if holding by election, shall, in the order named, succeed to the office of governor. The taking of the oath of office as governor by any person specified in this section shall constitute resignation from the office by virtue of the holding of which he qualifies as governor. Any successor to the office shall become governor in fact and entitled to all of the emoluments, powers and duties of governor upon taking the oath of office.

In the event of the impeachment of the governor, his absence from the state, or other temporary disability to discharge the duties of the office, the powers and duties of the office of governor shall devolve upon the same person as in case of vacancy, but only until the disability ceases.

7. Presentation of bills to governor; approval; veto; filing with secretary of state; veto of items in appropriation bills; inapplication of veto power to referred bills

Section 7. Every bill passed by the legislature, before it becomes a law, shall be presented to the governor. If he approve, he shall sign it, and it shall become a law as provided in this constitution. But if he disapprove, he shall return it, with his objections,

to the house in which it originated, which shall enter the objections at large on the journal. If after reconsideration it again passes both houses by an aye and nay vote on roll call of two-thirds of the members elected to each house, it shall become a law as provided in this constitution, notwithstanding the governor's objections. This section shall not apply to emergency measures as referred to in section 1 of the article on the legislative department.

If any bill be not returned within five days after it shall have been presented to the governor (Sunday excepted) such bill shall become a law in like manner as if he had signed it, unless the legislature by its final adjournment prevents its return, in which case it shall be filed with his objections in the office of the secretary of state within ten days after such adjournment (Sundays excepted) or become a law as provided in this constitution. After the final action by the governor, or following the adoption of a bill notwithstanding his objection, it shall be filed with the secretary of state.

If any bill presented to the governor contains several items of appropriations of money, he may object to one or more of such items, while approving other portions of the bill. In such case he shall append to the bill at the time of signing it, a statement of the item or items which he declines to approve, together with his reasons therefor, and such item or items shall not take effect unless passed over the governor's objections as in this section provided.

The veto power of the governor shall not extend to any bill passed by the legislature and referred to the people for adoption or rejection.

8. Vacancies in office

Section 8. When any office shall, from any cause, become vacant, and no mode shall be provided by the Constitution or by law for filling such vacancy, the governor shall have the power to fill such vacancy by appointment.

9. Powers and duties of state officers

Section 9. The powers and duties of secretary of state, state treasurer, attorney-general, and superintendent of public instruction shall be as prescribed by law.

10. Canvass of election returns for state officers; certificates of election

Section 10. The returns of the election for all state officers shall be canvassed, and certificates of election issued by the secretary of state, in such manner as may be provided by law.

11. Commissions

Section 11. All commissions shall issue in the name of the state, and shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

12. Compensation of elective state officers; commission on salaries for elective state officers

Section 12. The salaries of those holding elective state offices shall be as established by law from time to time, subject to the limitations of article 6, section 33 and to the limitations of article 4, part 2, section 17. Such salaries as are presently established may be altered from time to time by the procedure established in this section or as otherwise

provided by law, except that legislative salaries may be altered only by the procedures established in this section.

A commission to be known as the commission on salaries for elective state officers is authorized to be established by the legislature. The commission shall be composed of five members appointed from private life, two of whom shall be appointed by the governor and one each by the president of the senate, the speaker of the house of representatives, and the chief justice. At such times as may be directed by the legislature, the commission shall report to the governor with recommendations concerning the rates of pay of elected state officers. The governor shall upon the receipt of such report make recommendations to the legislature with respect to the exact rates of pay which he deems advisable for those offices and positions other than for the rates of pay of members of the legislature. Such recommendations shall become effective at a time established by the legislature after the transmission of the recommendation of the governor without aid of further legislative action unless, within such period of time, there has been enacted into law a statute which establishes rates of pay other than those proposed by the governor, or unless either house of the legislature specifically disapproves all or part of the governor's recommendation. The recommendations of the governor, unless disapproved or altered within the time provided by law, shall be effective; and any 1971 recommendations shall be effective as to all offices on the first Monday in January of 1973. In case of either a legislative enactment or disapproval by either house, the recommendations shall be effective only insofar as not altered or disapproved. The recommendations of the commission as to legislative salaries shall be certified by it to the secretary of state and the secretary of state shall submit to the qualified electors at the next regular general election the question, "Shall the recommendations of the commission on salaries for elective state officers concerning legislative salaries be accepted? [] Yes [] No." Such recommendations if approved by the electors shall become effective at the beginning of the next regular legislative session without any other authorizing legislation. All recommendations which become effective under this section shall supersede all laws enacted prior to their effective date relating to such salaries.

ARTICLE VI. JUDICIAL DEPARTMENT

1. Judicial power; courts

Section 1. The judicial power shall be vested in an integrated judicial department consisting of a supreme court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts.

2. Supreme court; composition; divisions; decisions, transaction of business

Section 2. The supreme court shall consist of not less than five justices. The number of justices may be increased or decreased by law, but the court shall at all times be constituted of at least five justices.

The supreme court shall sit in accordance with rules adopted by it, either in banc or in divisions of not less than three justices, but the court shall not declare any law unconstitutional except when sitting in banc. The decisions of the court shall be in writing and the grounds stated.

The court shall be open at all times, except on nonjudicial days, for the transaction of business.

3. Supreme court; administrative supervision; chief justice

Section 3. The supreme court shall have administrative supervision over all the courts of the state. The chief justice shall be elected by the justices of the supreme court from one of their number for a term of five years, and may be reelected for like terms. The vice chief justice shall be elected by the justices of the supreme court from one of their number for a term determined by the court. A member of the court may resign the office of chief justice or vice chief justice without resigning from the court.

The chief justice, or in his absence or incapacity, the vice chief justice, shall exercise the court's administrative supervision over all the courts of the state. He may assign judges of intermediate appellate courts, superior courts, or courts inferior to the superior court to serve in other courts or counties.

4. Supreme court; term of office

Section 4. Justices of the supreme court shall hold office for a regular term of six years except as provided by this article.

5. Supreme court; jurisdiction; writs; rules; habeas corpus

Section 5. The supreme court shall have:

1. Original jurisdiction of habeas corpus, and quo warranto, mandamus, injunction and other extraordinary writs to state officers.
2. Original and exclusive jurisdiction to hear and determine causes between counties concerning disputed boundaries and surveys thereof or concerning claims of one county against another.
3. Appellate jurisdiction in all actions and proceedings except civil and criminal actions originating in courts not of record, unless the action involves the validity of a tax, impost, assessment, toll, statute or municipal ordinance.

4. Power to issue injunctions and writs of mandamus, review, prohibition, habeas corpus, certiorari, and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction.

5. Power to make rules relative to all procedural matters in any court.

6. Such other jurisdiction as may be provided by law.

Each justice of the supreme court may issue writs of habeas corpus to any part of the state upon petition by or on behalf of a person held in actual custody, and may make such writs returnable before himself, the supreme court, appellate court or superior court, or judge thereof.

6. Supreme court; qualifications of justices

Section 6. A justice of the supreme court shall be a person of good moral character and admitted to the practice of law in and a resident of the state of Arizona for ten years next preceding his taking office.

7. Supreme court; clerk and assistants; administrative director and staff

Section 7. The supreme court shall appoint a clerk of the court and assistants thereto who shall serve at its pleasure, and who shall receive such compensation as may be provided by law.

The supreme court shall appoint an administrative director and staff to serve at its pleasure to assist the chief justice in discharging his administrative duties. The director and staff shall receive such compensation as may be provided by law.

8. Supreme court; publication of opinions

Section 8. Provision shall be made by law for the speedy publication of the opinions of the supreme court, and they shall be free for publication by any person.

9. Intermediate appellate courts

Section 9. The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law.

10. Superior court; number of judges

Section 10. There shall be in each county at least one judge of the superior court. There shall be in each county such additional judges as may be provided by law, but not exceeding one judge for each thirty thousand inhabitants or majority fraction thereof. The number of inhabitants in a county for purposes of this section may be determined by census enumeration or by such other method as may be provided by law.

11. Superior court; presiding judges; duties

Section 11. There shall be in each county a presiding judge of the superior court. In each county in which there are two or more judges, the supreme court shall appoint one of such judges presiding judge. Presiding judges shall exercise administrative supervision over the superior court and judges thereof in their counties, and shall have such other duties as may be provided by law or by rules of the supreme court.

12. Superior court; term of office

Section 12. A. Judges of the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census shall be elected by the qualified electors of their counties at the general election. They shall hold office for a regular term of four years except as provided by this section from and after the first Monday in January next succeeding their election, and until their successors are elected and qualify. The names of all candidates for judge of the superior court in such counties shall be placed on the regular ballot without partisan or other designation except the division and title of the office.

B. The governor shall fill any vacancy in such counties by appointing a person to serve until the election and qualification of a successor. At the next succeeding general election following the appointment of a person to fill a vacancy, a judge shall be elected to serve for the remainder of the unexpired term.

Judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office for a regular term of four years except as provided by this article.

13. Superior court; composition; salaries; judgments and proceedings; process

Section 13. The superior courts provided for in this article shall constitute a single court, composed of all the duly elected or appointed judges in each of the counties of the state. The legislature may classify counties for the purpose of fixing salaries of judges or officers of the court.

The judgments, decrees, orders and proceedings of any session of the superior court held by one or more judges shall have the same force and effect as if all the judges of the court had presided.

The process of the court shall extend to all parts of the state.

14. Superior court; original jurisdiction

Section 14. The superior court shall have original jurisdiction of:

1. Cases and proceedings in which exclusive jurisdiction is not vested by law in another court.
2. Cases of equity and at law which involve the title to or possession of real property, or the legality of any tax, impost, assessment, toll or municipal ordinance.
3. Other cases in which the demand or value of property in controversy amounts to one thousand dollars or more, exclusive of interest and costs.
4. Criminal cases amounting to felony, and cases of misdemeanor not otherwise provided for by law.
5. Actions of forcible entry and detainer.
6. Proceedings in insolvency.
7. Actions to prevent or abate nuisance.
8. Matters of probate.
9. Divorce and for annulment of marriage.
10. Naturalization and the issuance of papers therefor.
11. Special cases and proceedings not otherwise provided for, and such other jurisdiction as may be provided by law.

15. Jurisdiction and authority in juvenile proceedings

Section 15. The jurisdiction and authority of the courts of this state in all proceedings and matters affecting juveniles shall be as provided by the legislature or the people by initiative or referendum.

16. [Superior court; appellate jurisdiction](#)

Section 16. The superior court shall have appellate jurisdiction in cases arising in justice and other courts inferior to the superior court as may be provided by law.

17. [Superior court; conduct of business; trial juries; jury trial; grand juries](#)

Section 17. The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of civil causes and matters in which a jury demand has been entered, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. The right of jury trial as provided by this constitution shall remain inviolate, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.

18. [Superior court; writs](#)

Section 18. The superior court or any judge thereof may issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of a person held in actual custody within the county. Injunctions, attachments, and writs of prohibition and habeas corpus may be issued and served on legal holidays and non-judicial days.

19. [Superior court; service of judge in another county](#)

Section 19. A judge of the superior court shall serve in another county at the direction of the chief justice of the supreme court or may serve in another county at the request of the presiding judge of the superior court thereof.

20. [Retirement and service of retired justices and judges](#)

Section 20. The legislature shall prescribe by law a plan of retirement for justices and judges of courts of record, including the basis and amount of retirement pay, and requiring except as provided in section 35 of this article, that justices and judges of courts of record be retired upon reaching the age of seventy. Any retired justice or judge of any court of record who is drawing retirement pay may serve as a justice or judge of any court. When serving outside his county of residence, any such retired justice or judge shall receive his necessary traveling and subsistence expenses. A retired judge who is temporarily called back to the active duties of a judge is entitled to receive the same compensation and expenses as other like active judges less any amount received for such period in retirement benefits.

21. [Superior court; speedy decisions](#)

Section 21. Every matter submitted to a judge of the superior court for his decision shall be decided within sixty days from the date of submission thereof. The supreme

court shall by rule provide for the speedy disposition of all matters not decided within such period.

22. [Superior and other courts; qualifications of judges](#)

Section 22. Judges of the superior court, intermediate appellate courts or courts inferior to the superior court having jurisdiction in civil cases of one thousand dollars or more, exclusive of interest and costs, established by law under the provisions of section 1 of this article, shall be at least thirty years of age, of good moral character and admitted to the practice of law in and a resident of the state for five years next preceding their taking office.

23. [Superior court; clerk](#)

Section 23. There shall be in each county a clerk of the superior court. The clerk shall be elected by the qualified electors of his county at the general election and shall hold office for a term of four years from and after the first Monday in January next succeeding his election. The clerk shall have such powers and perform such duties as may be provided by law or by rule of the supreme court or superior court. He shall receive such compensation as may be provided by law.

24. [Superior court; court commissioners, masters and referees](#)

Section 24. Judges of the superior court may appoint court commissioners, masters and referees in their respective counties, who shall have such powers and perform such duties as may be provided by law or by rule of the supreme court. Court commissioners, masters and referees shall receive such compensation as may be provided by law.

25. [Style of process; conduct of prosecutions in name of state](#)

Section 25. The style of process shall be "The State of Arizona", and prosecutions shall be conducted in the name of the state and by its authority.

26. [Oath of office](#)

Section 26. Each justice, judge and justice of the peace shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Arizona, and that he will faithfully and impartially discharge the duties of his office to the best of his ability.

The oath of all judges of courts inferior to the superior court and the oath of justices of the peace shall be filed in the office of the county recorder, and the oath of all other justices and judges shall be filed in the office of the secretary of state.

27. [Charge to juries; reversal of causes for technical error](#)

Section 27. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law. No cause shall be reversed for technical error in pleadings or proceedings when upon the whole case it shall appear that substantial justice has been done.

28. [Justices and judges; dual office holding; political activity; practice of law](#)

Section 28. Justices and judges of courts of record shall not be eligible for any other public office or for any other public employment during their term of office, except that they may assume another judicial office, and upon qualifying therefor, the office formerly held shall become vacant. No justice or judge of any court of record shall practice law during his continuance in office, nor shall he hold any office in a political party or actively take part in any political campaign other than his own for his reelection or retention in office. Any justice or judge who files nomination papers for an elective office, other than for judge of the superior court or a court of record inferior to the superior court in a county having a population of less than two hundred fifty thousand persons according to the most recent United States census, forfeits his judicial office.

29. Repeal

30. Courts of record

Section 30. A. The supreme court, the court of appeals and the superior court shall be courts of record. Other courts of record may be established by law, but justice courts shall not be courts of record.

B. All justices and judges of courts of record, except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons according to the most recent United States census, shall be appointed in the manner provided in section 37 of this article.

31. Judges pro tempore

Section 31. A. The legislature may provide for the appointment of members of the bar having the qualifications provided in section 22 of this article as judges pro tempore of courts inferior to the supreme court, except that justices of the peace pro tempore shall have the same qualifications as justices of the peace and do not have to reside in the precinct in which the justice of the peace pro tempore is appointed to serve.

B. When serving, any such person shall have all the judicial powers of a regular elected judge of the court to which the person is appointed. A person so appointed shall receive such compensation as may be provided by law. The population limitation of section 10 of this article shall not apply to the appointment of judges pro tempore of the superior court.

32. Justices of the peace and inferior courts; jurisdiction, powers and duties; terms of office; salaries

Section 32. A. The number of justices of the peace to be elected in precincts shall be as provided by law. Justices of the peace may be police justices of incorporated cities and towns.

B. The jurisdiction, powers and duties of courts inferior to the superior court and of justice courts, and the terms of office of judges of such courts and justices of the peace shall be as provided by law. The legislature may classify counties and precincts for the purpose of fixing salaries of judges of courts inferior to the superior court and of justices of the peace.

C. The civil jurisdiction of courts inferior to the superior court and of justice courts shall not exceed the sum of ten thousand dollars, exclusive of interest and costs. Criminal jurisdiction shall be limited to misdemeanors. The jurisdiction of such courts shall not

encroach upon the jurisdiction of courts of record but may be made concurrent therewith, subject to the limitations provided in this section.

33. Change by legislature in number of justices or judges; reduction of salary during term of office

Section 33. No change made by the legislature in the number of justices or judges shall work the removal of any justice or judge from office. The salary of any justice or judge shall not be reduced during the term of office for which he was elected or appointed.

34. Absence of judicial officer from state

Section 34. Any judicial officer except a retired justice or judge who absents himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office, but the governor may extend the leave of absence for such time as reasonable necessity therefor exists.

35. Continuance in office; continued existence of offices; application of prior statute and rules

Section 35. A. All justices, judges, justices of the peace and officers of any court who are holding office as such by election or appointment at the time of the adoption of this section shall serve or continue in office for the respective terms for which they are so elected or for their respective unexpired terms, and until their successors are elected or appointed and qualify or they are retained in office pursuant to section 38 of this article; provided, however, that any justice or judge elected at the general election at which this section is adopted shall serve for the term for which he is so elected. The continued existence of any office heretofore legally established or held shall not be abolished or repealed by the adoption of this article. The statutes and rules relating to the authority, jurisdiction, practice and procedure of courts, judicial officers and offices in force at the time of the adoption of this article and not inconsistent herewith, shall, so far as applicable, apply to and govern such courts, judicial officers and offices until amended or repealed.

B. All judges of the superior court holding office by appointment or retention in counties with a population of two hundred fifty thousand persons or more according to the most recent United States census at the time of the adoption of this amendment to this section shall serve or continue in office for the respective terms for which they were appointed. Upon an incumbent vacating the office of judge of the superior court, whether by failing to file a declaration for retention, by rejection by the qualified electors of the county or resignation, the appointment shall be pursuant to section 37 of this article.

36. Commission on appellate court appointments and terms, appointments and vacancies on commission

Section 36. A. There shall be a nonpartisan commission on appellate court appointments which shall be composed of the chief justice of the supreme court, who shall be chairman, five attorney members, who shall be nominated by the board of governors of the state bar of Arizona and appointed by the governor with the advice and consent of the senate in the manner prescribed by law, and ten nonattorney members who shall be appointed by the governor with the advice and consent of the senate in the

manner prescribed by law. At least ninety days prior to a term expiring or within twenty-one days of a vacancy occurring for a nonattorney member on the commission for appellate court appointments, the governor shall appoint a nominating committee of nine members, not more than five of whom may be from the same political party. The makeup of the committee shall, to the extent feasible, reflect the diversity of the population of the state. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment.

Attorney members of the commission shall have resided in the state and shall have been admitted to practice before the supreme court for not less than five years. Not more than three attorney members shall be members of the same political party and not more than two attorney members shall be residents of any one county. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the supreme court. Not more than five nonattorney members shall be members of the same political party. Not more than two nonattorney members shall be residents of any one county. None of the attorney or nonattorney members of the commission shall hold any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members of the commission shall serve staggered four-year terms and nonattorney members shall serve staggered four-year terms. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

B. No person other than the chief justice shall serve at the same time as a member of more than one judicial appointment commission.

C. In making or confirming appointments to the appellate court commission, the governor, the senate and the state bar shall endeavor to see that the commission reflects the diversity of Arizona's population.

In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.

D. Prior to making recommendations to the governor as hereinafter provided, the commission shall conduct investigations, hold public hearings and take public testimony. An executive session as prescribed by rule may be held upon a two-thirds vote of the members of the commission in a public hearing. Final decisions as to recommendations shall be made without regard to political affiliation in an impartial and objective manner. The commission shall consider the diversity of the state's population, however the primary consideration shall be merit. Voting shall be in a public hearing. The expenses of meetings of the commission and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman.

E. After public hearings the supreme court shall adopt rules of procedure for the commission on appellate court appointments.

F. Notwithstanding the provisions of subsection A, the initial appointments for the five additional nonattorney members and the two additional attorney members of the commission shall be designated by the governor for staggered terms as follows:

1. One appointment for a nonattorney member shall be for a one-year term.

2. Two appointments for nonattorney members shall be for a two-year term.
 3. Two appointments for nonattorney members shall be for a three-year term.
 4. One appointment for an attorney member shall be for a one-year term.
 5. One appointments for an attorney member shall be for a two-year term.
- G. The members currently serving on the commission may continue to serve until the expiration of their normal terms. All subsequent appointments shall be made as prescribed by this section.

37. Judicial vacancies and appointments; initial terms; residence; age

Section 37. A. Within sixty days from the occurrence of a vacancy in the office of a justice or judge of any court of record, except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court, the commission on appellate court appointments, if the vacancy is in the supreme court or an intermediate appellate court of record, shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event not more than sixty percentum of such nominees shall be members of the same political party.

B. Within sixty days from the occurrence of a vacancy in the office of a judge of the superior court or a judge of a court of record inferior to the superior court except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court in a county having a population of less than two hundred fifty thousand persons according to the most recent United States census, the commission on trial court appointments for the county in which the vacancy occurs shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event no more than sixty per centum of such nominees shall be members of the same political party. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor. Judges of the superior court shall be subject to retention or rejection by a vote of the qualified electors of the county from which they were appointed at the general election in the manner provided by section 38 of this article.

C. A vacancy in the office of a justice or a judge of such courts of record shall be filled by appointment by the governor without regard to political affiliation from one of the nominees whose names shall be submitted to him as hereinabove provided. In making the appointment, the governor shall consider the diversity of the state's population for an appellate court appointment and the diversity of the county's population for a trial court appointment, however the primary consideration shall be merit. If the governor does not appoint one of such nominees to fill such vacancy within sixty days after their names are submitted to the governor by such commission, the chief justice of the supreme court forthwith shall appoint on the basis of merit alone without regard to political affiliation one of such nominees to fill such vacancy. If such commission does not, within sixty days after such vacancy occurs, submit the names of nominees as hereinabove provided, the governor shall have the power to appoint any qualified person to fill such vacancy at any time thereafter prior to the time the names of the nominees to fill such vacancy are submitted to the governor as hereinabove provided. Each justice or judge so appointed

shall initially hold office for a term ending sixty days following the next regular general election after the expiration of a term of two years in office. Thereafter, the terms of justices or judges of the supreme court and the superior court shall be as provided by this article.

D. A person appointed to fill a vacancy on an intermediate appellate court or another court of record now existing or hereafter established by law shall have been a resident of the counties or county in which that vacancy exists for at least one year prior to his appointment, in addition to possessing the other required qualifications. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor.

38. Declaration of candidacy; form of judicial ballot, rejection and retention; failure to file declaration

Section 38. A. A justice or judge of the supreme court or an intermediate appellate court shall file in the office of the secretary of state, and a judge of the superior court or other court of record including such justices or judges who are holding office as such by election or appointment at the time of the adoption of this section except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than two hundred fifty thousand persons, according to the United States census, shall file in the office of the clerk of the board of supervisors of the county in which he regularly sits and resides, not less than sixty nor more than ninety days prior to the regular general election next preceding the expiration of his term of office, a declaration of his desire to be retained in office, and the secretary of state shall certify to the several boards of supervisors the appropriate names of the candidate or candidates appearing on such declarations filed in his office.

B. The name of any justice or judge whose declaration is filed as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation and in substantially the following form:

Shall _____, (Name of justice or judge) of the _____ court be retained in office? Yes No (Mark X after one).

C. If a majority of those voting on the question votes "No," then, upon the expiration of the term for which such justice or judge was serving, a vacancy shall exist, which shall be filled as provided by this article. If a majority of those voting on the question votes "Yes," such justice or judge shall remain in office for another term, subject to removal as provided by this constitution.

D. The votes shall be counted and canvassed and the result declared as in the case of state and county elections, whereupon a certificate of retention or rejection of the incumbent justice or judge shall be delivered to him by the secretary of state or the clerk of the board of supervisors, as the case may be.

E. If a justice or judge fails to file a declaration of his desire to be retained in office, as required by this section, then his office shall become vacant upon expiration of the term for which such justice or judge was serving.

39. Retirement of justices and judges; vacancies

Section 39. On attaining the age of seventy years a justice or judge of a court of record shall retire and his judicial office shall be vacant, except as otherwise provided in section 35 of this article. In addition to becoming vacant as provided in this section, the office of

a justice or judge of any court of record becomes vacant upon his death or his voluntary retirement pursuant to statute or his voluntary resignation, and also, as provided in section 38 of this article, upon the expiration of his term next following a general election at which a majority of those voting on the question of his retention vote in the negative or for which general election he is required, but fails, to file a declaration of his desire to be retained in office.

This section is alternative to and cumulative with the methods of removal of judges and justices provided in parts 1 and 2 of article 8 and article 6.1 of this Constitution.

40. Option for counties with less than two hundred fifty thousand persons

Section 40. Notwithstanding any provision of this article to the contrary, any county having a population of less than two hundred fifty thousand persons, according to the most recent United States census, may choose to select its judges of the superior court or of courts of record inferior to the superior court as if it had a population of two hundred fifty thousand or more persons. Such choice shall be determined by vote of the qualified electors of such county voting on the question at an election called for such purpose by resolution of the board of supervisors of such county. If such qualified electors approve, the provisions of sections 12, 28, 30, 35 through 39, 41 and 42 shall apply as if such county had a population of two hundred fifty thousand persons or more.

41. Superior court divisions; commission on trial court appointments; membership; terms

Section 41. A. Except as otherwise provided, judges of the superior court in counties having a population of two hundred fifty thousand persons or more according to the most recent United States census shall hold office for a regular term of four years.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of two hundred fifty thousand persons or more according to the most recent United States census which shall be composed of the following members:

1. The chief justice of the supreme court, who shall be the chairman of the commission. In the event of the absence or incapacity of the chairman the supreme court shall appoint a justice thereof to serve in his place and stead.
2. Five attorney members, none of whom shall reside in the same supervisorial district and not more than three of whom shall be members of the same political party, who are nominated by the board of governors of the state bar of Arizona and who are appointed by the governor subject to confirmation by the senate in the manner prescribed by law.
3. Ten nonattorney members, no more than two of whom shall reside in the same supervisorial district.

C. At least ninety days prior to a term expiring or within twenty-one days of a vacancy occurring for a nonattorney member on the commission for trial court appointments, the member of the board of supervisors from the district in which the vacancy has occurred shall appoint a nominating committee of seven members who reside in the district, not more than four of whom may be from the same political party. The make-up of the committee shall, to the extent feasible, reflect the diversity of the population of the district. Members shall not be attorneys and shall not hold any governmental office, elective or appointive, for profit. The committee shall provide public notice that a vacancy exists and shall solicit, review and forward to the governor all applications along with the committee's recommendations for appointment. The governor shall appoint two

persons from each supervisorial district who shall not be of the same political party, subject to confirmation by the senate in the manner prescribed by law.

D. In making or confirming appointments to trial court commissions, the governor, the senate and the state bar shall endeavor to see that the commission reflects the diversity of the county's population.

E. Members of the commission shall serve staggered four year terms, except that initial appointments for the five additional nonattorney members and the two additional attorney members of the commission shall be designated by the governor as follows:

1. One appointment for a nonattorney member shall be for a one-year term.
2. Two appointments for nonattorney members shall be for a two-year term.
3. Two appointments for nonattorney members shall be for a three-year term.
4. One appointment for an attorney member shall be for a one-year term.
5. One appointment for an attorney member shall be for a two-year term.

F. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

G. Attorney members of the commission shall have resided in this state and shall have been admitted to practice in this state by the supreme court for at least five years and shall have resided in the supervisorial district from which they are appointed for at least one year. Nonattorney members shall have resided in this state for at least five years, shall have resided in the supervisorial district for at least one year before being nominated and shall not be judges, retired judges nor admitted to practice before the supreme court. None of the attorney or nonattorney members of the commission shall hold any governmental office, elective or appointive, for profit and no attorney member is eligible for appointment to any judicial office of this state until one year after membership in the commission terminates.

H. No person other than the chief justice shall serve at the same time as a member of more than one judicial appointment commission.

I. The commission shall submit the names of not less than three individuals for nomination for the office of the superior court judge pursuant to section 37 of this article.

J. Prior to making recommendations to the governor, the commission shall conduct investigations, hold public hearings and take public testimony. An executive session as prescribed by rule may be held upon a two-thirds vote of the members of the commission in a public hearing. Final decisions as to recommendations shall be made without regard to political affiliation in an impartial and objective manner. The commission shall consider the diversity of the county's population and the geographical distribution of the residences of the judges throughout the county, however the primary consideration shall be merit. Voting shall be in a public hearing. The expenses of meetings of the commission and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman.

K. After public hearings the supreme court shall adopt rules of procedure for the commission on trial court appointments.

L. The members of the commission who were appointed pursuant to section 36 of this article prior to the effective date of this section may continue to serve until the expiration of their normal terms. All subsequent appointments shall be made as prescribed by this section.

42. Retention evaluation of justices and judges

Section 42. The supreme court shall adopt, after public hearings, and administer for all justices and judges who file a declaration to be retained in office, a process, established by court rules for evaluating judicial performance. The rules shall include written performance standards and performance reviews which survey opinions of persons who have knowledge of the justice's or judge's performance. The public shall be afforded a full and fair opportunity for participation in the evaluation process through public hearings, dissemination of evaluation reports to voters and any other methods as the court deems advisable.

ARTICLE VI.I. COMMISSION ON JUDICIAL CONDUCT

1. Composition; appointment; term; vacancies

Section 1. A. A commission on judicial conduct is created to be composed of eleven persons consisting of two judges of the court of appeals, two judges of the superior court, one justice of the peace and one municipal court judge, who shall be appointed by the supreme court, two members of the state bar of Arizona, who shall be appointed by the governing body of such bar association, and three citizens who are not judges, retired judges nor members of the state bar of Arizona, who shall be appointed by the governor subject to confirmation by the senate in the manner prescribed by law.

B. Terms of members of the commission shall be six years, except that initial terms of two members appointed by the supreme court and one member appointed by the state bar of Arizona for terms which begin in January, 1991 shall be for two years and initial terms of one member appointed by the supreme court and one member appointed by the state bar of Arizona for terms which begin in January, 1991 shall be for four years. If a member ceases to hold the position that qualified him for appointment his membership on the commission terminates. An appointment to fill a vacancy for an unexpired term shall be made for the remainder of the term by the appointing power of the original appointment.

2. Disqualification of judge

Section 2. A judge is disqualified from acting as a judge, without loss of salary, while there is pending an indictment or an information charging him in the United States with a crime punishable as a felony under Arizona or federal law, or a recommendation to the supreme court by the commission on judicial conduct for his suspension, removal or retirement.

3. Suspension or removal of judge

Section 3. On recommendation of the commission on judicial conduct, or on its own motion, the supreme court may suspend a judge from office without salary when, in the United States, he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Arizona or federal law or of any other crime that involves moral turpitude under such law. If his conviction is reversed the suspension terminates, and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the supreme court shall remove him from office.

4. Retirement of judge

Section 4. On recommendation of the commission on judicial conduct, the supreme court may retire a judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and may censure, suspend without pay or remove a judge for action by him that constitutes wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

B. A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office in this state.

5. Definitions and rules implementing article

Section 5. The term "judge" as used in this article shall apply to all justices of the peace, judges in courts inferior to the superior court as may be provided by law, judges of the superior court, judges of the court of appeals and justices of the supreme court. The supreme court shall make rules implementing this article and providing for confidentiality of proceedings. A judge who is a member of the commission or supreme court shall not participate as a member in any proceedings hereunder involving his own censure, suspension, removal or involuntary retirement.

6. Article self-executing

Section 6. The provisions of this article shall be self- executing.

ARTICLE VII. SUFFRAGE AND ELECTIONS

1. Method of voting; secrecy

Section 1. All elections by the people shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved.

2. Qualifications of voters; disqualification

Section 2. A. No person shall be entitled to vote at any general election, or for any office that now is, or hereafter may be, elective by the people, or upon any question which may be submitted to a vote of the people, unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election as prescribed by law, provided that qualifications for voters at a general election for the purpose of electing presidential electors shall be as prescribed by law. The word "citizen" shall include persons of the male and female sex.

B. The rights of citizens of the United States to vote and hold office shall not be denied or abridged by the state, or any political division or municipality thereof, on account of sex, and the right to register, to vote and to hold office under any law now in effect, or which may hereafter be enacted, is hereby extended to, and conferred upon males and females alike.

C. No person who is adjudicated an incapacitated person shall be qualified to vote at any election, nor shall any person convicted of treason or felony, be qualified to vote at any election unless restored to civil rights.

3. Voting residence of federal employees and certain others

Section 3. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of being present or absent while employed in the service of the United States, or while a student at any institution of learning, or while kept at any institution or other shelter at public expense, or while confined in any public jail or prison.

4. Privilege of electors from arrest

Section 4. Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at any election, and in going thereto and returning therefrom.

5. Military duty on day of election

Section 5. No elector shall be obliged to perform military duty on the day of an election, except in time of war or public danger.

6. Residence of military personnel stationed within state

Section 6. No soldier, seaman, or marine, in the army or navy of the United States shall be deemed a resident of this state in consequence of his being stationed at any military or naval place within this state.

7. Highest number of votes received as determinative of person elected

Section 7. In all elections held by the people in this state, the person, or persons, receiving the highest number of legal votes shall be declared elected.

8. [Qualifications for voters at school elections](#)

Section 8. Qualifications for voters at school elections shall be as are now, or as may hereafter be, provided by law.

9. [Advisory vote](#)

Section 9. For the purpose of obtaining an advisory vote of the people, the legislature shall provide for placing the names of candidates for United States senator on the official ballot at the general election next preceding the election of a United States senator.

10. [Direct primary election law](#)

Section 10. The Legislature shall enact a direct primary election law, which shall provide for the nomination of candidates for all elective State, county, and city offices, including candidates for United States Senator and for Representative in Congress. Any person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot.

11. [General elections; date](#)

Section 11. There shall be a general election of representatives in congress, and of state, county, and precinct officers on the first Tuesday after the first Monday in November of the first even numbered year after the year in which Arizona is admitted to statehood and biennially thereafter.

12. [Registration and other laws](#)

Section 12. There shall be enacted registration and other laws to secure the purity of elections and guard against abuses of the elective franchise.

13. [Submission of questions upon bond issues or special assessments](#)

Section 13. Questions upon bond issues or special assessments shall be submitted to the vote of real property tax payers, who shall also in all respects be qualified electors of this State, and of the political subdivisions thereof affected by such question.

14. [Fee for placing candidate's name on ballot](#)

Section 14. No fee shall ever be required in order to have the name of any candidate placed on the official ballot for any election or primary.

15. [Qualifications for public office](#)

Section 15. Every person elected or appointed to any elective office of trust or profit under the authority of the state, or any political division or any municipality thereof, shall be a qualified elector of the political division or municipality in which such person shall be elected.

16. Campaign contributions and expenditures; publicity

Section 16. The legislature, at its first session, shall enact a law providing for a general publicity, before and after election, of all campaign contributions to, and expenditures of campaign committees and candidates for public office.

17. Vacancy in Congress

Section 17. There shall be a primary and general election as prescribed by law, which shall provide for nomination and election of a candidate for United States senator and for representative in congress when a vacancy occurs through resignation or any other cause.

18. Term limits on ballot appearances in congressional elections.

Section 18. The name of any candidate for United States senator from Arizona shall not appear on the ballot if, by the end of the current term of office, the candidate will have served (or, but for resignation, would have served) in that office for two consecutive terms, and the name of a candidate for United States representative from Arizona shall not appear on the ballot if, by the end of the current term of office, the candidate will have served (or, but for resignation, would have served) in that office for three consecutive terms. Terms are considered consecutive unless they are at least one full term apart. Any person appointed or elected to fill a vacancy in the United States congress who serves at least one half of a term of office shall be considered to have served a term in that office for purposes of this section. For purposes of this section, terms beginning before January 1, 1993 shall not be considered.

ARTICLE VIII

PART 1. RECALL OF PUBLIC OFFICERS

1. Officers subject to recall; petitioners

Section 1. Every public officer in the state of Arizona, holding an elective office, either by election or appointment, is subject to recall from such office by the qualified electors of the electoral district from which candidates are elected to such office. Such electoral district may include the whole state. Such number of said electors as shall equal twenty-five per centum of the number of votes cast at the last preceding general election for all of the candidates for the office held by such officer, may by petition, which shall be known as a recall petition, demand his recall.

2. Recall petitions; contents; filing; signatures; oath

Section 2. Every recall petition must contain a general statement, in not more than two hundred words, of the grounds of such demand, and must be filed in the office in which petitions for nominations to the office held by the incumbent are required to be filed. The signatures to such recall petition need not all be on one sheet of paper, but each signer must add to his signature the date of his signing said petition, and his place of residence, giving his street and number, if any, should he reside in a town or city. One of the signers of each sheet of such petition, or the person circulating such sheet, must make and subscribe an oath on said sheet, that the signatures thereon are genuine.

3. Resignation of officer; special election

Section 3. If such officer shall offer his resignation it shall be accepted, and the vacancy shall be filled as may be provided by law. If he shall not resign within five days after a recall petition is filed as provided by law, a special election shall be ordered to be held as provided by law, to determine whether such officer shall be recalled. On the ballots at such election shall be printed the reasons as set forth in the petition for demanding his recall, and, in not more than two hundred words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of such election shall have been officially declared.

4. Special election; candidates; results; qualification of successor

Section 4. Unless the incumbent otherwise requests, in writing, the incumbent's name shall be placed as a candidate on the official ballot without nomination. Other candidates for the office may be nominated to be voted for at said election. The candidate who receives the highest number of votes shall be declared elected for the remainder of the term. Unless the incumbent receives the highest number of votes, the incumbent shall be deemed to be removed from office, upon qualification of the successor. In the event that the successor shall not qualify within five days after the result of said election shall have been declared, the said office shall be vacant, and may be filled as provided by law.

5. Recall petitions; restrictions and conditions

Section 5. No recall petition shall be circulated against any officer until he shall have held his office for a period of six months, except that it may be filed against a member of

the legislature at any time after five days from the beginning of the first session after his election. After one recall petition and election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless petitioners signing such petition shall first pay into the public treasury which has paid such election expenses, all expenses of the preceding election.

6. Application of general election laws; supplementary legislation

Section 6. The general election laws shall apply to recall elections in so far as applicable. Laws necessary to facilitate the operation of the provisions of this article shall be enacted, including provision for payment by the public treasury of the reasonable special election campaign expenses of such officer.

PART 2. IMPEACHMENT

1. Power of impeachment in house of representatives; trial by senate

Section 1. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence, and shall be presided over by the chief justice of the supreme court. Should the chief justice be on trial, or otherwise disqualified, the senate shall elect a judge of the supreme court to preside.

2. Conviction; grounds for impeachment; judgment; liability to trial

Section 2. No person shall be convicted without a concurrence of two-thirds of the senators elected. The governor and other state and judicial officers, except justices of courts not of record, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust, or profit in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to trial and punishment according to law.

ARTICLE IX. PUBLIC DEBT, REVENUE, AND TAXATION

1. Surrender of power of taxation; uniformity of taxes

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. Except as provided by section 18 of this article, all taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax, and shall be levied and collected for public purposes only.

2. Property subject to taxation; exemptions

Section 2. (1) There shall be exempt from taxation all federal, state, county and municipal property.

(2) Property of educational, charitable and religious associations or institutions not used or held for profit may be exempt from taxation by law.

(3) Public debts, as evidenced by the bonds of Arizona, its counties, municipalities or other subdivisions, shall also be exempt from taxation.

(4) All household goods owned by the user thereof and used solely for noncommercial purposes shall be exempt from taxation, and such person entitled to such exemption shall not be required to take any affirmative action to receive the benefit of such exemption.

(5) Stocks of raw or finished materials, unassembled parts, work in process or finished products constituting the inventory of a retailer or wholesaler located within the state and principally engaged in the resale of such materials, parts or products, whether or not for resale to the ultimate consumer, shall be exempt from taxation.

(6) The legislature may exempt personal property that is used for agricultural purposes or in a trade or business from taxation in a manner provided by law, except that the exemption does not apply to any amount of the full cash value of the personal property of a taxpayer that exceeds fifty thousand dollars. The legislature may provide by law to increase the exempt amount according to annual variations in a designated national inflation index.

(7) The legislature may exempt the property of cemeteries that are set apart and used to inter deceased human beings from taxation in a manner provided by law.

(8) There shall be further exempt from taxation the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, in the amount of:

(a) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(b) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(c) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(d) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(e) No exemption if the total assessment of such person exceeds five thousand dollars.

No such exemption shall be made for such person unless such person shall have served at least sixty days in the military or naval service of the United States during World War I or prior wars and shall have been a resident of this state prior to September 1, 1945.

(9) There shall be further exempt from taxation as herein provided the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, where such person has a service-connected disability as determined by the United States veterans administration or its successor. No such exemption shall be made for such person unless he shall have been a resident of this state prior to September 1, 1945 or unless such person shall have been a resident of this state for at least four years prior to his original entry into service as an airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof. The property of such person having a compensable service-connected disability exempt from taxation as herein provided shall be determined as follows:

(a) If such person's service-connected disability as determined by the United States veterans administration or its successor is sixty per cent or less, the property of such person exempt from taxation shall be determined by such person's percentage of disability multiplied by the assessment of such person in the amount of:

(i) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(ii) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(iii) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(iv) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(v) No exemption if the total assessment of such person exceeds five thousand dollars.

(b) If such person's service-connected disability as determined by the United States veterans administration or its successor is more than sixty per cent, the property of such person exempt from taxation shall be in the amount of:

(i) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

(ii) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.

(iii) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.

(iv) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.

(v) No exemption if the total assessment of such person exceeds five thousand dollars.

(10) There shall be further exempt from taxation the property of each honorably discharged airman, soldier, sailor, United States marine, member of revenue marine service, the coast guard, nurse corps or of any predecessor or of the component of auxiliary of any thereof, resident of this state, where such person has a nonservice-connected total and permanent disability, physical or mental, as so certified by the United States veterans administration, or its successor, or such other certification as provided by law, in the amount of:

(a) One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.

- (b) One thousand dollars if the total assessment of such person does not exceed four thousand dollars.
- (c) Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.
- (d) Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.
- (e) No exemption if the total assessment of such person exceeds five thousand dollars. No such exemption shall be made for such person unless he shall have served at least sixty days in the military or naval service of the United States during time of war after World War I and shall have been a resident of this state prior to September 1, 1945.
- (11) There shall be further exempt from taxation the property of each widow, resident of this state, in the amount of:
- (a) One thousand five hundred dollars if the total assessment of such widow does not exceed three thousand five hundred dollars.
- (b) One thousand dollars if the total assessment of such widow does not exceed four thousand dollars.
- (c) Five hundred dollars if the total assessment of such widow does not exceed four thousand five hundred dollars.
- (d) Two hundred fifty dollars if the total assessment of such widow does not exceed five thousand dollars.
- (e) No exemption if the total assessment of such widow exceeds five thousand dollars. In order to qualify for this exemption, the income from all sources of such widow, together with the income from all sources of all children of such widow residing with the widow in her residence in the year immediately preceding the year for which such widow applies for this exemption, shall not exceed:
1. Seven thousand dollars if none of the widow's children under the age of eighteen years resided with her in such widow's residence; or
 2. Ten thousand dollars if one or more of the widow's children residing with her in such widow's residence was under the age of eighteen years, or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.
- Such widow shall have resided with her last spouse in this state at the time of the spouse's death if she was not a widow and a resident of this state prior to January 1, 1969.
- (12) No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of subsections (8), (9), (10) or (11) shall not exceed one thousand five hundred dollars. The provisions of this section shall be self-executing.
- (13) All property in the state not exempt under the laws of the United States or under this constitution or exempt by law under the provisions of this section shall be subject to taxation to be ascertained as provided by law.

2.1. Exemption from tax; property of widowers

Section 2.1. There shall be further exempt from taxation the property of each widower, resident of this state, in the amount of:

1. One thousand five hundred dollars if the total assessment of such widower does not exceed three thousand five hundred dollars.
2. One thousand dollars if the total assessment of such widower does not exceed four thousand dollars.
3. Five hundred dollars if the total assessment of such widower does not exceed four thousand five hundred dollars.
4. Two hundred fifty dollars if the total assessment of such widower does not exceed five thousand dollars.
5. No exemption if the total assessment of such widower exceeds five thousand dollars. In order to qualify for this exemption, the income from all sources of such widower, together with the income from all sources of all children of such widower residing with the widower in his residence in the year immediately preceding the year for which such widower applies for this exemption, shall not exceed:
 1. Seven thousand dollars if none of the widower's children under the age of eighteen years resided with him in such widower's residence; or
 2. Ten thousand dollars if one or more of the widower's children residing with him in such widower's residence was under the age of eighteen years, or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.

Such widower shall have resided with his last spouse in this state at the time of the spouse's death if he was not a widower and a resident of this state prior to January 1, 1969.

No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of this section shall not exceed one thousand five hundred dollars. This section shall be self-executing.

2.2. Exemption from tax; property of persons who are disabled

Section 2.2. A. There shall be further exempt from taxation the property of each person who, after age seventeen, has been medically certified as totally and permanently disabled, in the amount of:

1. One thousand five hundred dollars if the total assessment of such person does not exceed three thousand five hundred dollars.
2. One thousand dollars if the total assessment of such person does not exceed four thousand dollars.
3. Five hundred dollars if the total assessment of such person does not exceed four thousand five hundred dollars.
4. Two hundred fifty dollars if the total assessment of such person does not exceed five thousand dollars.
5. No exemption if the total assessment of such person exceeds five thousand dollars. The legislature may by law prescribe criteria for medical certification of such disability.

B. The income from all sources of the person who is disabled, the person's spouse and all of the person's children who reside in the person's residence in the year immediately preceding the year for which the person applies for this exemption shall not exceed:

1. Seven thousand dollars if none of the person's children under the age of eighteen years resided in the person's residence; or
2. Ten thousand dollars if one or more of the person's children residing in the residence was under the age of eighteen years or was totally and permanently disabled, physically or mentally, as certified by competent medical authority as provided by law.

C. No property shall be exempt which has been conveyed to evade taxation. The total exemption from taxation granted to the property owned by a person who qualifies for any exemption in accordance with the terms of this section shall not exceed one thousand five hundred dollars. This section shall be self-executing.

2.3. Exemption from tax; increase in amount of exemptions, assessments and income

Section 2.3. The legislature may by law increase the amount of the exemptions, the total permissible amount of assessments or the permissible amount of income from all sources prescribed in sections 2, 2.1 and 2.2 of this article.

3. Annual tax; purposes; amount; tax laws; payment of taxes into state treasury

Section 3. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the necessary ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying an annual tax sufficient to pay the annual interest and the principal of such debt within twenty-five years from the final passage of the law creating the debt. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the tax, to which object only it shall be applied. All taxes levied and collected for state purposes shall be paid into the state treasury in money only.

4. Fiscal year; annual statement of receipts and expenditures; deficit

Section 4. The fiscal year shall commence on the first day of July in each year. An accurate statement of the receipts and expenditures of the public money shall be published annually, in such manner as shall be provided by law. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

5. Power of state to contract debts; purposes; limit; restrictions

Section 5. The state may contract debts to supply the casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more laws, or at different periods of time, shall never exceed the sum of three hundred and fifty thousand dollars; and the money arising from the creation of such debts shall be applied to the

purpose for which it was obtained or to repay the debts so contracted, and to no other purpose.

In addition to the above limited power to contract debts the state may borrow money to repel invasion, suppress insurrection, or defend the state in time of war; but the money thus raised shall be applied exclusively to the object for which the loan shall have been authorized or to the repayment of the debt thereby created. No money shall be paid out of the state treasury, except in the manner provided by law.

6. Local assessments and taxes

Section 6. Incorporated cities, towns, and villages may be vested by law with power to make local improvements by special assessments, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes.

7. Gift or loan of credit; subsidies; stock ownership; joint ownership

Section 7. Neither the state, nor any county, city, town, municipality, or other subdivision of the state shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or become a joint owner with any person, company, or corporation, except as to such ownerships as may accrue to the state by operation or provision of law or as authorized by law solely for investment of the monies in the various funds of the state.

8. Local debt limits; assent of taxpayers

Section 8. (1) No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding six per centum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of a majority of the property taxpayers, who must also in all respects be qualified electors, therein voting at an election provided by law to be held for that purpose, the value of the taxable property therein to be ascertained by the last assessment for state and county purposes, previous to incurring such indebtedness; except, that in incorporated cities and towns assessments shall be taken from the last assessment for city or town purposes; provided, that under no circumstances shall any county or school district become indebted to an amount exceeding fifteen per centum of such taxable property, as shown by the last assessment roll thereof; and provided further, that any incorporated city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding twenty per centum additional, for supplying such city or town with water, artificial light, or sewers, when the works for supplying such water, light, or sewers are or shall be owned and controlled by the municipality, and for the acquisition and development by the incorporated city or town of land or interests therein for open space preserves, parks, playgrounds and recreational facilities, public safety, law enforcement, fire and emergency services facilities and streets and transportation facilities.

(2) The provisions of section 18, subsections (3), (4), (5) and (6) of this article shall not apply to this section.

8.1. Unified school district debt limit

Section 8.1. (1) Notwithstanding the provisions of section 8 of this article a unified school district may become indebted to an amount not exceeding thirty per cent of the taxable property of the school district, as shown by the last assessment roll thereof. For purposes of this section, a unified school district is a single school district which provides education to the area within the district for grades kindergarten through twelve and which area is not subject to taxation by any other common or high school district.

(2) The provisions of section 18, subsections (3), (4), (5) and (6) of this article shall not apply to this section.

9. Statement of tax and objects

Section 9. Every law which imposes, continues, or revives a tax shall distinctly state the tax and the objects for which it shall be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

10. Aid of church, private or sectarian school, or public service corporation

Section 10. No tax shall be laid or appropriation of public money made in aid of any church, or private or sectarian school, or any public service corporation.

11. Taxing procedure; license tax on registered vehicles

Section 11. From and after December 31, 1973, the manner, method and mode of assessing, equalizing and levying taxes in the state of Arizona shall be such as is prescribed by law.

From and after December 31, 1973, a license tax is hereby imposed on vehicles registered for operation upon the highways in Arizona, which license tax shall be in lieu of all ad valorem property taxes on any vehicle subject to such license tax. Such license tax shall be collected as provided by law. To facilitate an even distribution of the registration of vehicles and the collection of the license tax imposed by this section, the legislature may provide for different times or periods of registration between and within the several classes of vehicles.

In the event that a vehicle is destroyed after the beginning of a registration year, the license tax paid for such year on such vehicle may be reduced as provided by law.

From and after December 31, 1973, mobile homes, as defined by law for tax purposes, shall not be subject to the license tax imposed under the provisions of this section but shall be subject to ad valorem property taxes on any mobile homes in the manner provided by law. Distribution of the proceeds derived from such tax shall be as provided by law.

From and after December 31, 1973, the legislature shall provide for the distribution of the proceeds from such license tax to the state, counties, school districts, cities and towns.

12. Authority to provide for levy and collection of license and other taxes

Section 12. The law-making power shall have authority to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral and direct inheritance, legacy, and succession taxes, also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes, stamp, registration, production, or other specific taxes.

13. Inventory, materials and products of manufacturers; production livestock and animals; tax exemption

Section 13. No tax shall be levied on:

1. Raw or unfinished materials, unassembled parts, work in process or finished products, constituting the inventory of a manufacturer or manufacturing establishment located within the state and principally engaged in the fabrication, production and manufacture of products, wares and articles for use, from raw or prepared materials, imparting thereto new forms, qualities, properties and combinations, which materials, parts, work in process or finished products are not consigned or billed to any other party.
2. Livestock, poultry, aquatic animals and honeybees owned by a person who is principally engaged in agricultural production, subject to such conditions as may be prescribed by law.

14. Use and distribution of vehicle, user, and gasoline and diesel tax receipts

Section 14. No moneys derived from fees, excises, or license taxes relating to registration, operation, or use of vehicles on the public highways or streets or to fuels or any other energy source used for the propulsion of vehicles on the public highways or streets, shall be expended for other than highway and street purposes including the cost of administering the state highway system and the laws creating such fees, excises, or license taxes, statutory refunds and adjustments provided by law, payment of principal and interest on highway and street bonds and obligations, expenses of state enforcement of traffic laws and state administration of traffic safety programs, payment of costs of publication and distribution of Arizona highways magazine, state costs of construction, reconstruction, maintenance or repair of public highways, streets or bridges, costs of rights of way acquisitions and expenses related thereto, roadside development, and for distribution to counties, incorporated cities and towns to be used by them solely for highway and street purposes including costs of rights of way acquisitions and expenses related thereto, construction, reconstruction, maintenance, repair, roadside development, of county, city and town roads, streets, and bridges and payment of principal and interest on highway and street bonds. As long as the total highway user revenues derived equals or exceeds the total derived in the fiscal year ending June 30, 1970, the state and any county shall not receive from such revenues for the use of each and for distribution to cities and towns, fewer dollars than were received and distributed in such fiscal year. This section shall not apply to moneys derived from the automobile license tax imposed under section 11 of article IX of the Constitution of Arizona. All moneys collected in accordance with this section shall be distributed as provided by law.

15. [License tax on aircraft](#)

Section 15. Commencing January 1, 1965, a license tax is imposed on aircraft registered for operation in Arizona, which license tax shall be in lieu of all ad valorem property taxes on any aircraft subject thereto, but nothing in this section shall be deemed to apply to:

1. Regularly scheduled aircraft operated by an air line company for the primary purpose of carrying persons or property for hire in interstate, intrastate, or international transportation.
2. Aircraft owned and held by an aircraft dealer solely for purposes of sale.
3. Aircraft owned by a nonresident who operates aircraft for a period not in excess of ninety days in any one calendar year, provided that such aircraft are not engaged in any intrastate commercial activity.
4. Aircraft owned and operated exclusively in the public service by the state or by any political subdivision thereof, or by the civil air patrol. The amount, manner, method and mode of assessing, equalizing and levying such license tax and the distribution of the proceeds therefrom shall be prescribed by law.

16. [Exemption of watercraft from ad valorem property taxes](#)

Section 16. Commencing January 1, 1967, all watercraft registered for operation in Arizona, excluding watercraft owned and operated for any commercial purpose, is exempt from ad valorem property taxes. Watercraft exempt from ad valorem property taxes shall be subject to or exempt from a license tax, as may be prescribed by law. "Watercraft", as used in this section, shall be defined as provided by law.

17. [Economic estimates commission; appropriation limitation; powers and duties of commission](#)

Section 17. (1) The economic estimates commission shall be established by law, with a membership of not to exceed three members, and shall determine and publish prior to February 1 of each year the estimated total personal income for the following fiscal year. By April 1 of each year the commission shall determine and publish a final estimate of the total personal income for the following fiscal year, which estimate shall be used in computing the appropriations limit for the legislature. For the purposes of this section, "total personal income" means the dollar amount that will be reported as total income by persons for the state of Arizona by the U. S. department of commerce or its successor agency.

(2) For purposes of this section, "state revenues":

(a) Include all monies, revenues, fees, fines, penalties, funds, tuitions, property and receipts of any kind whatsoever received by or for the account of the state or any of its agencies, departments, offices, boards, commissions, authorities, councils and insitutions except as provided in this subsection.

(b) Do not include:

(i) Any amounts or property received from the issuance or incurrence of bonds or other lawful long-term obligations issued or incurred for a specific purpose. For the purpose of

this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment by the state.

(ii) Any amounts or property received as payment of dividends or interest.

(iii) Any amounts or property received by the state in the capacity of trustee, custodian or agent.

(iv) Any amounts received from employers for deposit in the unemployment compensation fund or any successor fund.

(v) Any amounts collected by the state for distribution to counties, cities and towns without specific restrictions on the use of the funds other than the restrictions included in section 14 of this article.

(vi) Any amounts received as grants, aid, contributions or gifts of any type, except voluntary contributions or other contributions received directly or indirectly in lieu of taxes.

(vii) Any amounts received as the proceeds from the sale, lease or redemption of property or as consideration for services or the use of property.

(viii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the state which were included as state revenues for such fiscal year or which are excluded from state revenue under other provisions of this subsection.

(ix) Any amounts attributable to an increase in the rates of tax subsequent to July 1, 1979 on vehicle users, gasoline and diesel fuel which were levied on July 1, 1979.

(x) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts appropriated which were applied against the appropriation limitation for such fiscal year or which were excluded from state revenues under other provisions of this subsection.

(3) The legislature shall not appropriate for any fiscal year state revenues in excess of seven per cent of the total personal income of the state for that fiscal year as determined by the economic estimates commission. The limitation may be exceeded upon affirmative vote of two-thirds of the membership of each house of the legislature on each measure that appropriates amounts in excess of the limitation. If the legislature authorizes a specific dollar amount of appropriation for more than one fiscal year, for the purpose of measuring such appropriation against the appropriation limitation, the entire amount appropriated shall be applied against the limitation in the first fiscal year during which any expenditures are authorized, and in no other fiscal year.

(4) In order to permit the transference of governmental functions or funding responsibilities between the federal and state governments and between the state government and its political subdivisions without abridging the purpose of this section to limit state appropriations to a percentage of total personal income, the legislature shall provide for adjustments of the appropriation percentage limitation consistent with the following principles:

(a) If the federal government assumes all or any part of the cost of providing a governmental function which the state previously funded in whole or in part, the appropriation limitation shall be commensurately decreased.

(b) If the federal government requires the state to assume all or any part of the cost of providing a governmental function the appropriation limitation shall be commensurately increased.

(c) If the state assumes all or any part of the cost of providing a governmental function and the state requires the political subdivision, which previously funded all or any part of the cost of the function to commensurately decrease its tax revenues, the appropriation percentage limitation shall be commensurately increased.

(d) If a political subdivision assumes all or any part of the cost of providing a governmental function previously funded in whole or in part by the state, the appropriation percentage limitation shall be commensurately decreased.

Any adjustments made pursuant to this subsection shall be made for the first fiscal year of the assumption of the cost. Such adjustment shall remain in effect for each subsequent fiscal year.

18. Residential ad valorem tax limits; limit on increase in values; definitions

Section 18. (1) The maximum amount of ad valorem taxes that may be collected from residential property in any tax year shall not exceed one per cent of the property's full cash value as limited by this section.

(2) The limitation provided in subsection (1) does not apply to:

(a) Ad valorem taxes or special assessments levied to pay the principal of and interest and redemption charges on bonded indebtedness or other lawful long-term obligations issued or incurred for a specific purpose.

(b) Ad valorem taxes or assessments levied by or for property improvement assessment districts, improvement districts and other special purpose districts other than counties, cities, towns, school districts and community college districts.

(c) Ad valorem taxes levied pursuant to an election to exceed a budget, expenditure or tax limitation.

(3) Except as otherwise provided by subsections (5), (6) and (7) of this section the value of real property and improvements and the value of mobile homes used for all ad valorem taxes except those specified in subsection (2) shall be the lesser of the full cash value of the property or an amount ten per cent greater than the value of property determined pursuant to this subsection for the prior year or an amount equal to the value of property determined pursuant to this subsection for the prior year plus one-fourth of the difference between such value and the full cash value of the property for current tax year, whichever is greater.

(4) The legislature shall by law provide a method of determining the value, subject to the provisions of subsection (3), of new property.

(5) The limitation on increases in the value of property prescribed in subsection (3) does not apply to equalization orders that the legislature specifically exempts by law from such limitation.

(6) Subsection (3) does not apply to:

(a) Property used in the business of patented or unpatented producing mines and the mills and the smelters operated in connection with the mines.

(b) Producing oil, gas and geothermal interests.

(c) Real property, improvements thereto and personal property used thereon used in the operation of telephone, telegraph, gas, water and electric utility companies.

(d) Aircraft that is regularly scheduled and operated by an airline company for the primary purpose of carrying persons or property for hire in interstate, intrastate or international transportation.

(e) Standing timber.

(f) Property used in the operation of pipelines.

(g) Personal property regardless of use except mobile homes.

(7) A resident of this state who is sixty-five years of age or older may apply to the county assessor for a property valuation protection option on the person's primary residence, including not more than ten acres of undeveloped appurtenant land. To be eligible for the property valuation protection option, the resident shall make application and furnish documentation required by the assessor on or before September 1. If the resident fails to file the application on or before September 1, the assessor shall process the application for the subsequent year. If the resident files an application with the assessor on or before September 1, the assessor shall notify the resident whether the application is accepted or denied on or before December 1. The resident may apply for a property valuation protection option after residing in the primary residence for two years. If one person owns the property, the person's total income from all sources including nontaxable income shall not exceed four hundred per cent of the supplemental security income benefit rate established by section 1611(b)(1) of the social security act. If the property is owned by two or more persons, including a husband and wife, at least one of the owners must be sixty-five years of age or older and the owners' combined total income from all sources including nontaxable income shall not exceed five hundred per cent of the supplemental security income benefit rate established by section 1611(b)(1) of the social security act. The assessor shall review the owner's income qualifications on a triennial basis and shall use the owner's average total income during the previous three years for the review. If the county assessor approves a property valuation protection option, the value of the primary residence shall remain fixed at the full cash value in effect during the year the property valuation protection option is filed and as long as the owner remains eligible. To remain eligible, the county assessor shall require a qualifying resident to reapply for the property valuation protection option every three years and shall send a notice of reapplication to qualifying residents six months before the three year reapplication requirement. If title to the property is conveyed to any person who does not qualify for the property valuation protection option, the property valuation protection option terminates, and the property shall revert to its current full cash value.

(8) The legislature shall provide by law a system of property taxation consistent with the provisions of this section.

(9) For purposes of this section:

(a) "Owner" means the owner of record of the property and includes a person who owns the majority beneficial interest of a living trust.

(b) "Primary residence" means all owner occupied real property and improvements to that real property in this state that is a single family home, condominium, townhouse or an owner occupied mobile home and that is used for residential purposes.

19. Limitation on ad valorem tax levied; exceptions

Section 19. (1) The maximum amount of ad valorem taxes levied by any county, city, town or community college district shall not exceed an amount two per cent greater than the amount levied in the preceding year.

(2) The limitation prescribed by subsection (1) does not apply to:

(a) Ad valorem taxes or special assessments levied to pay the principal of and the interest and redemption charges on bonded indebtedness or other lawful long-term obligations issued or incurred for a specific purpose.

(b) Ad valorem taxes or assessments levied by or for property improvement assessment districts, improvement districts and other special purpose districts other than counties, cities, towns and community college districts.

(c) Ad valorem taxes levied by counties for support of school districts.

(3) This section applies to all tax years beginning after December 31, 1981.

(4) The limitation prescribed by subsection (1) shall be increased each year to the maximum permissible limit, whether or not the political subdivision actually levies ad valorem taxes to such amounts, except that beginning in 2007 the limitation prescribed by subsection (1) shall be computed from the actual tax levy of the county, city, town or community college district in 2005.

(5) The voters, in the manner prescribed by law, may elect to allow ad valorem taxation in excess of the limitation prescribed by this section.

(6) The limitation prescribed by subsection (1) of this section shall be increased by the amount of ad valorem taxes levied against property not subject to taxation in the prior year and shall be decreased by the amount of ad valorem taxes levied against property subject to taxation in the prior year and not subject to taxation in the current year. Such amounts of ad valorem taxes shall be computed using the rate applied to property not subject to this subsection.

(7) The legislature shall provide by law for the implementation of this section.

20. Expenditure limitation; adjustments; reporting

Section 20. (1) The economic estimates commission shall determine and publish prior to April 1 of each year the expenditure limitation for the following fiscal year for each county, city and town. The expenditure limitations shall be determined by adjusting the amount of actual payments of local revenues for each such political subdivision for fiscal year 1979-1980 to reflect the changes in the population of each political subdivision and the cost of living. The governing board of any political subdivision shall not authorize expenditures of local revenues in excess of the limitation prescribed in this section, except as provided in subsections (2), (6) and (9) of this section.

(2) Expenditures in excess of the limitations determined pursuant to subsection (1) of this section may be authorized as follows:

(a) Upon affirmative vote of two-thirds of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster declared by the governor. Any expenditures in excess of the expenditure limitation, as authorized by this paragraph, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures authorized

pursuant to this paragraph shall be made either in the fiscal year in which the disaster is declared or in the succeeding fiscal year.

(b) Upon the affirmative vote of seventy per cent of the members of the governing board for expenditures directly necessitated by a natural or man-made disaster not declared by the governor, subject to the following:

(i) The governing board reducing expenditures below the expenditure limitation determined pursuant to subsection (1) of this section by the amount of the excess expenditure for the fiscal year following a fiscal year in which excess expenditures were made pursuant to this paragraph; or

(ii) Approval of the excess expenditure by a majority of the qualified electors voting either at a special election held by the governing board or at a regularly scheduled election for the nomination or election of the members of the governing board, in the manner provided by law. If the excess expenditure is not approved by a majority of the qualified electors voting, the governing board shall for the fiscal year which immediately follows the fiscal year in which the excess expenditures are made, reduce expenditures below the expenditure limitation determined pursuant to subsection (1) of this section by the amount of the excess expenditures. Any expenditures in excess of the expenditure limitation, as authorized by this paragraph, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section in any subsequent years. Any expenditures pursuant to this paragraph shall be made either in the fiscal year in which the disaster occurs or in the succeeding fiscal year.

(c) Upon affirmative vote of at least two-thirds of the members of the governing board and approval by a majority of the qualified electors voting either at a special election held by the governing board in a manner prescribed by law, or at a regularly scheduled election for the nomination or election of the members of the governing board. Such approval by a majority of the qualified electors voting shall be for a specific amount in excess of the expenditure limitation, and such approval must occur prior to the fiscal year in which the expenditure limitation is to be exceeded. Any expenditures in excess of the expenditure limitation, as authorized by this subdivision, shall not affect the determination of the expenditure limitation pursuant to subsection (1) of this section, in subsequent years.

(3) As used in this section:

(a) "Base limit" means the amount of actual payments of local revenues for fiscal year 1979-1980 as used to determine the expenditure limitation pursuant to subsection (1) of this section.

(b) "Cost of living" means either:

(i) The price of goods and services as measured by the implicit price deflator for the gross national product or its successor as reported by the United States department of commerce or its successor agency.

(ii) A different measure or index of the cost of living adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption

of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(c) "Expenditure" means any authorization for the payment of local revenues.

(d) "Local revenues" includes all monies, revenues, funds, fees, fines, penalties, tuitions, property and receipts of any kind whatsoever received by or for the account of a political subdivision or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except:

(i) Any amounts or property received from the issuance or incurrence of bonds or other lawful long-term obligations issued or incurred for a specific purpose, or collected or segregated to make payments or deposits required by a contract concerning such bonds or obligations. For the purpose of this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment, by a political subdivision.

(ii) Any amounts or property received as payment of dividends or interest, or any gain on the sale or redemption of investment securities, the purchase of which is authorized by law.

(iii) Any amounts or property received by a political subdivision in the capacity of trustee, custodian or agent.

(iv) Any amounts received as grants and aid of any type received from the federal government or any of its agencies.

(v) Any amounts received as grants, aid, contributions or gifts of any type except amounts received directly or indirectly in lieu of taxes received directly or indirectly from any private agency or organization or any individual.

(vi) Any amounts received from the state which are included within the appropriation limitation prescribed in section 17 of this article.

(vii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the same political subdivision which were included as local revenues for such fiscal year or which are excluded from local revenue under other provisions of this section.

(viii) Any amounts or property accumulated for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements, if such accumulation and purpose have been approved by the voters of the political subdivision.

(ix) Any amounts received pursuant to section 14 of this article which are greater than the amount received in fiscal year 1979-1980.

(x) Any amounts received in return for goods or services pursuant to a contract with another political subdivision, school district, community college district or the state, and expended by the other political subdivision, school district, community college district or the state pursuant to the expenditure limitation in effect when the amounts are expended by the other political subdivision, school district, community college district or the state.

(xi) Any amounts expended for the construction, reconstruction, operation or maintenance of a hospital financially supported by a city or town prior to January 1, 1980.

- (xii) Any amounts or property collected to pay the principal of and interest on any warrants issued by a political subdivision and outstanding as of July 1, 1979.
- (xiii) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts expended which were applied against the expenditure limitation for such fiscal year or which were excluded from local revenues under other provisions of this subsection.
- (xiv) Any amounts received collected by the counties for distribution to school districts pursuant to state law.
- (e) "Political subdivision" means any county, city or town. This definition applies only to this section and does not otherwise modify the commonly accepted definition of political subdivision.
- (f) "Population" means either:
- (i) The periodic census conducted by the United States department of commerce or its successor agency, or the annual update of such census by the department of economic security or its successor agency.
- (ii) A different measure or index of population adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.
- (4) The economic estimates commission shall adjust the base limit to reflect subsequent transfers of all or any part of the cost of providing a governmental function, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the transfer.
- (5) The economic estimates commission shall adjust the base limit to reflect any subsequent annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the annexation, creation of a new political subdivision, consolidation or change in the boundaries of a political subdivision.
- (6) Any political subdivision may adjust the base limit by the affirmative vote of two-thirds of the members of the governing board or by initiative, in the manner provided by law, and in either instance by approval of the proposed adjustment by a majority of the qualified electors voting at a regularly scheduled general election or at a nonpartisan election held for the nomination or election of the members of the governing board. The impact of the modification of the expenditure limitation shall appear on the ballot and in publicity pamphlets, as provided by law. Any adjustment, pursuant to this subsection, of the base limit shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the approval, as provided by law.

(7) The legislature shall provide for expenditure limitations for such special districts as it deems necessary.

(8) The legislature shall establish by law a uniform reporting system for all political subdivisions or special districts subject to an expenditure limitation pursuant to this section to insure compliance with this section. The legislature shall establish by law sanctions and penalties for failure to comply with this section.

(9) Subsection (1) of this section does not apply to a city or town which at a regularly scheduled election for the nomination or election of members of the governing board of the city or town adopts an expenditure limitation pursuant to this subsection different from the expenditure limitation prescribed by subsection (1) of this section. The governing board of a city or town may by a two-thirds vote provide for referral of an alternative expenditure limitation or the qualified electors may by initiative, in the manner provided by law, propose an alternative expenditure limitation. In a manner provided by law, the impact of the alternative expenditure limitation shall be compared to the impact of the expenditure limitation prescribed by subsection (1) of this section, and the comparison shall appear on the ballot and in publicity pamphlets. If a majority of the qualified electors voting on such issue vote in favor of the alternative expenditure limitation, such limitation shall apply to the city or town. If more than one alternative expenditure limitation is on the ballot and more than one alternative expenditure limitation is approved by the voters, the alternative expenditure limitation receiving the highest number of votes shall apply to such city or town. If an alternative expenditure limitation is adopted, it shall apply for the four succeeding fiscal years. Following the fourth succeeding fiscal year, the expenditure limitation prescribed by subsection (1) of this section shall become the expenditure limitation for the city or town unless an alternative expenditure limitation is approved as provided in this subsection. If a majority of the qualified electors voting on such issue vote against an alternative expenditure limitation, the expenditure limitation prescribed pursuant to subsection (1) of this section shall apply to the city or town, and no new alternative expenditure limitation may be submitted to the voters for a period of at least two years. If an alternative expenditure limitation is adopted pursuant to this subsection, the city or town may not conduct an override election provided for in section 19, subsection (4) of this article, during the time period in which the alternative expenditure limitation is in effect.

(10) This section does not apply to any political subdivision until the fiscal year immediately following the first regularly scheduled election after July 1, 1980 for the nomination or election of the members of the governing board of such political subdivision, except that a political subdivision, prior to the fiscal year during which the spending limitation would first become effective, may modify the expenditure limitation prescribed pursuant to subsection (1) of this section, by the provisions prescribed by subsections (2) and (6) of this section, or may adopt an alternative expenditure limitation pursuant to subsection (9) of this section.

A county may conduct a special election to exceed the expenditure limitation prescribed pursuant to subsection (1) of this section for the fiscal years 1982-1983 and 1983-1984, on the first Tuesday after the first Monday in November in 1981.

(11) "City", as used in this article, means city or charter city.

21. Expenditure limitations for school districts and community college districts

Section 21. (1) The economic estimates commission shall determine and publish prior to April 1 of each year the expenditure limitation for the following fiscal year for each community college district. The expenditure limitations shall be determined by adjusting the amount of expenditures of local revenues for each such district for fiscal year 1979-1980 to reflect the changes in the student population of each district and the cost of living. The governing board of any community college district shall not authorize expenditures of local revenues in excess of the limitation prescribed in this section, except in the manner provided by law.

(2) The economic estimates commission shall determine and publish prior to May 1 of each year the aggregate expenditure limitation for all school districts for the following fiscal year. The aggregate expenditure limitation shall be determined by adjusting the total amount of expenditures of local revenues for all school districts for fiscal year 1979-1980 to reflect the changes in student population in the school districts and the cost of living, and multiplying the result by 1.10. The aggregate expenditures of local revenues for all school districts shall not exceed the limitation prescribed in this section, except as provided in subsection (3) of this section.

(3) Expenditures in excess of the limitation determined pursuant to subsection (2) of this section may be authorized by the legislature for a single fiscal year, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature.

(4) As used in this section:

(a) "Cost of living" means either:

(i) The price of goods and services as measured by the implicit price deflator for the gross national product or its successor as reported by the United States department of commerce, or its successor agency.

(ii) A different measure or index of the cost of living adopted at the direction of the legislature, by concurrent resolution, upon affirmative vote of two-thirds of the membership of each house of the legislature. Such measure or index shall apply for subsequent fiscal years, except it shall not apply for the fiscal year following the adoption of such measure or index if the measure or index is adopted after March 1 of the preceding fiscal year.

(b) "Expenditure" means any amounts budgeted to be paid from local revenues as prescribed by law.

(c) "Local revenues" includes all monies, revenues, funds, property and receipts of any kind whatsoever received by or for the account of a school district or community college district or any of its agencies, departments, offices, boards, commissions, authorities, councils and institutions, except:

(i) Any amounts or property received from the issuance or incurrence of bonds, or other lawful long-term obligations issued or incurred for a specific purpose, or any amounts or property collected or segregated to make payments or deposits required by a contract

concerning such bonds or obligations. For the purpose of this subdivision long-term obligations shall not include warrants issued in the ordinary course of operation or registered for payment by a political subdivision.

(ii) Any amounts or property received as payment of dividends and interest, or any gain on the sale or redemption of investment securities, the purchase of which is authorized by law.

(iii) Any amounts or property received by a school district or community college district in the capacity of trustee, custodian or agent.

(iv) Any amounts received as grants and aid of any type received from the federal government or any of its agencies except school assistance in federally affected areas.

(v) Any amounts or property received as grants, gifts, aid or contributions of any type except amounts received directly or indirectly in lieu of taxes received directly or indirectly from any private agency or organization, or any individual.

(vi) Any amounts received from the state for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements.

(vii) Any amounts received pursuant to a transfer during a fiscal year from another agency, department, office, board, commission, authority, council or institution of the same community college district or school district which were included as local revenues for such fiscal year or which are excluded from local revenue under other provisions of this subsection.

(viii) Any amounts or property accumulated by a community college district for the purpose of purchasing land, buildings or improvements or constructing buildings or improvements.

(ix) Any amounts received in return for goods or services pursuant to a contract with another political subdivision, school district, community college district or the state and expended by the other political subdivision, school district, community college district or the state pursuant to the expenditure limitation in effect when the amounts are expended by the other political subdivision, school district, community college district or the state.

(x) Any amounts received as tuition or fees directly or indirectly from any public or private agency or organization or any individual.

(xi) Any ad valorem taxes received pursuant to an election to exceed the limitation prescribed by section 19 of this article or for the purposes of funding expenditures in excess of the expenditure limitations prescribed by subsection (7) of this section.

(xii) Any amounts received during a fiscal year as refunds, reimbursements or other recoveries of amounts expended which were applied against the expenditure limitation for such fiscal year or which were excluded from local revenues under other provisions of this subsection.

(d) For the purpose of subsection (2) of this section, the following items are also excluded from local revenues of school districts:

(i) Any amounts received as the proceeds from the sale, lease or rental of school property as authorized by law.

(ii) Any amounts received from the capital levy as authorized by law.

- (iii) Any amounts received from the acquisition, operation, or maintenance of school services of a commercial nature which are entirely or predominantly self-supporting.
- (iv) Any amounts received for the purpose of funding expenditures authorized in the event of destruction of or damage to the facilities of a school district as authorized by law.
- (v) Any revenues derived from an additional state transaction privilege tax rate increment for educational purposes that was authorized by the voters before January 1, 2001.
- (vi) Any amounts received pursuant to article XI, section 8, Constitution of Arizona, that are approved by the majority of qualified voters at a statewide general election held after November 1, 2002, and before January 1, 2003.
- (e) "Student population" means the number of actual, full-time or the equivalent of actual full-time students enrolled in the school district or community college district determined in a manner prescribed by law.
- (5) The economic estimates commission shall adjust the amount of expenditures of local revenues in fiscal year 1979-1980, as used to determine the expenditure limitation pursuant to subsection (1) or (2) of this section, to reflect subsequent transfers of all or any part of the cost of providing a governmental function, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) or (2) of this section beginning with the fiscal year immediately following the transfer.
- (6) The economic estimates commission shall adjust the amount of expenditures of local revenues in fiscal year 1979-1980, as used to determine the expenditure limitation of a community college district pursuant to subsection (1) of this section, to reflect any subsequent annexation, creation of a new district, consolidation or change in the boundaries of a district, in a manner prescribed by law. The adjustment provided for in this subsection shall be used in determining the expenditure limitation pursuant to subsection (1) of this section beginning with the fiscal year immediately following the annexation, creation of a new district, consolidation or change in the boundaries of a district.
- (7) The legislature shall establish by law expenditure limitations for each school district beginning with the fiscal year beginning July 1, 1980. Expenditures by a school district in excess of such an expenditure limitation must be approved by a majority of the electors voting on the excess expenditures.
- (8) The legislature shall establish by law a uniform reporting system for school districts and community college districts to ensure compliance with this section. The legislature shall establish by law sanctions and penalties for failure to comply with this section.

22. [Vote required to increase state revenues; application; exceptions](#)

Section 22. (A) An act that provides for a net increase in state revenues, as described in subsection B is effective on the affirmative vote of two-thirds of the members of each house of the legislature. If the act receives such an affirmative vote, it becomes effective immediately on the signature of the governor as provided by article IV, part 1, section 1.

If the governor vetoes the measure, it shall not become effective unless it is approved by an affirmative vote of three-fourths of the members of each house of the legislature.

(B) The requirements of this section apply to any act that provides for a net increase in state revenues in the form of:

1. The imposition of any new tax.
2. An increase in a tax rate or rates.
3. A reduction or elimination of a tax deduction, exemption, exclusion, credit or other tax exemption feature in computing tax liability.
4. An increase in a statutorily prescribed state fee or assessment or an increase in a statutorily prescribed maximum limit for an administratively set fee.
5. The imposition of any new state fee or assessment or the authorization of any new administratively set fee.
6. The elimination of an exemption from a statutorily prescribed state fee or assessment.
7. A change in the allocation among the state, counties or cities of Arizona transaction privilege, severance, jet fuel and use, rental occupancy, or other taxes.
8. Any combination of the elements described in paragraphs 1 through 7.

(C) This section does not apply to:

1. The effects of inflation, increasing assessed valuation or any other similar effect that increases state revenue but is not caused by an affirmative act of the legislature.
2. Fees and assessments that are authorized by statute, but are not prescribed by formula, amount or limit, and are set by a state officer or agency.
3. Taxes, fees or assessments that are imposed by counties, cities, towns and other political subdivisions of this state.

(D) Each act to which this section applies shall include a separate provision describing the requirements for enactment prescribed by this section.

23. Expenditures required by initiative or referendum; funding source

Section 23. (A) An initiative or referendum measure that proposes a mandatory expenditure of state revenues for any purpose, establishes a fund for any specific purpose or allocates funding for any specific purpose must also provide for an increased source of revenues sufficient to cover the entire immediate and future costs of the proposal. The increased revenues may not be derived from the state general fund or reduce or cause a reduction in general fund revenues.

(B) If the identified revenue source provided pursuant to subsection A in any fiscal year fails to fund the entire mandated expenditure for that fiscal year, the legislature may reduce the expenditure of state revenues for that purpose in that fiscal year to the amount of funding supplied by the identified revenue source.

24. Prohibition of new real property sale or transfer taxes

Section 24. The state, any county, city, town, municipality or other political subdivision of the state, or any district created by law with authority to impose any tax, fee, stamp requirement or other assessment, shall not impose any new tax, fee, stamp requirement or other assessment, direct or indirect, on the act or privilege of selling, purchasing, granting, assigning, transferring, receiving, or otherwise conveying any interest in real

property. This section does not apply to any tax, fee, or other assessment in existence on December 31, 2007.

ARTICLE X. STATE AND SCHOOL LANDS

1. Acceptance and holding of lands by state in trust

Section 1. All lands expressly transferred and confirmed to the state by the provisions of the Enabling Act approved June 20, 1910, including all lands granted to the state and all lands heretofore granted to the Territory of Arizona, and all lands otherwise acquired by the state, shall be by the state accepted and held in trust to be disposed of in whole or in part, only in manner as in the said Enabling Act and in this Constitution provided, and for the several objects specified in the respective granting and confirmatory provisions. The natural products and money proceeds of any of said lands shall be subject to the same trusts as the lands producing the same.

2. Unauthorized disposition of land or proceeds as breach of trust

Section 2. Disposition of any of said lands, or of any money or thing of value directly or indirectly derived therefrom, for any object other than that for which such particular lands (or the lands from which such money or thing of value shall have been derived) were granted or confirmed, or in any manner contrary to the provisions of the said Enabling Act, shall be deemed a breach of trust.

3. Mortgage or other encumbrance; sale or lease at public auction

Section 3. No mortgage or other encumbrance of the said lands, or any part thereof, shall be valid in favor of any person or for any purpose or under any circumstances whatsoever. Said lands shall not be sold or leased, in whole or in part, except to the highest and best bidder at a public auction to be held at the county seat of the county wherein the lands to be affected, or the major portion thereof, shall lie, notice of which public auction shall first have been duly given by advertisement, which shall set forth the nature, time and place of the transaction to be had, with a full description of the lands to be offered, and be published once each week for not less than ten successive weeks in a newspaper of general circulation published regularly at the state capital, and in that newspaper of like circulation which shall then be regularly published nearest to the location of the lands so offered; nor shall any sale or contract for the sale of any timber or other natural product of such lands be made, save at the place, in the manner, and after the notice by publication provided for sales and leases of the lands themselves. Nothing herein, or elsewhere in article X contained, shall prevent:

1. The leasing of any of the lands referred to in this article in such manner as the legislature may prescribe, for grazing, agricultural, commercial and homesite purposes, for a term of ten years or less, without advertisement;
2. The leasing of any of said lands, in such manner as the legislature may prescribe, whether or not also leased for grazing and agricultural purposes, for mineral purposes, other than for the exploration, development, and production of oil, gas and other hydrocarbon substances, for a term of twenty years or less, without advertisement, or,
3. The leasing of any of said lands, whether or not also leased for other purposes, for the exploration, development, and production of oil, gas and other hydrocarbon substances on, in or under said lands for an initial term of twenty (20) years or less and as long thereafter as oil, gas or other hydrocarbon substance may be procured therefrom in paying quantities, the leases to be made in any manner, with or without advertisement,

bidding, or appraisal, and under such terms and provisions, as the legislature may prescribe, the terms and provisions to include a reservation of a royalty to the state of not less than twelve and one-half per cent of production.

4. Sale or other disposal; appraisal; minimum price; credit; passing of title

Section 4. All lands, lease-holds, timber, and other products of land, before being offered, shall be appraised at their true value, and no sale or other disposal thereof shall be made for a consideration less than the value so ascertained, nor in any case less than the minimum price hereinafter fixed, nor upon credit unless accompanied by ample security, and the legal title shall not be deemed to have passed until the consideration shall have been paid.

5. Minimum price; relinquishment of lands to United States

Section 5. No lands shall be sold for less than three dollars per acre, and no lands which are or shall be susceptible of irrigation under any projects now or hereafter completed or adopted by the United States under legislation for the reclamation of lands, or under any other project for the reclamation of lands, shall be sold at less than twenty-five dollars per acre; Provided, that the state, at the request of the secretary of the interior, shall from time to time relinquish such of its lands to the United States as at any time are needed for irrigation works in connection with any such government project, and other lands in lieu thereof shall be selected from lands of the character named and in the manner prescribed in section twenty-four of the said Enabling Act.

6. Lands reserved by United States for development of water power

Section 6. No lands reserved and excepted of the lands granted to this state by the United States, actually or prospectively valuable for the development of water powers or power for hydro-electric use or transmission, which shall be ascertained and designated by the secretary of the interior within five years after the proclamation of the president declaring the admission of the state, shall be subject to any disposition whatsoever by the state or by any officer of the state, and any conveyance or transfer of such lands made within said five years shall be null and void.

7. Establishment of permanent funds; segregation, investment and distribution of monies

Section 7. A. A separate permanent fund shall be established for each of the several objects for which the said grants are made and confirmed by the enabling act to the state, and whenever any monies shall be in any manner derived from any of said lands, the same shall be deposited by the state treasurer in the permanent fund corresponding to the grant under which the particular land producing such monies was, by the enabling act, conveyed or confirmed.

B. No monies shall ever be taken from one permanent fund for deposit in any other, or for any object other than that for which the land producing the same was granted or confirmed.

C. All such monies shall be invested in safe interest-bearing securities and prudent equity securities consistent with the requirements of this section.

D. The legislature shall establish a board of investment to serve as trustees of the permanent funds. The board shall provide for the management of the assets of the funds consistent with the following conditions:

1. Not more than sixty per cent of a fund at cost may be invested in equities at any time.
2. Equities that are eligible for purchase are restricted to stocks listed on any national stock exchange or eligible for trading through the United States national association of securities dealers automated quotation system, or successor institutions, except as may be prohibited by general criteria or by a restriction on investment in a specific security adopted pursuant to this subsection.
3. Not more than five per cent of all of the funds combined at cost may be invested in equity securities issued by the same institution, agency or corporation, other than securities issued as direct obligations of and fully guaranteed by the United States government.

E. In making investments under this section the state treasurer and trustees shall exercise the judgment and care under the prevailing circumstances that an institutional investor of ordinary prudence, discretion and intelligence exercises in managing large investments entrusted to it, not in regard to speculation, but in regard to the permanent disposition of monies, considering the probable safety of capital as well as the probable total rate of return over extended periods of time.

F. The earnings, interest, dividends and realized capital gains and losses from investment of a permanent fund, shall be credited to that fund.

G. The board of investment shall determine the amount of the annual distributions required by this section and allocate distributions pursuant to law. Beginning July 1, 2000 and except as otherwise provided in this section, the amount of the annual distribution from a permanent fund established pursuant to this section is the amount determined by multiplying the following factors:

1. The average of the annual total rate of return for the immediately preceding five complete fiscal years less the average of the annual percentage change in the GDP price deflator, or a successor index, for the immediately preceding five complete fiscal years.

For purposes of this paragraph:

- (a) "Annual total rate of return" means the quotient obtained by dividing the amount credited to a fund pursuant to subsection F for a complete fiscal year, plus unrealized capital gains and losses, by the average monthly market value of the fund for that year.
 - (b) "GDP price deflator" means the gross domestic price deflator reported by the United States department of commerce, bureau of economic analysis, or its successor agency.
2. The average of the monthly market values of the fund for the immediately preceding five complete fiscal years.

H. Notwithstanding any other provision of this section, the annual distribution from the permanent funds for fiscal years 1999-2000 through 2002-2003 shall be as follows:

1. For fiscal year 1999-2000, the greater of five per cent of the average of the monthly market values of the funds for fiscal years 1994-1995 through 1998-1999 or the average of actual annual distributions for fiscal years 1994-1995 through 1998-1999.
2. For fiscal years 2000-2001 through 2002-2003, the greater of the average of the actual annual distributions for the immediately preceding five complete fiscal years or the amount of the distribution required by subsection G.

8. Conformity of contracts with enabling act

Section 8. Every sale, lease, conveyance, or contract of or concerning any of the lands granted or confirmed, or the use thereof or the natural products thereof made to this state by the said Enabling Act, not made in substantial conformity with the provisions thereof, shall be null and void.

9. Sale or lease; conditions; limitations; lease prior to adoption of constitution

Section 9. All lands expressly transferred and confirmed to the state, by the provisions of the Enabling Act approved June 20, 1910, including all lands granted to the state, and all lands heretofore granted to the territory of Arizona, and all lands otherwise acquired by the state, may be sold or leased by the state in the manner, and on the conditions, and with the limitations, prescribed by the said Enabling Act and this Constitution, and as may be further prescribed by law; Provided, that the legislature shall provide for the separate appraisement of the lands and of the improvements on school and university lands which have been held under lease prior to the adoption of this Constitution, and for reimbursement to the actual bona fide residents or lessees of such lands upon which such improvements are situated, as prescribed by title 65, Civil Code of Arizona, 1901, and in such cases only as permit reimbursements to lessees in said title 65.

10. Laws for sale or lease of state lands; protection of residents and lessees

Section 10. The legislature shall provide by proper laws for the sale of all state lands or the lease of such lands, and shall further provide by said laws for the protection of the actual bona fide residents and lessees of said lands, whereby such residents and lessees of said lands shall be protected in their rights to their improvements (including water rights) in such manner that in case of lease to other parties the former lessee shall be paid by the succeeding lessee the value of such improvements and rights and actual bona fide residents and lessees shall have preference to a renewal of their leases at a reassessed rental to be fixed as provided by law.

11. Maximum acreage allowed single purchaser

Section 11. No individual, corporation or association shall be allowed to purchase more than one hundred sixty (160) acres of agricultural land or more than six hundred forty (640) acres of grazing land.

ARTICLE XI. EDUCATION

1. Public school system; education of pupils who are hearing and vision impaired

Section 1. A. The legislature shall enact such laws as shall provide for the establishment and maintenance of a general and uniform public school system, which system shall include:

1. Kindergarten schools.
 2. Common schools.
 3. High schools.
 4. Normal schools.
 5. Industrial schools.
 6. Universities, which shall include an agricultural college, a school of mines, and such other technical schools as may be essential, until such time as it may be deemed advisable to establish separate state institutions of such character.
- B. The legislature shall also enact such laws as shall provide for the education and care of pupils who are hearing and vision impaired.

2. Conduct and supervision of school system

Section 2. The general conduct and supervision of the public school system shall be vested in a state board of education, a state superintendent of public instruction, county school superintendents, and such governing boards for the state institutions as may be provided by law.

3. State board of education; composition; powers and duties; compensation

Section 3. The state board of education shall be composed of the following members: the superintendent of public instruction, the president of a state university or a state college, four lay members, a president or chancellor of a community college district, a person who is an owner or administrator of a charter school, a superintendent of a high school district, a classroom teacher and a county school superintendent. Each member, other than the superintendent of public instruction, shall be appointed by the governor with the consent of the senate in the manner prescribed by law. The powers, duties, compensation and expenses, and the terms of office, of the board shall be such as may be prescribed by law.

4. State superintendent of public instruction; board membership; powers and duties

Section 4. The state superintendent of public instruction shall be a member, and secretary, of the state board of education, and, ex-officio, a member of any other board having control of public instruction in any state institution. His powers and duties shall be prescribed by law.

5. Regents of university and other governing boards; appointments by governor; membership of governor on board of regents

Section 5. The regents of the university, and the governing boards of other state educational institutions, shall be appointed by the governor with the consent of the senate in the manner prescribed by law, except that the governor shall be, ex-officio, a member of the board of regents of the university.

6. Admission of students of both sexes to state educational institutions; tuition; common school system

Section 6. The university and all other state educational institutions shall be open to students of both sexes, and the instruction furnished shall be as nearly free as possible. The legislature shall provide for a system of common schools by which a free school shall be established and maintained in every school district for at least six months in each year, which school shall be open to all pupils between the ages of six and twenty-one years.

7. Sectarian instruction; religious or political test or qualification

Section 7. No sectarian instruction shall be imparted in any school or state educational institution that may be established under this Constitution, and no religious or political test or qualification shall ever be required as a condition of admission into any public educational institution of the state, as teacher, student, or pupil; but the liberty of conscience hereby secured shall not be so construed as to justify practices or conduct inconsistent with the good order, peace, morality, or safety of the state, or with the rights of others.

8. Permanent state school fund; source; apportionment of state funds

Section 8. A. A permanent state school fund for the use of the common schools shall be derived from the sale of public school lands or other public lands specified in the enabling act approved June 20, 1910; from all estates or distributive shares of estates that may escheat to the state; from all unclaimed shares and dividends of any corporation incorporated under the laws of Arizona; and from all gifts, devises, or bequests made to the state for general educational purposes.

B. The rental derived from school lands, with such other funds as may be provided by law shall be apportioned only for common and high school education in Arizona, and in such manner as may be prescribed by law.

9. County school fund; size of fund; free schools

Section 9. The amount of this apportionment shall become a part of the county school fund, and the legislature shall enact such laws as will provide for increasing the county fund sufficiently to maintain all the public schools of the county for a minimum term of six months in every school year. The laws of the state shall enable cities and towns to maintain free high schools, industrial schools, and commercial schools.

10. Source of revenue for maintenance of state educational institutions

Section 10. The revenue for the maintenance of the respective state educational institutions shall be derived from the investment of the proceeds of the sale, and from the rental of such lands as have been set aside by the enabling act approved June 20, 1910, or other legislative enactment of the United States, for the use and benefit of the respective state educational institutions. In addition to such income the legislature shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions, and shall make such special appropriations as shall provide for their development and improvement.

ARTICLE XII. COUNTIES

1. Counties as bodies politic and corporate

Section 1. Each county of the state, now or hereafter organized, shall be a body politic and corporate.

2. Counties of territory as counties of state

Section 2. The several counties of the territory of Arizona as fixed by statute at the time of the adoption of this Constitution are hereby declared to be the counties of the state until changed by law.

3. County officers; election; term of office

Section 3. There are hereby created in and for each organized county of the state the following officers who shall be elected by the qualified electors thereof: a sheriff, a county attorney, a recorder, a treasurer, an assessor, a superintendent of schools and at least three supervisors, each of whom shall be elected and hold his office for a term of four (4) years beginning on the first of January next after his election, which number of supervisors is subject to increase by law. The supervisors shall be nominated and elected from districts as provided by law.

The candidates for these offices elected in the general election of November 3, 1964 shall take office on the first day of January, 1965 and shall serve until the first day of January, 1969.

4. County officers; duties, powers, and qualifications; salaries

Section 4. The duties, powers, and qualifications of such officers shall be as prescribed by law. The board of supervisors of each county is hereby empowered to fix salaries for all county and precinct officers within such county for whom no compensation is provided by law, and the salaries so fixed shall remain in full force and effect until changed by general law.

5. Charter committee; charter preparation; approval

Section 5. A. The board of supervisors of any county with a population of more than five hundred thousand persons as determined by the most recent United States decennial or special census may call for an election to cause a charter committee to be elected by the qualified electors of that county at any time. Alternatively, the board of supervisors of any county with a population of more than five hundred thousand persons as determined by the most recent United States decennial or special census shall call for the election of the charter committee within ten days after receipt by the clerk of the board of supervisors of a petition that demands the election and that is signed by a number of qualified electors of the county at least equal to ten per cent of the total number of ballots cast for all candidates for governor or presidential electors in the county at the last preceding general election. The election shall be held at least one hundred days but not more than one hundred twenty days after the call for the election. Except as otherwise provided in this section, for elections held under this section or section 6 of this article, the manner of conducting and voting at an election, contesting an election, canvassing

votes and certifying returns shall be the same, as nearly as practicable, as in elections for county officers.

B. At the election a vote shall be taken to elect members of the charter committee who will function if further proceedings are authorized and the ballot shall contain the question of whether further proceedings toward adopting a charter shall be authorized pursuant to the call for the election. Unless a majority of the qualified electors voting on the question votes to authorize further proceedings, the election of members of the charter committee shall be invalidated and no further proceedings may be had except pursuant to a subsequent call pursuant to subsection A.

C. The charter committee shall be composed of fifteen qualified electors of the county elected by supervisorial district with the same number serving from each district. A nomination petition for election to the charter committee shall be made available by the clerk of the board of supervisors and shall be signed by a number of qualified electors of the supervisorial district who are eligible to vote for the nominee at least equal to one per cent of the total number of ballots cast for all candidates for governor or presidential electors in the supervisorial district at the last preceding general election, and filed with the clerk not later than sixty days before the election. All qualified electors of the county, including all elected public officials, are eligible to seek election to the charter committee.

D. Within one hundred eighty days after the election the charter committee shall prepare and submit a proposed charter for the county. The proposed charter shall be signed by a majority of the members of the committee and filed with the clerk of the board of supervisors, after which the charter committee shall be dissolved. The county shall then publish the proposed charter in the official newspaper of the county at least once a week for three consecutive weeks. The first publication shall be made within twenty days after the proposed charter is filed with the clerk of the board of supervisors.

E. At least forty-five days but not more than sixty days after final publication, the proposed charter shall be submitted to the vote of the qualified electors of the county at a general or special election. If a general election will be held within ninety days after final publication, the charter shall be submitted at that general election. The full text of the proposed charter shall be printed in a publicity pamphlet and mailed to each household containing a registered voter at least eleven days before the charter election and the ballot may contain only a summary of the proposed charter provisions. The ballot shall contain a question regarding approval of the proposed charter and the questions pertaining to taxation authority and appointment of officers, if any, provided for in sections 7 and 8 of this article.

F. If a majority of the qualified electors voting ratifies the proposed charter, a copy of the charter, together with a statement setting forth the submission of the charter to the qualified electors and its ratification by them, shall be certified by the clerk of the board of supervisors and shall be submitted to the governor for approval. The governor shall approve the charter within thirty days after its submission if it is not in conflict with, or states that in the event of a conflict is subject to, this constitution and the laws of this state. On approval, the charter becomes the organic law of the county, and certified copies of the charter shall be filed in the office of the secretary of state and with the clerk of the board of supervisors after being recorded in the office of the county recorder.

Thereafter all courts shall take judicial notice of the charter.

6. Amendment of charter

Section 6. A charter shall set forth procedures for amendment of the charter. Proposed amendments shall be submitted to the qualified electors of the county at a general or special election and become effective if ratified by a majority of the qualified electors voting on the amendments and approved by the governor in the manner provided for in section 5 of this article.

7. County charter provisions

Section 7. A. Charter counties continue to be political subdivisions of this state that exist to aid in the administration of this state's laws and for purposes of self-government. Except as otherwise provided in this article the powers of the legislature over counties are not affected by this section and sections 5, 6, 8 and 9 of this article. Charter counties shall provide the same state mandated services and perform the same state mandated functions as non-charter counties. Charter counties may exercise, if provided by the charter, all powers over local concerns of the county consistent with, and subject to, the constitution and the laws of this state. In matters of strictly local municipal concern, charters adopted pursuant to article XIII shall control in any case of conflict with a county charter adopted pursuant to this article.

B. If a county has framed and adopted a charter and the charter is approved by the governor as provided in this article, the county shall be governed by the terms of its charter and ordinances passed pursuant to its charter. If the charter has been framed, adopted and approved and any of its provisions are in conflict with any county ordinance, rule or regulation relating to local concerns of the counties in force at the time of the adoption and approval of the charter, the provisions of the charter prevail notwithstanding the conflict and operate as a repeal or suspension of the law to the extent of conflict, and the law is not thereafter operative as to such conflict.

C. Notwithstanding article IX, section 1, if proposed and approved in the charter, a charter county may levy and collect:

1. Taxes on a countywide basis to provide services on a countywide basis.
2. Taxes on a specially designated area basis to provide services or special levels of service to that area.

All taxes levied pursuant to this subsection shall be uniform upon the same class of property within the territorial limits of the county or the specially designated area and shall be levied and collected for public purposes only.

D. The decision to include a charter provision authorizing taxation pursuant to subsection C, paragraph 1 or 2 of this section shall be placed on the ballot as separate questions at the election to ratify the charter and must be approved by a majority of the qualified electors voting at the election. The result of the voting on either provision authorizing taxation does not affect the result of the voting to ratify the charter. Charter provisions authorizing taxation pursuant to subsection C, paragraph 1 or 2 of this section may also be proposed by an amendment to the charter pursuant to section 6 of this article.

E. If the authority to tax pursuant to subsection C, paragraph 2 of this section is approved for inclusion in the charter, any new tax proposed by the county under subsection C, paragraph 2 of this section shall be voted on by the qualified electors of the specially

designated area. The tax must be ratified by a majority vote of the qualified electors voting at the election.

F. A transaction privilege tax, use tax or similar tax levied by a county pursuant to subsection C, paragraph 1 of this section:

1. May be imposed on only those business activities, or on the use, storage or consumption, which are subject to the comparable state transaction privilege tax, use tax or similar tax.

2. Shall provide all exclusion and exemptions provided by, and administrative provisions consistent with, the comparable state transaction privilege tax, use tax or similar tax.

G. All taxes levied under subsection F of this section shall not exceed an aggregate rate of two per cent when combined with existing taxes levied pursuant to title 42, chapter 8.3.

H. If approved in the charter, a charter county may adopt fees and fee schedules for any county products and county service delivery it provides in the conduct of any official business. Notwithstanding any fee schedules or individual charges provided by state law, the governing body of a charter county may adopt an alternate fee schedule or individual charge. Any fee or charge established pursuant to this section shall be attributable to and defray or cover the current or future costs of the product or service delivery for which the fee or charge is assessed.

I. Taxes raised under the authority of this section shall be subject to the provisions of the county property tax and expenditure limitations pursuant to article IX, sections 19 and 20.

8. Government and other powers

Section 8. A. The county charter shall provide:

1. For an elective governing body and its method of compensation, its powers, duties and responsibilities, its authority to delegate powers, the method of election and removal of members, the terms of office and the manner of filling vacancies in the governing body.

2. For all officers established under section 3 of this article and article VI, section 23, and such additional officers as the charter may provide for, their election or appointment, consolidation or segregation, method of compensation, powers, duties and responsibilities, authority to delegate powers and, if elected, the method of election and removal, terms of office and the manner of filling vacancies in such offices. If the charter provides for the attorney to remain an elective officer of the county, the charter may provide for an appointive office to carry out the civil representation needs of the county, its departments, agencies, boards, commissions, officials and employees. If the elective governing body provided for in the charter does not consist of supervisors, the charter may provide for elimination of the office of supervisor. If the charter provides for the office of supervisor, the number of supervisors shall be not fewer than five or greater than nine. If the charter provides for the appointment or elimination of an officer established under section 3 of this article or article VI, section 23, or for an appointive office to carry out the civil representation needs of the county, those provisions shall include an effective date not earlier than the expiration of the term of office for the officer commencing in January immediately following the first general election at which the officer is elected following approval of the charter by the voters and shall be placed on the ballot as separate questions at the election to ratify the charter and must be approved by a majority of the qualified electors voting at the election. The result of the voting on

any provisions authorizing appointment or elimination of officers does not affect the result of the voting to ratify the charter.

3. For the performance of functions required by statute.

4. For a periodic review of the charter provisions to be conducted at least once every ten years from the time of its ratification by the voters and the procedures for the periodic review.

B. The county charter may provide for other elective and appointive offices.

9. Self-executing provision

Section 9. The provisions of sections 5 through 8 of this article are self-executing, and no further legislation is required to make them effective.

ARTICLE XIII. MUNICIPAL CORPORATIONS

1. Incorporation and organization; classification

Section 1. Municipal corporations shall not be created by special laws, but the legislature, by general laws, shall provide for the incorporation and organization of cities and towns and for the classification of such cities and towns in proportion to population, subject to the provisions of this article.

2. Charter; preparation and proposal by board of freeholders; ratification and approval; amendment

Section 2. Any city containing, now or hereafter, a population of more than three thousand five hundred may frame a charter for its own government consistent with, and subject to, the Constitution and the laws of the state, in the following manner: A board of freeholders composed of fourteen qualified electors of said city may be elected at large by the qualified electors thereof, at a general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city. Such proposed charter shall be signed in duplicate by the members of such board, or a majority of them, and filed, one copy of said proposed charter with the chief executive officer of such city and the other with the county recorder of the county in which said city shall be situated. Such proposed charter shall then be published in one or more newspapers published, and of general circulation, within said city for at least twenty-one days if in a daily paper, or in three consecutive issues if in a weekly paper, and the first publication shall be made within twenty days after the completion of the proposed charter. Within thirty days, and not earlier than twenty days, after such publication, said proposed charter shall be submitted to the vote of the qualified electors of said city at a general or special election. If a majority of such qualified electors voting thereon shall ratify such proposed charter, it shall thereupon be submitted to the governor for his approval, and the governor shall approve it if it shall not be in conflict with this Constitution or with the laws of the state. Upon such approval said charter shall become the organic law of such city and supersede any charter then existing (and all amendments thereto), and all ordinances inconsistent with said new charter. A copy of such charter, certified by the chief executive officer, and authenticated by the seal, of such city, together with a statement similarly certified and authenticated setting forth the submission of such charter to the electors and its ratification by them, shall, after the approval of such charter by the governor, be made in duplicate and filed, one copy in the office of the secretary of state and the other in the archives of the city after being recorded in the office of said county recorder. Thereafter all courts shall take judicial notice of said charter.

The charter so ratified may be amended by amendments proposed and submitted by the legislative authority of the city to the qualified electors thereof (or by petition as hereinafter provided), at a general or special election, and ratified by a majority of the qualified electors voting thereon and approved by the governor as herein provided for the approval of the charter.

3. Election of board of freeholders

Section 3. An election of such board of freeholders may be called at any time by the legislative authority of any such city. Such election shall be called by the chief executive officer of any such city within ten days after there shall have been filed with him a petition demanding such election, signed by a number of qualified electors residing within such city equal to twenty-five per centum of the total number of votes cast at the next preceding general municipal election. Such election shall be held not later than thirty days after the call therefor. At such election a vote shall be taken upon the question whether further proceedings toward adopting a charter shall be had in pursuance to the call, and unless a majority of the qualified electors voting thereon shall vote to proceed further, no further proceedings shall be had, and all proceedings up to the time of said election shall be of no effect.

4. [Franchises; approval of electors; term](#)

Section 4. No municipal corporation shall ever grant, extend, or renew a franchise without the approval of a majority of the qualified electors residing within its corporate limits who shall vote thereon at a general or special election, and the legislative body of any such corporation shall submit any such matter for approval or disapproval to such electors at any general municipal election, or call a special election for such purpose at any time upon thirty days' notice. No franchise shall be granted, extended, or renewed for a longer time than twenty-five years.

5. [Right of municipal corporation to engage in business or enterprise](#)

Section 5. Every municipal corporation within this state shall have the right to engage in any business or enterprise which may be engaged in by a person, firm, or corporation by virtue of a franchise from said municipal corporation.

6. [Franchises; restrictions](#)

Section 6. No grant, extension, or renewal of any franchise or other use of the streets, alleys, or other public grounds, or ways, of any municipality shall divest the state or any of its subdivisions of its or their control and regulation of such use and enjoyment; nor shall the power to regulate charges for public services be surrendered; and no exclusive franchise shall ever be granted.

7. [Irrigation and other districts as political subdivisions](#)

Section 7. Irrigation, power, electrical, agricultural improvement, drainage, and flood control districts, and tax levying public improvement districts, now or hereafter organized pursuant to law, shall be political subdivisions of the state, and vested with all the rights, privileges and benefits, and entitled to the immunities and exemptions granted municipalities and political subdivisions under this constitution or any law of the state or of the United States; but all such districts shall be exempt from the provisions of sections 7 and 8 of article IX of this constitution.

ARTICLE XIV. CORPORATIONS OTHER THAN MUNICIPAL

1. "Corporation" defined; right to sue and suability

Section 1. The term "corporation," as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or co-partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

2. Formation under general laws; change of laws; regulation

Section 2. Corporations may be formed under general laws, but shall not be created by special acts. Laws relating to corporations may be altered, amended, or repealed at any time, and all corporations doing business in this state may, as to such business, be regulated, limited, and restrained by law.

3. Existing charters

Section 3. All existing charters under which a bona fide organization shall not have taken place and business commenced in good faith within six months from the time of the approval of this Constitution shall thereafter have no validity.

4. Restriction to business authorized by charter or law

Section 4. No corporation shall engage in any business other than that expressly authorized in its charter or by the law under which it may have been or may hereafter be organized.

5. Foreign corporations; transaction of business

Section 5. No corporation organized outside of the limits of this state shall be allowed to transact business within this state on more favorable conditions than are prescribed by law for similar corporations organized under the laws of this state; and no foreign corporation shall be permitted to transact business within this state unless said foreign corporation is by the laws of the country, state, or territory under which it is formed permitted to transact a like business in such country, state, or territory.

6. Stocks; bonds

Section 6. No corporation shall issue stock, except to bona fide subscribers therefor or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or for labor done. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock of any corporation without the consent of the person or persons holding the larger amount in value of the stock of such corporation, nor without due notice of the proposed increase having been given as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

7. Lease or alienation of franchise

Section 7. No corporation shall lease or alienate any franchise so as to relieve the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee,

or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise or of any of its privileges.

8. Filing of articles of incorporation; place of business; agent for service of process; venue

Section 8. No domestic or foreign corporation shall do any business in this state without having filed its articles of incorporation or a certified copy thereof with the corporation commission, and without having one or more known places of business and an authorized agent, or agents, in the state upon whom process may be served. Suit may be maintained against a foreign corporation in the county where an agent of such corporation may be found, or in the county where the cause of action may arise.

9. Eminent domain; taking corporate property and franchises for public use

Section 9. The right of exercising eminent domain shall never be so abridged or construed as to prevent the state from taking the property and the franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

10. Elections for directors or managers

Section 10. In all elections for directors or managers of any corporation, each shareholder shall have the right to cast as many votes in the aggregate as he shall be entitled to vote in said company under its charter multiplied by the number of directors or managers to be elected at such election; and each shareholder may cast the whole number of votes, either in person or by proxy, for one candidate, or distribute such votes among two or more such candidates; and such directors or managers shall not be elected otherwise.

11. Liability of stockholders

Section 11. Liability of stockholders. The shareholders or stockholders of every banking or insurance corporation or association shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporation or association, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares or stock; provided, however, that the shareholders or stockholders of any banking corporation or association which is a member of the federal deposit insurance corporation or any successor thereto or other insuring instrumentality of the United States in accordance with the provisions of any applicable law of the United States of America, shall not be liable for any amount in addition to the amount already invested in such shares or stock.

12. Officers of banking institutions; individual responsibility

Section 12. Any president, director, manager, cashier, or other officer of any banking institution who shall receive, or assent to, the reception of any deposits after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances shall be individually responsible for such deposits.

13. Want of legal organization as a defense

Section 13. No persons acting as a corporation under the laws of Arizona shall be permitted to set up, or rely upon, the want of a legal organization as a defense to any action which may be brought against them as a corporation, nor shall any person or persons who may be sued on a contract now or hereafter made with such corporation, or sued for any injury now or hereafter done to its property, or for a wrong done to its interests, be permitted to rely upon such want of legal organization in his or their defense.

14. Legislative power to impose conditions

Section 14. This article shall not be construed to deny the right of the legislative power to impose other conditions upon corporations than those herein contained.

15. Monopolies and trusts

Section 15. Monopolies and trusts shall never be allowed in this state and no incorporated company, co-partnership or association of persons in this state shall directly or indirectly combine or make any contract, with any incorporated company, foreign or domestic, through their stockholders or the trustees or assigns of such stockholders or with any co-partnership or association of persons, or, in any manner whatever, to fix the prices, limit the production, or regulate the transportation of any product or commodity. The legislature shall enact laws for the enforcement of this section by adequate penalties, and in the case of incorporated companies, if necessary for that purpose, may, as a penalty declare a forfeiture of their franchises.

16. Records, books, and files; visitorial and inquisitorial powers of state

Section 16. The records, books, and files of all public service corporations, state banks, building and loan associations, trust, insurance, and guaranty companies shall be at all times liable and subject to the full visitorial and inquisitorial powers of the state, notwithstanding the immunities and privileges secured in the declaration of rights of this Constitution to persons, inhabitants, and citizens of this state.

17. Fees; reports; licensing of foreign corporations

Section 17. Provision shall be made by law for the payment of a fee to the state by every domestic corporation, upon the grant, amendment, or extension of its charter, and by every foreign corporation upon its obtaining a license to do business in this state; and also for the payment, by every domestic corporation and foreign corporation doing business in this state, of an annual registration fee of not less than ten dollars, which fee shall be paid irrespective of any specific license or other tax imposed by law upon such company for the privilege of carrying on its business in this state, or upon its franchise or property; and for the making, by every such corporation, at the time of paying such fee, of such report to the corporation commission of the status, business, or condition of such corporation, as may be prescribed by law. No foreign corporation, except insurers, shall have authority to do business in this state, until it shall have obtained from the corporation commission a license to do business in the state, upon such terms as may be prescribed by law. The legislature may relieve any purely charitable, social, fraternal, benevolent, or religious institution from the payment of such annual registration fee.

18. Contributions to influence elections or official action

Section 18. It shall be unlawful for any corporation, organized or doing business in this state, to make any contribution of money or anything of value for the purpose of influencing any election or official action.

19. Penalties for violation of article

Section 19. Suitable penalties shall be prescribed by law for the violation of any of the provisions of this article.

ARTICLE XV. THE CORPORATION COMMISSION

1. Term limits on corporation commission; composition; election; office vacancies; qualifications

Section 1. A. No member of the corporation commission shall hold that office for more than two consecutive terms. No corporation commissioner may serve again in that office until out of office for one full term. Any person who serves one half or more of a term shall be considered to have served one term for purposes of this section.

B. A corporation commission is hereby created to be composed of five persons who shall be elected at the general election, and whose term of office shall be four years, and who shall maintain their chief office at the state capital. The two additional commission members shall be elected at the 2002 general election for initial two-year terms beginning on the first Monday in January, 2003. Thereafter, all terms shall be four-year terms.

C. In case of vacancy in the office, the governor shall appoint a commissioner to fill the vacancy. The appointed commissioner shall fill the vacancy until a commissioner shall be elected at a general election as provided by law, and shall qualify. The qualifications of commissioners may be prescribed by law.

2. "Public service corporations" defined

Section 2. All corporations other than municipal engaged in furnishing gas, oil, or electricity for light, fuel, or power; or in furnishing water for irrigation, fire protection, or other public purposes; or in furnishing, for profit, hot or cold air or steam for heating or cooling purposes; or engaged in collecting, transporting, treating, purifying and disposing of sewage through a system, for profit; or in transmitting messages or furnishing public telegraph or telephone service, and all corporations other than municipal, operating as common carriers, shall be deemed public service corporations.

3. Power of commission as to classifications, rates and charges, rules, contracts, and accounts; local regulations

Section 3. The corporation commission shall have full power to, and shall, prescribe just and reasonable classifications to be used and just and reasonable rates and charges to be made and collected, by public service corporations within the state for service rendered therein, and make reasonable rules, regulations, and orders, by which such corporations shall be governed in the transaction of business within the state, and may prescribe the forms of contracts and the systems of keeping accounts to be used by such corporations in transacting such business, and make and enforce reasonable rules, regulations, and orders for the convenience, comfort, and safety, and the preservation of the health, of the employees and patrons of such corporations; Provided, that incorporated cities and towns may be authorized by law to exercise supervision over public service corporations doing business therein, including the regulation of rates and charges to be made and collected by such corporations; Provided further, that classifications, rates, charges, rules, regulations, orders, and forms or systems prescribed or made by said corporation commission may from time to time be amended or repealed by such commission.

4. Power to inspect and investigate

Section 4. The corporation commission, and the several members thereof, shall have power to inspect and investigate the property, books, papers, business, methods, and affairs of any corporation whose stock shall be offered for sale to the public and of any public service corporation doing business within the state, and for the purpose of the commission, and of the several members thereof, shall have the power of a court of general jurisdiction to enforce the attendance of witnesses and the production of evidence by subpoena, attachment, and punishment, which said power shall extend throughout the state. Said commission shall have power to take testimony under commission or deposition either within or without the state.

5. Power to issue certificates of incorporation and licenses

Section 5. The corporation commission shall have the sole power to issue certificates of incorporation to companies organizing under the laws of this state, and to issue licenses to foreign corporations to do business in this state, except as insurers, as may be prescribed by law.

Domestic and foreign insurers shall be subject to licensing, control and supervision by a department of insurance as prescribed by law. A director of the department of insurance shall be appointed by the governor with the consent of the senate in the manner prescribed by law for a term which may be prescribed by law.

6. Enlargement of powers by legislature; rules and regulations

Section 6. The law-making power may enlarge the powers and extend the duties of the corporation commission, and may prescribe rules and regulations to govern proceedings instituted by and before it; but, until such rules and regulations are provided by law, the commission may make rules and regulations to govern such proceedings.

7. Connecting and intersecting lines of transportation and communications corporations

Section 7. Every public service corporation organized or authorized under the laws of the state to do any transportation or transmission business within the state shall have the right to construct and operate lines connecting any points within the state, and to connect at the state boundaries with like lines; and every such corporation shall have the right with any of its lines to cross, intersect, or connect with, any lines of any other public service corporation.

8. Transportation by connecting carriers

Section 8. Every public service corporation doing a transportation business within the state shall receive and transport, without delay or discrimination, cars loaded or empty, property, or passengers delivered to it by any other public service corporation doing a similar business, and deliver cars, loaded or empty, without delay or discrimination, to other transportation corporations, under such regulations as shall be prescribed by the corporation commission, or by law.

9. Transmission of messages by connecting carriers

Section 9. Every public service corporation engaged in the business of transmitting messages for profit shall receive and transmit, without delay or discrimination, any

messages delivered to it by any other public service corporation engaged in the business of transmitting messages for profit, and shall, with its lines, make physical connection with the lines of any public service corporation engaged in the business of transmitting messages for profit, under such rules and regulations as shall be prescribed by the corporation commission, or by law; Provided, that such public service corporations shall deliver messages to other such corporations, without delay or discrimination, under such rules and regulations as shall be prescribed by the corporation commission, or by law.

10. Railways as public highways; other corporations as common carriers

Section 10. Railways heretofore constructed, or that may hereafter be constructed, in this state, are hereby declared public highways and all railroads are declared to be common carriers and subject to control by law. All electric, transmission, telegraph, telephone, or pipeline corporations, for the transportation of electricity, messages, water, oil, or other property for profit, are declared to be common carriers and subject to control by law.

11. Movable property as personal property; liability of property to attachment, execution and sale

Section 11. The rolling stock and all other movable property belonging to any public service corporation in this state, shall be considered personal property, and its real and personal property, and every part thereof, shall be liable to attachment, execution, and sale in the same manner as the property of individuals; and the law-making power shall enact no laws exempting any such property from attachment, execution, or sale.

12. Charges for service; discrimination; free or reduced rate transportation

Section 12. All charges made for service rendered, or to be rendered, by public service corporations within this state shall be just and reasonable, and no discrimination in charges, service, or facilities shall be made between persons or places for rendering a like and contemporaneous service, except that the granting of free or reduced rate transportation may be authorized by law, or by the corporation commission, to the classes of persons described in the act of Congress approved February 11, 1887, entitled An Act to Regulate Commerce, and the amendments thereto, as those to whom free or reduced rate transportation may be granted.

13. Reports to commission

Section 13. All public service corporations and corporations whose stock shall be offered for sale to the public shall make such reports to the corporation commission, under oath, and provide such information concerning their acts and operations as may be required by law, or by the corporation commission.

14. Value of property of public service corporations

Section 14. The corporation commission shall, to aid it in the proper discharge of its duties, ascertain the fair value of the property within the state of every public service corporation doing business therein; and every public service corporation doing business within the state shall furnish to the commission all evidence in its possession, and all

assistance in its power, requested by the commission in aid of the determination of the value of the property within the state of such public service corporation.

15. Acceptance of constitutional provisions by existing corporations

Section 15. No public service corporation in existence at the time of the admission of this state into the union shall have the benefit of any future legislation except on condition of complete acceptance of all provisions of this Constitution applicable to public service corporations.

16. Forfeitures for violations

Section 16. If any public service corporation shall violate any of the rules, regulations, orders, or decisions of the corporation commission, such corporation shall forfeit and pay to the state not less than one hundred dollars nor more than five thousand dollars for each such violation, to be recovered before any court of competent jurisdiction.

17. Appeal to courts

Section 17. Nothing herein shall be construed as denying to public service corporations the right of appeal to the courts of the state from the rules, regulations, orders, or decrees fixed by the corporation commission, but the rules, regulations, orders, or decrees so fixed shall remain in force pending the decision of the courts.

18. Repeal

19. Power to impose fines

Section 19. The corporation commission shall have the power and authority to enforce its rules, regulations, and orders by the imposition of such fines as it may deem just, within the limitations prescribed in section 16 of this article.

ARTICLE XVI. MILITIA

1. Composition of militia

Section 1. The militia of the state of Arizona shall consist of all capable citizens of the state between the ages of eighteen and forty-five years, and of those between said ages who shall have declared their intention to become citizens of the United States, residing therein, subject to such exemptions as now exist, or as may hereafter be created, by the laws of the United States or of this state.

2. Composition and designation of organized militia

Section 2. The organized militia shall be designated "The National Guard of Arizona," and shall consist of such organized military bodies as now exist under the laws of the territory of Arizona or as may hereafter be authorized by law.

3. Conformity to federal regulations

Section 3. The organization, equipment, and discipline of the national guard shall conform as nearly as shall be practicable to the regulations for the government of the armies of the United States.

ARTICLE XVII. WATER RIGHTS

1. Riparian water rights

Section 1. The common law doctrine of riparian water rights shall not obtain or be of any force or effect in the state.

2. Recognition of existing rights

Section 2. All existing rights to the use of any of the waters in the state for all useful or beneficial purposes are hereby recognized and confirmed.

ARTICLE XVIII. LABOR

1. Eight-hour day

Section 1. Eight hours and no more, shall constitute a lawful day's work in all employment by, or on behalf of, the state or any political subdivision of the State. The legislature shall enact such laws as may be necessary to put this provision into effect, and shall prescribe proper penalties for any violations of said laws.

2. Child labor

Section 2. No child under the age of fourteen years shall be employed in any gainful occupation at any time during the hours in which the public schools of the district in which the child resides are in session; nor shall any child under sixteen years of age be employed underground in mines, or in any occupation injurious to health or morals or hazardous to life or limb; nor for more than eight hours in any day.

3. Contractual immunity of employer from liability for negligence

Section 3. It shall be unlawful for any person, company, association, or corporation to require of its servants or employees as a condition of their employment, or otherwise, any contract or agreement whereby such person, company, association, or corporation shall be released or discharged from liability or responsibility on account of personal injuries which may be received by such servants or employees while in the service or employment of such person, company, association, or corporation, by reason of the negligence of such person, company, association, corporation, or the agents or employees thereof; and any such contract or agreement if made, shall be null and void.

4. Fellow servant doctrine

Section 4. The common law doctrine of fellow servant, so far as it affects the liability of a master for injuries to his servant resulting from the acts or omissions of any other servant or servants of the common master is forever abrogated.

5. Contributory negligence and assumption of risk

Section 5. The defense of contributory negligence or of assumption of risk shall, in all cases whatsoever, be a question of fact and shall, at all times, be left to the jury.

6. Recovery of damages for injuries

Section 6. The right of action to recover damages for injuries shall never be abrogated, and the amount recovered shall not be subject to any statutory limitation.

7. Employer's liability law

Section 7. To protect the safety of employees in all hazardous occupations, in mining, smelting, manufacturing, railroad or street railway transportation, or any other industry the legislature shall enact an employer's liability law, by the terms of which any employer, whether individual, association, or corporation shall be liable for the death or injury, caused by any accident due to a condition or conditions of such occupation, of any employee in the service of such employer in such hazardous occupation, in all cases in

which such death or injury of such employee shall not have been caused by the negligence of the employee killed or injured.

8. Workmen's compensation law

Section 8. The legislature shall enact a workmen's compensation law applicable to workmen engaged in manual or mechanical labor in all public employment whether of the state, or any political subdivision or municipality thereof as may be defined by law and in such private employments as the legislature may prescribe by which compensation shall be required to be paid to any such workman, in case of his injury and to his dependents, as defined by law, in case of his death, by his employer, if in the course of such employment personal injury to or death of any such workman from any accident arising out of and in the course of, such employment, is caused in whole, or in part, or is contributed to, by a necessary risk or danger of such employment, or a necessary risk or danger inherent in the nature thereof, or by failure of such employer, or any of his or its agents or employee or employees to exercise due care, or to comply with any law affecting such employment; provided that it shall be optional with any employee engaged in any such private employment to settle for such compensation, or to retain the right to sue said employer or any person employed by said employer, acting in the scope of his employment, as provided by this Constitution; and, provided further, in order to assure and make certain a just and humane compensation law in the state of Arizona, for the relief and protection of such workmen, their widows, children or dependents, as defined by law, from the burdensome, expensive and litigious remedies for injuries to or death of such workmen, now existing in the state of Arizona, and producing uncertain and unequal compensation therefor, such employee, engaged in such private employment, may exercise the option to settle for compensation by failing to reject the provisions of such workmen's compensation law prior to the injury, except that if the injury is the result of an act done by the employer or a person employed by the employer knowingly and purposely with the direct object of injuring another, and the act indicates a wilful disregard of the life, limb or bodily safety of employees, then such employee may, after the injury, exercise the option to accept compensation or to retain the right to sue the person who injured him.

The percentages and amounts of compensation provided in house bill no. 227 enacted by the seventh legislature of the state of Arizona, shall never be reduced nor any industry included within the provision of said house bill no. 227 eliminated except by initiated or referred measure as provided by this Constitution.

9. Blacklists

Section 9. The exchange, solicitation, or giving out of any labor "black list," is hereby prohibited, and suitable laws shall be enacted to put this provision into effect.

10. Employment of aliens

Section 10. No person not a citizen or ward of the United States shall be employed upon or in connection with any state, county or municipal works or employment; provided, that nothing herein shall be construed to prevent the working of prisoners by the state or by any county or municipality thereof on street or road work or other public work and that the provisions of this section shall not apply to the employment of any

teacher, instructor, or professor authorized to teach in the United States under the teacher exchange program as provided by federal statutes enacted by the congress of the United States or the employment of university or college faculty members. The legislature shall enact laws for the enforcement and shall provide for the punishment of any violation of this section.

ARTICLE XIX. MINES

Mines

(Version amended by 1992 Proposition 101)

The office of mine inspector is hereby established. The legislature shall enact laws so regulating the operation and equipment of all mines in the state as to provide for the health and safety of workers therein and in connection therewith, and fixing the duties of said office. Upon approval of such laws by the governor, the governor, with the advice and consent of the senate, shall forthwith appoint a mine inspector, who shall serve until his successor shall have been elected at the first general election thereafter and shall qualify. Said successor and all subsequent incumbents of said office shall be elected at general elections, and shall serve for four years. The initial four year term shall be served by the mine inspector elected in the general election held in November, 1994.

ARTICLE XIX. MINES

Mines

(Version amended by 1992 Proposition 107)

The office of mine inspector is hereby established. The legislature, at its first session, shall enact laws so regulating the operation and equipment of all mines in the state as to provide for the health and safety of workers therein and in connection therewith, and fixing the duties of said office. Upon approval of such laws by the governor, the governor, with the advice and consent of the senate, shall forthwith appoint a mine inspector, who shall serve until his successor shall have been elected at the first general election thereafter and shall qualify. Said successor and all subsequent incumbents of said office shall be elected at general elections, and shall serve for a term of two years. No mine inspector shall serve more than four consecutive terms in that office. No mine inspector, after serving the maximum number of terms, which shall include any part of a term served, may serve in the same office until out of office for no less than one full term. This limitation on the number of terms of consecutive service shall apply to terms of office beginning on or after January 1, 1993.

ARTICLE XX. ORDINANCE

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

First. Toleration of religious sentiment

First. Perfect toleration of religious sentiment shall be secured to every inhabitant of this state, and no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship, or lack of the same.

Second. Polygamy

Second. Polygamous or plural marriages, or polygamous co-habitation, are forever prohibited within this state.

Third. Introduction of intoxicating liquors into Indian country

Third. The introduction of intoxicating liquors for resale purposes into Indian country is prohibited within this state until July 1, 1957.

Fourth. Public lands; Indian lands

Fourth. The people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated and ungranted public lands lying within the boundaries thereof and to all lands lying within said boundaries owned or held by any Indian or Indian tribes, the right or title to which shall have been acquired through or from the United States or any prior sovereignty, and that, until the title of such Indian or Indian tribes shall have been extinguished, the same shall be, and remain, subject to the disposition and under the absolute jurisdiction and control of the Congress of the United States.

Fifth. Taxation

Fifth. The lands and other property belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands and other property situated in this state belonging to residents thereof, and no taxes shall be imposed by this state on any lands or other property within an Indian reservation owned or held by any Indian; but nothing herein shall preclude the state from taxing as other lands and other property are taxed, any lands and other property outside of an Indian reservation owned or held by any Indian, save and except such lands as have been granted or acquired as aforesaid, or as may be granted or confirmed to any Indian or Indians under any act of Congress.

Sixth. Territorial debts and liabilities

Sixth. The debts and liabilities of the territory of Arizona, and the debts of the counties thereof, valid and subsisting at the time of the passage of the enabling act approved June 20, 1910, are hereby assumed and shall be paid by the state of Arizona, and the state of Arizona shall, as to all such debts and liabilities, be subrogated to all the rights, including rights of indemnity and reimbursement, existing in favor of said territory or of any of the several counties thereof, at the time of the passage of the said enabling act; Provided that nothing in this ordinance shall be construed as validating or in any manner legalizing any

territory, county, municipal, or other bonds, obligations, or evidences of indebtedness of said territory or the counties or municipalities thereof which now are or may be invalid or illegal at the time the said state of Arizona is admitted as a state, and the legislature or the people of the state of Arizona shall never pass any law in any manner validating or legalizing the same.

Seventh. Public school system; suffrage

Seventh. Provisions shall be made by law for the establishment and maintenance of a system of public schools which shall be open to all the children of the state and be free from sectarian control, and said schools shall always be conducted in English.

The state shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude.

Eighth. English language

Eighth. The ability to read, write, speak, and understand the English language sufficiently well to conduct the duties of the office without the aid of an interpreter, shall be a necessary qualification for all state officers and members of the state legislature.

Ninth. Location of state capital

Ninth. The capital of the state of Arizona, until changed by the electors voting at an election provided for by the legislature for that purpose shall be at the city of Phoenix, but no such election shall be called or provided for prior to the thirty-first day of December, nineteen hundred and twenty-five.

Tenth. Repeal

Eleventh. Repeal

Twelfth. Lands granted to state

Twelfth. The state of Arizona and its people hereby consent to all and singular the provisions of the enabling act approved June 20, 1910, concerning the lands thereby granted or confirmed to the state, the terms and conditions upon which said grants and confirmations are made, and the means and manner of enforcing such terms and conditions, all in every respect and particular as in the aforesaid enabling act provided.

Thirteenth. Ordinance as part of constitution; amendment

Thirteenth. This ordinance is hereby made a part of the Constitution of the state of Arizona, and no future constitutional amendment shall be made which in any manner changes or abrogates this ordinance in whole or in part without the consent of Congress.

ARTICLE XXI. MODE OF AMENDING

1. Introduction in legislature; initiative petition; election

Section 1. Any amendment or amendments to this constitution may be proposed in either house of the legislature, or by initiative petition signed by a number of qualified electors equal to fifteen per centum of the total number of votes for all candidates for governor at the last preceding general election. Any proposed amendment or amendments which shall be introduced in either house of the legislature, and which shall be approved by a majority of the members elected to each of the two houses, shall be entered on the journal of each house, together with the ayes and nays thereon. When any proposed amendment or amendments shall be thus passed by a majority of each house of the legislature and entered on the respective journals thereof, or when any elector or electors shall file with the secretary of state any proposed amendment or amendments together with a petition therefor signed by a number of electors equal to fifteen per centum of the total number of votes for all candidates for governor in the last preceding general election, the secretary of state shall submit such proposed amendment or amendments to the vote of the people at the next general election (except when the legislature shall call a special election for the purpose of having said proposed amendment or amendments voted upon, in which case the secretary of state shall submit such proposed amendment or amendments to the qualified electors at said special election,) and if a majority of the qualified electors voting thereon shall approve and ratify such proposed amendment or amendments in said regular or special election, such amendment or amendments shall become a part of this constitution. Until a method of publicity is otherwise provided by law, the secretary of state shall have such proposed amendment or amendments published for a period of at least ninety days previous to the date of said election in at least one newspaper in every county of the state in which a newspaper shall be published, in such manner as may be prescribed by law. If more than one proposed amendment shall be submitted at any election, such proposed amendments shall be submitted in such manner that the electors may vote for or against such proposed amendments separately.

2. Convention

Section 2. No Convention shall be called by the Legislature to propose alterations, revisions, or amendments to this Constitution, or to propose a new Constitution, unless laws providing for such Convention shall first be approved by the people on a Referendum vote at a regular or special election, and any amendments, alterations, revisions, or new Constitution proposed by such Convention shall be submitted to the electors of the State at a general or special election and be approved by the majority of the electors voting thereon before the same shall become effective.

ARTICLE XXII. SCHEDULE AND MISCELLANEOUS

1. Existing rights, actions, suits, proceedings, contracts, claims, or demands; process

Section 1. No rights, actions, suits, proceedings, contracts, claims, or demands, existing at the time of the admission of this State into the Union, shall be affected by a change in the form of government, from Territorial to State, but all shall continue as if no change had taken place; and all process which may have been issued under the authority of the Territory of Arizona, previous to its admission into the Union, shall be as valid as if issued in the name of the State.

2. Territorial laws

Section 2. All laws of the Territory of Arizona now in force, not repugnant to this Constitution, shall remain in force as laws of the State of Arizona until they expire by their own limitations or are altered or repealed by law; Provided, that wherever the word Territory, meaning the Territory of Arizona, appears in said laws, the word State shall be substituted.

3. Debts, fines, penalties, and forfeitures

Section 3. All debts, fines, penalties, and forfeitures which have accrued, or may hereafter accrue, to the Territory of Arizona shall inure to the State of Arizona.

4. Recognizances; bonds; estate; judgments; choses in action

Section 4. All recognizances heretofore taken, or which may be taken, before the change from a Territorial to a State government, shall remain valid, and shall pass to and may be prosecuted in the name of the State, and all bonds executed to the Territory of Arizona, or to any county or municipal corporation, or to any officer, or court, in his or its official capacity, shall pass to the State authorities and their successors in office for the uses therein expressed, and may be sued for and recovered accordingly; and all the estate, real, personal, and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims, demands or debts of whatever description, belonging to the Territory of Arizona, shall inure to and vest in the State of Arizona, and may be sued for and recovered by the State of Arizona in the same manner, and to the same extent, as the same might or could have been by the Territory of Arizona.

5. Criminal prosecutions and penal actions; offenses; penalties; actions and suits

Section 5. All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the State. All offenses committed against the laws of the Territory of Arizona before the change from a Territorial to a State government, and which shall not be prosecuted before such change, may be prosecuted in the name, and by the authority, of the State of Arizona, with like effect as though such change had not taken place, and all penalties incurred and punishments inflicted shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity, which may be pending in any of the courts, of the Territory of Arizona at the time of the change from a Territorial to a State government,

shall be continued and transferred to the court of the State, or of the United States, having jurisdiction thereof.

6. Territorial, district, county, and precinct officers

Section 6. All Territorial, district, county, and precinct officers who may be in office at the time of the admission of the State into the Union shall hold their respective offices until their successors shall have qualified, and the official bonds of all such officers shall continue in full force and effect while such officers remain in office.

7. Causes pending in district courts of territory; records, papers, and property

Section 7. Whenever the judge of the superior court of any county, elected or appointed under the provisions of this Constitution, shall have qualified, the several causes then pending in the district court of the Territory, and in and for such county, except such causes as would have been within the exclusive jurisdiction of the United States courts, had such courts existed at the time of the commencement of such causes within such county, and the records, papers, and proceedings of said district court, and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court of such county.

It shall be the duty of the clerk of the district court having custody of such papers, records, and property, to transmit to the clerk of said superior court the original papers in all cases pending in such district and belonging to the jurisdiction of said superior court, together with a transcript, or transcripts, of so much of the record of said district court as shall relate to the same; and until the district courts of the Territory shall be superseded in manner aforesaid, and as in this Constitution provided, the said district courts, and the judges thereof, shall continue with the same jurisdiction and powers, to be exercised in the same judicial district, respectively, as heretofore, and now, constituted.

8. Probate records and proceedings

Section 8. When the State is admitted into the Union, and the superior courts, in their respective counties, are organized, the books, records, papers, and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall pass into the jurisdiction and possession of the superior court of the same county created by this Constitution, and the said court shall proceed to final judgment or decree, order, or other determination, in the several matters and causes with like effect as the probate court might have done if this Constitution had not been adopted.

9. Causes pending in supreme court of territory; records, papers, and property

Section 9. Whenever a quorum of the judges of the Supreme Court of the State shall have been elected, and qualified, and shall have taken office, under this Constitution, the causes then pending in the Supreme Court of the Territory, except such causes as would have been within the exclusive jurisdiction of the United States courts, had such courts existed at the time of the commencement of such causes, and the papers, records, and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Supreme Court of the State, and until so superseded, the Supreme Court of the Territory, and the judges thereof, shall continue, with like powers and jurisdiction as if this Constitution had not been adopted, or the State

admitted into the Union; and all causes pending in the Supreme Court of the Territory at said time, and which said causes would have been within the exclusive jurisdiction of the United States courts, had such courts existed, at the time of the commencement of such causes, and the papers, records, and proceedings of said court, relating thereto, shall pass into the jurisdiction of the United States courts, all as in the Enabling Act approved June 20, 1910, provided.

10. Seals of supreme court, superior courts, municipalities, and county officers

Section 10. Until otherwise provided by law, the seal now in use in the Supreme Court of the Territory, shall be the seal of the Supreme Court of the State, except that the word "State", shall be substituted for the word "Territory" on said seal. The seal of the superior courts of the several counties of the State, until otherwise provided by law, shall be the vignette of Abraham Lincoln, with the words "Seal of the Superior Court The seal of municipalities, and of all county officers, in the Territory, shall be the seals of such municipalities and county officers, respectively, under the State, until otherwise provided by law, except that the word "Territory", or "Territory of Arizona", be changed to read "State" or "State of Arizona", where the same may appear on any such seals.

11. Effective date of constitution

Section 11. The provisions of this Constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Arizona admitted into the Union.

12. Election of representative in congress

Section 12. One Representative in the Congress of the United States shall be elected from the State at large, and at the same election at which officers shall be elected under the Enabling Act, approved June 20, 1910, and, thereafter, at such times and in such manner as may be prescribed by law.

13. Continuation in office until qualification of successor

Section 13. The term of office of every officer to be elected or appointed under this Constitution or the laws of Arizona shall extend until his successor shall be elected and shall qualify.

14. Initiative

Section 14. Any law which may be enacted by the Legislature under this Constitution may be enacted by the people under the Initiative. Any law which may not be enacted by the Legislature under this Constitution shall not be enacted by the people.

15. Public institutions

Section 15. Correctional and penal institutions, and institutions for the benefit of persons who have mental or physical disabilities and such other institutions as the public good may require, shall be established and supported by the State in such manner as may be prescribed by law.

16. Confinement of minor offenders

Section 16. It shall be unlawful to confine any minor under the age of eighteen years, accused or convicted of crime, in the same section of any jail or prison in which adult prisoners are confined. Suitable quarters shall be prepared for the confinement of such minors.

17. Compensation of public officers

Section 17. All State and county officers (except notaries public) and all justices of the peace and constables, whose precinct includes a city or town or part thereof, shall be paid fixed and definite salaries, and they shall receive no fees for their own use.

18. Nomination of incumbent public officers to other offices

Section 18. Except during the final year of the term being served, no incumbent of a salaried elective office, whether holding by election or appointment, may offer himself for nomination or election to any salaried local, State or federal office.

19. Lobbying

Section 19. The Legislature shall enact laws and adopt rules prohibiting the practice of lobbying on the floor of either House of the Legislature, and further regulating the practice of lobbying.

20. Design of state seal

Section 20. The seal of the State shall be of the following design: In the background shall be a range of mountains, with the sun rising behind the peaks thereof, and at the right side of the range of mountains there shall be a storage reservoir and a dam, below which in the middle distance are irrigated fields and orchards reaching into the foreground, at the right of which are cattle grazing. To the left in the middle distance on a mountain side is a quartz mill in front of which and in the foreground is a miner standing with pick and shovel. Above this device shall be the motto: "Ditat Deus." In a circular band surrounding the whole device shall be inscribed: "Great Seal of The State of Arizona", with the year of admission of the State into the Union.

21. Enactment of laws to carry constitution into effect

Section 21. The Legislature shall enact all necessary laws to carry into effect the provisions of this Constitution.

22. Judgments of death

Section 22. The judgment of death shall be inflicted by administering an intravenous injection of a substance or substances in a lethal quantity sufficient to cause death except that defendants sentenced to death for offenses committed prior to the effective date of the amendment to this section shall have the choice of either lethal injection or lethal gas. The lethal injection or lethal gas shall be administered under such procedures and

supervision as prescribed by law. The execution shall take place within the limits of the state prison.

ARTICLE XXIII. Repeal

ARTICLE XXIV. Repeal

ARTICLE XXV. RIGHT TO WORK

Right to work or employment without membership in labor organization

No person shall be denied the opportunity to obtain or retain employment because of non-membership in a labor organization, nor shall the State or any subdivision thereof, or any corporation, individual or association of any kind enter into any agreement, written or oral, which excludes any person from employment or continuation of employment because of non-membership in a labor organization.

ARTICLE XXVI. RIGHT OF LICENSED REAL ESTATE BROKERS AND
SALESMEN TO PREPARE INSTRUMENTS INCIDENT TO PROPERTY
TRANSACTIONS

1. Powers of real estate broker or salesman

Section 1. Any person holding a valid license as a real estate broker or a real estate salesman regularly issued by the Arizona State Real Estate Department when acting in such capacity as broker or salesman for the parties, or agent for one of the parties to a sale, exchange, or trade, or the renting and leasing of property, shall have the right to draft or fill out and complete, without charge, any and all instruments incident thereto including, but not limited to, preliminary purchase agreements and earnest money receipts, deeds, mortgages, leases, assignments, releases, contracts for sale of realty, and bills of sale.

ARTICLE XXVII. REGULATION OF PUBLIC HEALTH, SAFETY AND WELFARE

1. Regulation of ambulances; powers of legislature

Section 1. The legislature may provide for the regulation of ambulances and ambulance services in this state in all matters relating to services provided, routes served, response times and charges.

ARTICLE XXVIII. ENGLISH AS THE OFFICIAL LANGUAGE

1. English as the official language; applicability

Section 1. (1) In this article, unless the context otherwise requires:

1. "Government" includes all laws, public proceedings, rules, publications, orders, actions, programs, policies, departments, boards, agencies, organizations and instrumentalities of this state or political subdivisions of this state, as appropriate under the circumstances to a particular official action.
2. "Official action" includes the performance of any function or action on behalf of this state or a political subdivision of this state or required by state law that appears to present the views, position or imprimatur of the state or political subdivision or that binds or commits the state or political subdivision, but does not include:
 - (a) The teaching of or the encouragement of learning languages other than English.
 - (b) Actions required under the federal individuals with disabilities education act or other federal laws.
 - (c) Actions, documents or policies necessary for tourism, commerce or international trade.
 - (d) Actions or documents that protect the public health and safety, including law enforcement and emergency services.
 - (e) Actions that protect the rights of victims of crimes or criminal defendants.
 - (f) Using terms of art or phrases from languages other than English.
 - (g) Using or preserving Native American languages.
 - (h) Providing assistance to hearing impaired or illiterate persons.
 - (i) Informal and nonbinding translations or communications among or between representatives of government and other persons if this activity does not affect or impair supervision, management, conduct or execution of official actions and if the representatives of government make clear that these translations or communications are unofficial and are not binding on this state or a political subdivision of this state.
 - (j) Actions necessary to preserve the right to petition for the redress of grievances.
3. "Preserve, protect and enhance the role of English" includes:
 - (a) Avoiding any official actions that ignore, harm or diminish the role of English as the language of government.
 - (b) Protecting the rights of persons in this state who use English.
 - (c) Encouraging greater opportunities for individuals to learn the English language.
 - (d) To the greatest extent possible under federal statute, providing services, programs, publications, documents and materials in English.
4. "Representatives of government" includes all individuals or entities during the performance of the individual's or entity's official actions.

2. Official language of Arizona

Section 2. The official language of the state of Arizona is English.

3. Preserving and enhancing the role of the official language; right to use English

Section 3. A. Representatives of government in this state shall preserve, protect and enhance the role of English as the official language of the government of Arizona.

B. A person shall not be discriminated against or penalized in any way because the person uses or attempts to use English in public or private communication.

4. Official actions to be conducted in English

Section 4. Official actions shall be conducted in English.

5. Rules of construction

Section 5. This article shall not be construed to prohibit any representative of government, including a member of the legislature, while performing official duties, from communicating unofficially through any medium with another person in a language other than English if official action is conducted in English.

6. Standing; notification of attorney general; recovery of costs

Section 6. A. A person who resides or does business in this state may file a civil action for relief from any official action that violates this article in a manner that causes injury to the person.

B. A person who resides or does business in this state and who contends that this article is not being implemented or enforced may file a civil action to determine if the failure or inaction complained of is a violation of this article and for injunctive or mandatory relief.

C. A person shall not file an action under this section unless the person has notified the attorney general of the alleged violation and the attorney general or other appropriate representative of government has not provided appropriate relief within a reasonable time under the circumstances. An action filed under this section may be in addition to or in lieu of any action by officers of this state, including the attorney general.

D. A person who files and is successful in an action under this section may be awarded all costs expended or incurred in the action, including reasonable attorney fees.

ARTICLE XXIX. PUBLIC RETIREMENT SYSTEMS

1. Public retirement systems

Section 1. A. Public retirement systems shall be funded with contributions and investment earnings using actuarial methods and assumptions that are consistent with generally accepted actuarial standards.

B. The assets of public retirement systems, including investment earnings and contributions, are separate and independent trust funds and shall be invested, administered and distributed as determined by law solely in the interests of the members and beneficiaries of the public retirement systems.

C. Membership in a public retirement system is a contractual relationship that is subject to article II, section 25, and public retirement system benefits shall not be diminished or impaired.

ARTICLE XXX. MARRIAGE

1. Marriage

Section 1. Only a union of one man and one woman shall be valid or recognized as a marriage in this state.

Document is unavailable

5/16/2024

Fern Benally
District 1 Supervisor

Alberto L. Peshlaka
Vice-Chairman, District 2

Jason E. Whiting
Supervisor, District 3

Daryl Seymore
Supervisor, District 4

Dawnafe Whitesinger
Chairwoman, District 5

Melissa W. Buckley
Clerk of the Board of Supervisors

100 East Code Talkers Drive
South Highway 77
P.O. Box 668
Holbrook, AZ 86025

Re: Notice of Prospective Litigation; Demand for Records Retention

Dear Ms. Benally, Mr. Peshlaka, Mr. Whiting, Ms. Whitesinger, and Ms. Buckley,

I am an aggrieved citizen of the United States and of the state of Arizona, and I am contemplating filing a lawsuit against the relevant parties pertaining to the continuing concerns I have regarding the integrity of all elections that took place after NOVEMBER 30, 2022. Accordingly, **I hereby notify you and instruct you to retain any and all documents and other materials related to all post-2022 state elections through the date of this letter and continuing thereafter.**

As you are likely aware, federal and, in many cases, state law requires that all records and papers which come into the possession of an election official relating to any application, registration, payment of poll tax, or other act requisite to voting in the election be kept and maintained for a period of twenty-two months from the date of the respective election. Among the records and papers that must be maintained are paper ballots and records, which may be necessary for a post-tabulation audit.

Given the litigation I am contemplating commencing in regard to the post-2022 elections, I demand that you retain any and all records, including, but not limited to poll books; precinct register pages with signatures and button text; all voting machine tapes AVC and ICX; all results reports including the worksheet, the ICC results printout, the ICX results report, and the challenge removal reports; all public and protective count sheets for early voting; all elections verification forms for early voting; all records of elections submitted after the election reflecting all machines used in the election even if delivered on Election Day; all notation of irregularities reports; the list of early voters checked during preparation and verification; the reports printed from any voter registration computer system reflecting every individual

given credit for voting Election Day, early voting and absentee by mail; up-to-date turnout reports for each county or parish in the state; and AVC layout sheets showing lockout information in each precinct.

In addition, please retain all information and documents pertaining to temporary hires, including hires from any public or private entity, for the purpose of elections; solicitation letters to qualified electors to participate voluntarily or for payment to work the election polls; any and all contracts signed by authorities vested in you with federal or state entities, including but not limited to the U.S. Department of Homeland Security, Federal Bureau of Investigation and other public or private entities (including but not limited to Craig Newmark Philanthropies and Facebook that have contracted, are currently contracting or otherwise engaging in any transactions or business with any federal or state entity to provide services, which may include but are not limited to cybersecurity, training, monitoring, transportation paper shredding, and other services ostensibly for the purpose of ensuring election integrity. This request also encompasses any and all communications, documents, e-mails, text messages, voice recordings, and other information or tangible evidence in your possession transmitted between or among public and private entities, including but not limited to the U.S. Department of Homeland Security, the Cybersecurity and Infrastructure Security Agency, and/or the Center for Internet Security, Inc.(CIS Security), including its subsidiary such as Elections Infrastructure Information Sharing and Analysis Center (EI ISAC), relating to post-2022 state elections.

This notice requires you to retain any and all records pertaining to any post-2022 or state election **until notified in writing of the end of the retention period, including any election that may take place subsequent to the date of this letter.** In the event the law mandates that a record retention period be specified, please note that all records must be maintained **until at least September 2025.**

This records retention hold, and notice suspends any normal deletion requirements for documents, e-mail, and other information that may otherwise apply. Do not destroy, delete or in any way alter any paper or electronic information relating to my prospective claims or the other areas of interest mentioned above. **Be sure to communicate this requirement to the employees who work under your supervision.**

In determining what information you may have in your possession, custody or control that is pertinent to the claims described above, you should consider the following sources: paper files maintained by you or your department, whether in the office or elsewhere; personal notes, calendars or diaries; information maintained (or stored) electronically by you on any personal or company computer, network, smartphone, compact disc or DVD, jump drive, or any other electronic storage media; e-mails; voicemails; and text messages. This listing is not intended to be an exclusive listing of potential sources.

If you have possession, custody or control of any information, whether in paper form or electronic form, pertaining to my prospective claims, you are instructed to take immediate steps to preserve it in its original form. For example, do not delete any emails, internet files or other computer files containing information pertaining to the claims. You should also take steps to ensure that emails and files will not automatically be deleted by the system. Once you have identified any relevant information in your possession, please coordinate with me to ensure that I am provided with a copy of it.

If you are aware of any person employed by or otherwise affiliated with your organization, whether presently or formerly, who may have information pertinent to my prospective claims, please provide me with that information. In addition, please make sure that any person who is assigned to manage the computers or files of your organization that may contain information pertinent to my prospective claims is immediately informed of the requirements set forth in this letter. You must ensure that any such person

does not delete any information and makes arrangements to preserve the information contained on the computer or in the files.

To the extent you have any concerns or questions in this regard, please contact me. Thank you for your cooperation in this matter.

Sincerely,

CELIA LAUGHLIN

Celia Laughlin

2169 Hashknife

Overgaard, AZ. 85933

Celia.lauglin@gmail.com

5/16/2024

Fern Benally
District 1 Supervisor

Alberto L. Peshlaka
Vice-Chairman, District 2

Jason E. Whiting
Supervisor, District 3

Daryl Seymore
Supervisor, District 4

Dawnafe Whitesinger
Chairwoman, District 5

Melissa W. Buckley
Clerk of the Board of Supervisors

100 East Code Talkers Drive
South Highway 77
P.O. Box 668
Holbrook, AZ 86025

Re: Notice of Prospective Litigation; Demand for Records Retention

Dear Ms. Benally, Mr. Peshlaka, Mr. Whiting, Ms. Whitesinger, and Ms. Buckley,

I am an aggrieved citizen of the United States and of the state of Arizona, and I am contemplating filing a lawsuit against the relevant parties pertaining to the continuing concerns I have regarding the integrity of all elections that took place after NOVEMBER 30, 2022. Accordingly, **I hereby notify you and instruct you to retain any and all documents and other materials related to all post-2022 state elections through the date of this letter and continuing thereafter.**

As you are likely aware, federal and, in many cases, state law requires that all records and papers which come into the possession of an election official relating to any application, registration, payment of poll tax, or other act requisite to voting in the election be kept and maintained for a period of twenty-two months from the date of the respective election. Among the records and papers that must be maintained are paper ballots and records, which may be necessary for a post-tabulation audit.

Given the litigation I am contemplating commencing in regard to the post-2022 elections, I demand that you retain any and all records, including, but not limited to poll books; precinct register pages with signatures and button text; all voting machine tapes AVC and ICX; all results reports including the worksheet, the ICC results printout, the ICX results report, and the challenge removal reports; all public and protective count sheets for early voting; all elections verification forms for early voting; all records of elections submitted after the election reflecting all machines used in the election even if delivered on Election Day; all notation of irregularities reports; the list of early voters checked during preparation and verification; the reports printed from any voter registration computer system reflecting every individual

given credit for voting Election Day, early voting and absentee by mail; up-to-date turnout reports for each county or parish in the state; and AVC layout sheets showing lockout information in each precinct.

In addition, please retain all information and documents pertaining to temporary hires, including hires from any public or private entity, for the purpose of elections; solicitation letters to qualified electors to participate voluntarily or for payment to work the election polls; any and all contracts signed by authorities vested in you with federal or state entities, including but not limited to the U.S. Department of Homeland Security, Federal Bureau of Investigation and other public or private entities (including but not limited to Craig Newmark Philanthropies and Facebook that have contracted, are currently contracting or otherwise engaging in any transactions or business with any federal or state entity to provide services, which may include but are not limited to cybersecurity, training, monitoring, transportation paper shredding, and other services ostensibly for the purpose of ensuring election integrity. This request also encompasses any and all communications, documents, e-mails, text messages, voice recordings, and other information or tangible evidence in your possession transmitted between or among public and private entities, including but not limited to the U.S. Department of Homeland Security, the Cybersecurity and Infrastructure Security Agency, and/or the Center for Internet Security, Inc.(CIS Security), including its subsidiary such as Elections Infrastructure Information Sharing and Analysis Center (EI ISAC), relating to post-2022 state elections.

This notice requires you to retain any and all records pertaining to any post-2022 or state election **until notified in writing of the end of the retention period, including any election that may take place subsequent to the date of this letter.** In the event the law mandates that a record retention period be specified, please note that all records must be maintained **until at least September 2025.**

This records retention hold, and notice suspends any normal deletion requirements for documents, e-mail, and other information that may otherwise apply. Do not destroy, delete or in any way alter any paper or electronic information relating to my prospective claims or the other areas of interest mentioned above. **Be sure to communicate this requirement to the employees who work under your supervision.**

In determining what information you may have in your possession, custody or control that is pertinent to the claims described above, you should consider the following sources: paper files maintained by you or your department, whether in the office or elsewhere; personal notes, calendars or diaries; information maintained (or stored) electronically by you on any personal or company computer, network, smartphone, compact disc or DVD, jump drive, or any other electronic storage media; e-mails; voicemails; and text messages. This listing is not intended to be an exclusive listing of potential sources.

If you have possession, custody or control of any information, whether in paper form or electronic form, pertaining to my prospective claims, you are instructed to take immediate steps to preserve it in its original form. For example, do not delete any emails, internet files or other computer files containing information pertaining to the claims. You should also take steps to ensure that emails and files will not automatically be deleted by the system. Once you have identified any relevant information in your possession, please coordinate with me to ensure that I am provided with a copy of it.

If you are aware of any person employed by or otherwise affiliated with your organization, whether presently or formerly, who may have information pertinent to my prospective claims, please provide me with that information. In addition, please make sure that any person who is assigned to manage the computers or files of your organization that may contain information pertinent to my prospective claims is immediately informed of the requirements set forth in this letter. You must ensure that any such person

does not delete any information and makes arrangements to preserve the information contained on the computer or in the files.

To the extent you have any concerns or questions in this regard, please contact me. Thank you for your cooperation in this matter.

Sincerely,

CELIA LAUGHLIN

Celia Laughlin

2169 Hashknife

Overgaard, AZ. 85933

Celia.lauglin@gmail.com

From: [Jason Whiting](mailto:jason.whiting@proton.me)
To: celiajoanlaughlin@proton.me
Cc: [Celia Laughlin](mailto:belinda@godswhls.com); belinda@godswhls.com; KellyMeixler@proton.me; [Bryan Layton](mailto:Bryan.Layton@proton.me)
Subject: Re: Update on our conversation last week
Date: Tuesday, June 11, 2024 8:51:18 PM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[State Cert \[redacted\] 2019.pdf](#)
[ESS EVS \[redacted\] 2022.pdf](#)
[State Cert \[redacted\] 2023.pdf](#)
[Federal Co \[redacted\] 2022.pdf](#)
[Federal Co \[redacted\] 2019.pdf](#)
[State Cert \[redacted\] 2020.pdf](#)

Good evening Celia,

Appreciate your time today attending the Board meeting. I hope you'll have a chance to review the materials that have been posted to the County website in the 'Information and FAQs' subheading of the 'Elections' section. There are still a couple of your questions outstanding that staff are working on, but the majority have responses and there is a lot of new information posted there.

Regarding your question below, perhaps there is a misunderstanding. From what Bryan has shared, the DS200s and the PollPads have separate functions and are on completely separate systems. The DS200s are not connected to the internet and don't 'talk' to other computers. They also come programmed from ES&S. PollPads are securely connected to the internet for real-time voter verification. Regarding the voter in Whiteriver you mentioned, Bryan has looked into that and has more information that documents what happened.

As requested today, attached are the certifications for ES&S (staff will have posted these to the website). The Board was also asked regarding the logs of the ES&S software. A report of activity on the ES&S system is available in the 'Elections' section under the subheading 'Election Results'. Expand the drop-down list for '2024' and you'll see a file called "Elections Management Report".

Regards,



Jason E. Whiting
District III Supervisor



Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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On Jun 10, 2024, at 10:36 PM, celiajoanlaughlin@proton.me wrote:

Caution: This email originated from outside of Navajo County.

Dear Jason,

After I've had time to process my thoughts on this, I noticed one thing that I had not initially noticed. It said that due to operator error on the DS 200 that the White river resident, I would have to ask who was the operator that caused the air? It could not have been the pole workers because they weren't operating the DS 200. It didn't happen to the ballot voter because it was at the pole pad where she was told she had already voted. So it would have to have taken place at the actual tabulator. The DS 200.

Knowing that, brings me to the conclusion that operator error seems to mean that the programmer of the DS 200 made the error. ENS has had to change their count results several times across the country because of programming error. Was this what caused that error and is this why you are pulling back the 200s?

If it was, I would just ask what the name of the programmer was. Of course I would keep this confidential, but just because I want to know if you know the name of the programmer.... If that's the case.

I really really am hoping that we're going to the right place with this. I feel like we are...only if we get the assessment of the 850 before the vote, but even so, it may get us to a hand count at the polling locations. I've got a really very successful hand count model to share with you that I know our poll workers and People within this community would LOVE to be a part of, ...and it would make this an absolutely exciting opportunity to "GET OUT TO VOTE!" And call on all citizens to become a part of the process!

Thank you Jason!

Sent from [Proton Mail](#) for iOS

On Mon, Jun 10, 2024 at 3:20 PM, Jason Whiting
<jason.whiting@navajocountyaz.gov> wrote:

Good afternoon everyone,

Thank you for your time to meet last week and appreciate the discussion. When we meet last week we said we would be sure to touch base and provide an update early this week. That is the purpose of this email and I wanted to touch base on two of those items:

1. Questions regarding the DS200 tabulators—we have assembled responses to many of the questions and have prepared an updated Q&A handout which will be posted to the County website tomorrow in the 'Elections' section under 'Information and FAQs'. This should be posted by noon tomorrow. We will continue to work on the remaining questions.
2. Board consideration to discontinue use of DS200 tabulators and return to only using central count—after looking into the DS200s more, staff's opinion is that there is appropriate security and protections in-place. However, it is also the opinion of staff that the DS200 on-site tabulators have not helped us achieve the efficiencies here in Navajo County that we had anticipated. As you know, there was an instance of operator error at the Whiteriver location which caused confusion. For now, staff feels that the best way to tabulate ballots is to do it all at central count where everything is directly observed by law enforcement, republicans, democrats, and streamed live on the website. At tomorrow's BOS meeting, staff will ask the Board to vote to discontinue the use of DS200s. If the Board chooses to continue to use the DS200s, staff will focus on poll worker training and oversight to mitigate operator error.

Thanks again and I wanted to be sure to touch base with you and provide an update as we talked about.

<image007.jpeg>

Jason E. Whiting
District III Supervisor

<image008.png> <image009.png> <image010.png>

Work: 928.524.4053 Fax: 928.524.4239 Email: jason.whiting@navajocountyaz.gov

<image011.png>

Web: www.navajocountyaz.gov

Address: 100 East Code Talkers Drive, Holbrook, AZ 86025

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PRO V&V



6705 Odyssey Dr. Suite C
Huntsville, AL 35806
Phone (256) 713-1111
Fax (256) 713-1112

Test Report for EAC VVSG 1.0 Certification Testing
Election Systems & Software (ES&S)
Voting System (EVS) 6.3.0.0

EAC Project Number: ESSEVS6300

Version: 03

Date: 11/07/2022

U.S. Election Assistance Commission

VSTL

EAC Lab Code 1501

NVLAP[®]

TESTING
NVLAP LAB CODE 200978-0

Disclaimer: This test report and the test results contained herein must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the U.S. Government.

SIGNATURES

Approved by: Michael Walker 11/07/2022
Michael Walker, VSTL Project Manager Date

Approved by: Wendy Owens 11/07/2022
Wendy Owens, VSTL Program Manager Date

Approved by: Stacey Glover 11/07/2022
Stacey Glover, QA Manager Date

Pro V&V attests to the following: 1) all testing prescribed by the approved and published test plan or amended test plan was performed as identified or the divergence from the test plan was properly documented in this test report, 2) all identified voting system anomalies or failures were reported and resolved, and 3) this test report is accurate and complete. There are no opinions or interpretations included in this report, except as noted under Recommendations.

REVISIONS

Revision	Description	Date
00	Initial Release	09/12/2022
01	Highlighted Updates based on EAC comments and revised documents & reports	09/23/2022
02	Updates per EAC comments, additions to Table 3.1, added disclaimer on cover page, QA signature, and statement on signature page. Reformatted as needed.	10/19/2022
03	Added Deficiency to section 3.3 and updated required sections.	11/07/2022

TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	Description and Overview of EAC System Being Modified.....	1
1.1.1	Baseline Certified System.....	1
1.2	References.....	3
1.3	Terms and Abbreviations.....	4
2.0	CERTIFICATION TEST BACKGROUND	5
2.1	Revision History	5
2.2	Scope of Testing	5
2.2.1	Modification Overview	7
2.2.1.1	Detailed List of Changes.....	7
2.2.2	Block Diagram.....	11
2.2.3	Supported Functionality.....	12
2.2.4	Supported Languages.....	12
2.2.5	System Limits	13
2.2.6	VVSG	16
2.2.7	RFIs.....	16
2.2.8	NOCs	16
3.0	TEST FINDINGS AND RECOMMENDATIONS	16
3.1	Summary Findings and Recommendation	16
3.1.1	Source Code Review.....	24
3.1.2	Physical Configuration Audit (PCA)	25
3.1.3	System Level Testing	26
3.1.3.1	Functional Configuration Audit (FCA)	26
3.1.3.2	Accuracy	27
3.1.3.3	Volume and Stress Testing	28
3.1.3.4	System Integration	28
3.1.3.5	Security Review	29
3.1.4	Usability and Accessibility	30
3.1.5	Hardware Testing	30
3.2	Anomalies and Resolutions	35
3.3	Deficiencies and Resolutions	35

4.0 RECOMMENDATION FOR CERTIFICATION..... 35

ATTACHMENT A - ANCILLARY SYSTEMS..... 41

ATTACHMENT B – HARDWARE TEST REPORT 43

1.0 INTRODUCTION

The purpose of this Test Report is to document the procedures that Pro V&V, Inc. followed to perform certification testing during a system modification campaign for the Election Systems & Software (ES&S) Voting System (EVS) 6.3.0.0 (EVS 6.3.0.0) to the requirements set forth for voting systems in the U.S. Election Assistance Commission (EAC) 2005 Voluntary Voting System Guidelines (VVSG), Version 1.0. Certification testing of EVS 6.3.0.0 was performed to ensure the applicable requirements of the EAC VVSG 1.0 and the EAC Testing and Certification Program Manual, Version 2.0 were met. Additionally, all EAC Request for Interpretations (RFI) and Notices of Clarification (NOC) relevant to the system under test were incorporated in the test campaign.

Prior to submitting the voting system for testing, ES&S submitted an application package to the EAC for certification of the EVS 6.3.0.0. The application was accepted by the EAC and the project was assigned the unique Project Number of ESSEVS6300.

The EVS 6.3.0.0 EAC-approved test plan (TP-01-01-ESS-014-01.02), as published on the EAC's website at www.eac.gov, was utilized as the guiding document during test performance. Since test plan approval, and as testing progressed, minor system modifications, such as revised system documentation, were incorporated. This test report reflects all testing completed and details the final versions of all technical documentation and system components and supersedes the approved test plan.

1.1 Description and Overview of EAC Certified System Being Modified

The EAC Certified System that is the baseline for the submitted modification is described in the following subsections. All information presented was derived from the previous Certification Test Report, the EAC Certificate of Conformance and/or the System Overview.

EVS 6.3.0.0 is a modification to the previously EAC-certified EVS 6.2.0.0. The following paragraphs provide a brief description of the baseline system components. A detailed description of the EVS 6.2.0.0 test campaign is contained in Pro V&V Report No. TR-01-01-ESS-013-01.03. This report and associated test documentation is available for viewing on the EAC's website at www.eac.gov.

1.1.1 Baseline Certified System

EVS 6.2.0.0 is composed of software applications, central count location devices and polling place devices with accompanying firmware, and COTS hardware and software. EVS 6.2.0.0 is comprised of the following components: ExpressVote Universal Voting System Hardware 1.0 (ExpressVote HW1.0), ExpressVote Universal Voting System Hardware 2.1 (ExpressVote HW2.1); DS200 precinct-based scanner and tabulator (DS200); DS450 high-throughput central scanner and tabulator (DS450); DS850 high-speed central scanner and tabulator (DS850); DS950 high-speed central scanner and tabulator (DS950); ExpressVote XL Full Face Universal Voting System (ExpressVote XL); ExpressTouch Electronic Universal Voting System (ExpressTouch); Electionware Election Management Software (Electionware); ES&S Event Log Service (ELS); Removable Media Service (RMS); and Regional Results (RR).

ExpressVote Hardware 1.0 (ExpressVote HW1.0)

ExpressVote HW1.0 is a hybrid paper-based polling place voting device that provides touch screen vote capture that incorporates the printing of the voter's selections as a cast vote record, to be scanned for tabulation in any one of the ES&S precinct or central scanners.

ExpressVote Hardware 2.1 (ExpressVote HW2.1)

ExpressVote HW2.1 is a hybrid paper-based polling place voting device that provides touch screen vote capture that incorporates the printing of the voter's selections as a cast vote record, to be scanned for tabulation in any one of the ES&S precinct or central scanners. There are two separate versions of ExpressVote HW2.1: version 2.1.0.0 and version 2.1.2.0 (6.4 & 6.8).

DS200 Precinct-based Scanner and Tabulator (DS200)

DS200 is a polling place paper-based voting system, specifically a digital scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic Cast Vote Records (CVR).

DS450 High-Throughput Scanner and Tabulator (DS450)

DS450 is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic Cast Vote Records (CVR).

DS850 High-Speed Scanner and Tabulator (DS850)

DS850 is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic Cast Vote Records (CVR).

DS950 High-Speed Scanner and Tabulator (DS950)

DS950 is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic Cast Vote Records (CVR).

ExpressVote XL Full-Face Universal Voting System (ExpressVote XL)

ExpressVote XL is a hybrid paper-based polling place voting device that provides a full-face touch screen vote capture that incorporates the printing of the voter's selections as a cast vote record, and tabulation scanning into a single unit.

ExpressTouch Electronic Universal Voting System (ExpressTouch)

ExpressTouch is a DRE voting system which supports electronic vote capture for all individuals at the polling place.

Electionware Election Management Software (Electionware)

Electionware election management software is an end-to-end election management software application that provides election definition creation, ballot formation, equipment configuration,

result consolidation, adjudication and report creation. Electionware is composed of five software groups: Define, Design, Deliver, Results and Manage.

ES&S Event Log Service (ELS)

ELS monitors and logs users' interactions with the Election Management System. Events that happen when a connection to the database is not available are logged to the Windows Operating System log through the ELS.

Removable Media Service (RMS)

RMS is a utility that runs in the background of the Windows operating system. RMS reads specific information from any attached USB devices so that ES&S applications such as Electionware can use that information for media validation purposes.

Regional Results (RR)

RR is a standalone application that is deployed at Regional Sending Sites. This application establishes a secure connection to the central results transfer server at the jurisdiction headquarters and reads the election media with results from the different poll places. For more efficient results reporting, the Regional Results software then securely transmits the encrypted unofficial results collection files over a customer dedicated network.

1.2 References

- Election Assistance Commission 2005 Voluntary Voting System Guidelines (VVSG) Version 1.0, Volume I, "Voting System Performance Guidelines", and Volume II, "National Certification Testing Guidelines"
- Election Assistance Commission Testing and Certification Program Manual, Version 2.0
- Election Assistance Commission Voting System Test Laboratory Program Manual, Version 2.0
- National Voluntary Laboratory Accreditation Program NIST Handbook 150, 2020 Edition, "NVLAP Procedures and General Requirements (NIST Handbook 150)", dated July 2020
- National Voluntary Laboratory Accreditation Program NIST Handbook 150-22, 2017 Edition, "Voting System Testing (NIST Handbook 150-22-)", dated July 2017
- United States 107th Congress Help America Vote Act (HAVA) of 2002 (Public Law 107-252), dated October 2002
- Pro V&V, Inc. Quality Assurance Manual, Revision 1.0
- Election Assistance Commission "Approval of Election Systems & Software EVS 6.3.0.0 Testing Application Package" letter dated February 12, 2021
- EAC Requests for Interpretation (RFI) and Notices of Clarification (NOC) (listed on www.eac.gov)

- EAC Certificate of Conformance ES&S EVS 6.2.0.0, dated December 23, 2021
- EAC Grant of Certification, ESSEVS6200, dated December 23, 2021
- ES&S EVS 6.3.0.0 Technical Data Package (*A listing of the EVS 6.3.0.0 documents submitted for this test campaign is listed in Section 3.1 of this Test Report*)
- Pro V&V Test Report TR 01-02-ESS-035-01.00, “Election Systems & Software (ES&S) Voting System (EVSFL) 6.3.0.0 Hardware Testing” which includes the following National Technical Systems (NTS) Test Reports as attachments: ETR- PR145960-1, Revision 0, ETR- PR145960-2, Revision 2, ITR- PR145960-1, Revision 1, ITR- PR145960-2, Revision 2, TR- PR145960-PS, TR-PR145943-1, Revision 0, and TR-PR145943-2, Revision 2.

1.3 Terms and Abbreviations

This subsection lists terms and abbreviations relevant to the hardware, the software, or this Test Report.

“ADA” – Americans with Disabilities Act 1990

“BOD” – Ballot on Demand

“CBT” – Central Ballot Tabulator

“CM” – Configuration Management

“COTS” – Commercial Off-The-Shelf

“EAC” – United States Election Assistance Commission

“ELS” – Election Log Service

“EMS” – Election Management System

“ES&S” – Election Systems and Software

“FCA” – Functional Configuration Audit

“HAVA” – Help America Vote Act

“NOC” – Notice of Clarification

“PCA” – Physical Configuration Audit

“QA” – Quality Assurance

“RFI” – Request for Interpretation

“SCAP” – Security Content Automation Protocol

“TDP” – Technical Data Package

“UVC” – Universal Voting Console

“UVS” – Universal Voting System

“VSTL” – Voting System Test Laboratory

“VVSG” – Voluntary Voting System Guidelines

2.0 CERTIFICATION TEST BACKGROUND

The EVS 6.3.0.0 is a modification of a previously certified system (EVS 6.2.0.0). Pro V&V performed an evaluation of results from the previous test campaign to determine the scope of testing required for certification of the EVS 6.3.0.0. Based on this evaluation, Pro V&V determined that testing from the previous test campaign would establish the baseline and that the focus of this test campaign would be on the documented system updates.

2.1 Revision History

The table below details the version history of the EVS 6.3.0.0 System:

Table 2-1. EVS 6.3.0.0 System Revision History

System Version	Certification Type	Baseline System	Certification Number
EVS 6.0.0.0	New System	-- (Original System) --	ESSEVS6000
EVS 6.0.2.0	Modification	EVS 6.0.0.0	ESSEVS6020
EVS 6.0.4.0	Modification	EVS 6.0.2.0	ESSEVS6040
EVS 6.1.0.0	Modification	EVS 6.0.4.0	ESSEVS6100
EVS 6.2.0.0	Modification	EVS 6.1.0.0	ESSEVS6200
EVS 6.3.0.0	Modification	EVS 6.2.0.0	ESSEVS6300*

*Upon grant of certification by the EAC

2.2 Scope of Testing

The scope of testing focused on evaluating the modifications detailed in Section 2.2.1.1 of this Test Report. Primarily, these modifications focused on upgrades to the components of the previously certified EVS 6.2.0.0 system, new hardware configuration options, and the addition of the DS300 poll place scanner and tabulator.

To determine the EVS 6.3.0.0 test requirements, the submitted modifications were evaluated against each section of the EAC VVSG 1.0 to determine the applicable tests to be performed. Based on this assessment, it was determined that multiple areas within the EAC VVSG 1.0 would be evaluated to encompass the required tests.

A breakdown of the areas and associated tests is listed below:

- EAC VVSG 1.0 Volume 1, Section 2: Functional Requirements
 - System Integration Testing

- Functional Configuration Audit (FCA)
- Physical Configuration Audit (PCA), including System Loads & Hardening
- Technical Documentation Package (TDP) Review
- Accuracy Testing
- Volume and Stress
- EAC VVSG 1.0 Volume 1, Section 3: Usability & Accessibility
 - Usability & Accessibility Testing
 - Technical Documentation Package (TDP) Review
- EAC VVSG 1.0 Volume 1, Section 4: Hardware Requirements
 - Electrical Tests (DS300, DS450, DS950)
 - Environmental Tests (DS300, DS450, DS950)
 - Technical Documentation Package (TDP) Review

Note: Due to the introduction of the DS300 as a new system component and modifications to the DS450 and DS950, it was determined that hardware testing would be required. The full suite of hardware electrical testing and all applicable environmental tests for the DS300, DS450, and DS950 were successfully performed as part of a previous state level test campaign. The Pro V&V test report (TR 01-02-ESS-035-01.00) and associated hardware test reports of this testing were submitted to the EAC for evaluation and approved for reuse in this test campaign.

- EAC VVSG 1.0 Volume 1, Section 5: Software Requirements
 - Source Code Review, Compliance Build, Trusted Build, and Build Document Review
 - Technical Documentation Package (TDP) Review
 - Functional Configuration Audit (FCA)
- EAC VVSG 1.0 Volume 1, Section 6: Telecommunications Requirements (*to test DS300 results on Regional Results*)
 - Functional Configuration Audit (FCA)
 - Accuracy Testing
- EAC VVSG 1.0 Volume 1, Section 7: Security Requirements

- Security Testing
- Technical Documentation Package (TDP) Review

Note: Sections 8 (Quality Assurance Requirements) and 9 (Configuration Management Requirements) were reviewed in a previous test campaign and are not impacted by the submitted modifications.

2.2.1 Modification Overview

The EVS 6.3.0.0 is a modified voting system configuration that includes upgrades to the components of the EVS 6.2.0.0, new hardware configuration options, and modifications to existing components.

2.2.1.1 Detailed List of Changes

The following list includes specific changes between the current EVS 6.3.0.0 and the baseline of the EVS 6.2.0.0, as taken from the *ES&S Voting System 6.3.0.0 System Change Notes*:

HARDWARE CONFIGURATION CHANGES

- New Hardware
 - **DS300**: introduced the new poll place scanner and tabulator
 - **DS300 ballot box**: introduced for use with the DS300 tabulator only
- New Configuration Options
 - **DS450/DS950 Printer**. The Brother printer is a new laser report printer configuration option
 - **DS450/DS950 UPS**. The CyberPower uninterruptible power supply is a new UPS configuration option.
 - **DS450/DS950 network cable**. The Ethernet network cable is now optional in the certified configuration.
 - **DS450 Cart**. The DS450 is now configured on the Central Count cart.
- Hardware Modifications
 - **ExpressVote XL**: added/updated the following components:
 - Added one-way printer roller
 - Updated Paper Path Module (PPM) firmware
 - **DS450**: added/updated the following components:

- Updated monitor with new video control board
- Added reverse belt assembly
- Added output tray stops to allow more room for 19" ballots
- **DS950:** added/updated the following components:
 - Updated monitor with new video control board
 - Added risk-limiting audit number printer
 - Added cutout with filler plate for future location of imprinter

SOFTWARE/FIRMWARE CHANGES

- Customize Write-in Cells

Added the ability to customize Write-in cells in Electionware Touch Screen Ballot to fit more offices on a page for the ExpressVote XL.

Impacted products:

- Electionware
- ExpressVote XL

- Park the Vote Summary Card

Added the ability to park the vote summary card under glass when the printed card is reinserted into the ExpressVote XL.

Impacted products:

- Electionware
- ExpressVote XL

- Reduce Poll worker Intervention

Implemented an option on the ExpressVote XL to allow the voter to quit the vote session after printing the vote summary card without poll worker intervention:

- Electionware
- ExpressVote XL

- Multi-Language Vote Summary Card

Added configurable options for printing the contest and candidate names in English and the voter's selected language on vote summary cards.

Impacted products:

- Electionware

- ExpressVote HW1.0
- ExpressVote HW2.1
- ExpressVote XL
- Team Write-in Contest Type

Added the ability to enter two write-in names for contests where two candidates use one voting target.

Impacted products:

 - ExpressVote HW1.0
 - ExpressVote HW2.1
 - ExpressTouch
 - ExpressVote XL
- DS200 Label Change

Renamed "DS200" labels to "Poll Place Count".

Impacted products:

 - Electionware
 - Regional Results
- Security

Implement a Cisco firmware update to address security vulnerabilities on the Cisco RV340 VPN Router.

Impacted products:

 - Election Management System

DS200

- Operating System
 - Upgraded the DS200 operating system to Linux (Yocto).

DS950

- Risk-limiting Audit
 - Implemented DS950 imprinter functionality for risk-limiting audits.

Electionware

- System Limit
 - Increased Precinct ID limit from 9900 to 9999.
- Adjudication

- Enabled adjudication of write-ins on the vote summary card in Ballot Review in the Electionware Reporting module.

ExpressVote XL

- Side by Side Review
 - Introduced the ability to display the full on-screen ballot during voter review when the printed vote summary card is reinserted into the ExpressVote XL, which allows a side-by-side comparison.

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2.2.2 Block Diagram

Figure 2-1 illustrates the end-to-end functionality of EVS 6.3.0.0. As stated in the EVS 6.3.0.0 technical documentation.

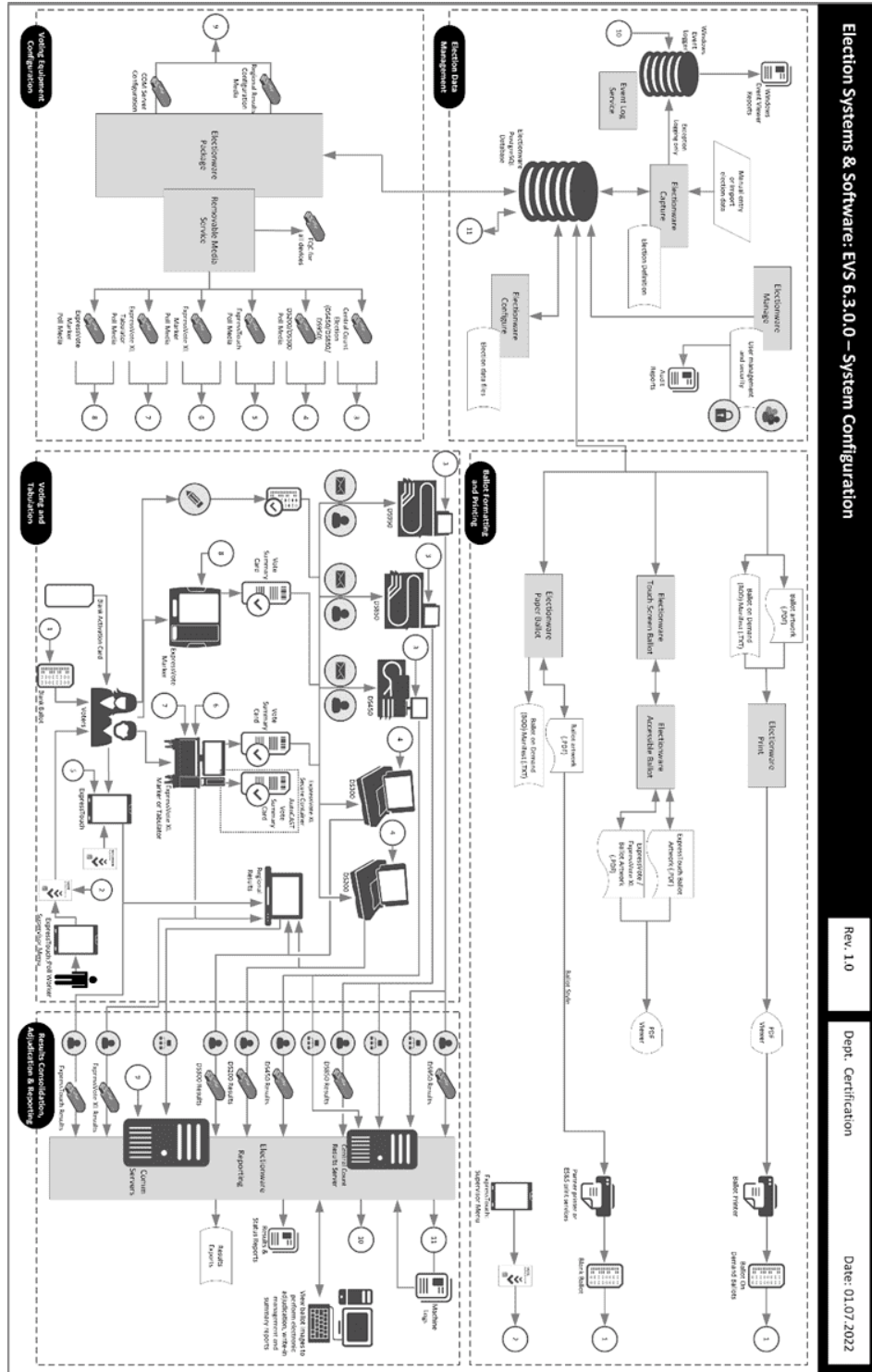


Figure 2-1. EVS 6.3.0.0 System End-to-End Functionality Overview

2.2.3 Supported Functionality

The EVS 6.3.0.0 supports the following voting variations:

- General Election
- Closed Primary
- Early Voting
- Partisan/Non-Partisan Offices
- Write-In Voting
- Split Precincts
- Vote for N of M
- Ballot Rotation
- Provisional or Challenged Ballots
- Straight Party Voting
- Cross-party Endorsement

2.2.4 Supported Languages

The following languages are supported by EVS 6.3.0.0:

- English
- Spanish
- Chinese
- Korean
- Japanese
- Hindi
- Bengali
- Vietnamese
- Tagalog
- Creole
- Russian
- French

- Gujarati (*not supported by poll place tabulators*)
- Punjabi (*not supported by poll place tabulators*)

Support for all stated languages was verified; however, only English and Spanish language ballots were cast during the performance of functional testing. Additionally, one character-based language (Chinese) was tested during System Integration Testing.

For the character-based language, the ballot was created by Pro V&V and voted utilizing both paper ballots and ADA voting devices along with all applicable peripherals.

2.2.5 System Limits

The system limits that were verified during testing to be supported by the EVS 6.3.0.0 are provided in the table below.

Table 2-2. EVS 6.3.0.0 System Limits

System Characteristic	Boundary or Limitation	Limiting System Component
Max. precincts allowed in an election	9,999	Electionware
Max. candidates allowed per election	10,000	Electionware
Max. contests allowed in an election	10,000	Electionware
Max. contests allowed per ballot style	500 or # of positions on ballot	N/A
Max. candidates (ballot choices) allowed per contest	230	Electionware
Max. number of parties allowed	General election: 75 Primary election: 30 (including nonpartisan party)	Electionware
Max. 'vote for' per contest	230	Electionware
Ballot formats	All paper ballots used in an election must be the same length. Votable paper ballots must contain the same number of rows	Ballot scanning equipment
Max. Ballot Styles	15,000	Electionware
Max. ballots per batch	1,500	DS450/DS850/DS950
Max. precinct types/groups	25 (arbitrary)	Electionware
Max. precincts of a given type	250 (arbitrary)	Electionware
Max. reporting groups	14	Electionware
Max. connections	18 client connections	Electionware

Additionally, the following EVS 6.3.0.0 component limitations have been identified:

ExpressVote Limitations

1. ExpressVote capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, Election Management System and ballot tabulator limitations define the boundaries and capabilities of the ExpressVote system as the maximum capacities of the ExpressVote are never approached during testing.
2. ExpressVote does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. ExpressVote vote summary cards using the high-capacity barcode are limited to 630 or fewer oval positions.
4. ExpressVote does not support Massachusetts Group Vote.
5. ExpressVote does not support Universal Primary Contest.
6. ExpressVote does not support Multiple Target Cross Endorsement.
7. ExpressVote does not support Judges Initials boxes.
8. ExpressVote does not support 19-inch cards with ballot stubs.

ExpressVote XL Limitations

1. ExpressVote XL capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, Election Management System and ballot tabulator limitations define the boundaries and capabilities of the ExpressVote XL system as the maximum capacities of the ExpressVote XL are never approached during testing.
2. ExpressVote XL does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. ExpressVote XL vote summary cards using the high-capacity barcode are limited to 630 or fewer oval positions.
4. In a General election, one ExpressVote XL screen can hold 32 party columns if set up as columns or 16 party rows if set up as rows.
5. ExpressVote XL does not support Massachusetts Group Vote.
6. ExpressVote XL does not support Universal Primary Contest.
7. ExpressVote XL does not support Judges Initials boxes.
8. ExpressVote XL does not support 17-inch cards with ballot stubs or 19-inch cards with ballot stubs.

ExpressTouch Limitations

1. ExpressTouch capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, Election Management System limitations define the boundaries and capabilities of the ExpressTouch system as the maximum capacities of the ES&S ExpressTouch are never approached during testing.
2. ExpressTouch does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. ExpressTouch does not support Massachusetts Group Vote.
4. ExpressTouch does not support Universal Primary Contest.
5. ExpressTouch does not support Multiple Target Cross Endorsement.

Electionware Limitations

1. Electionware software field limits were calculated based on an average character width for ballot and report elements. Some uses and conditions, such as magnified ballot views or combining elements on printed media or ballot displays, may result in field limits (and associated warnings) lower than those listed. Check printed media and displays before finalizing the election.
2. Electionware Export Ballot Images function is limited to 250 districts per export.
3. Electionware supports the language special characters listed in the System Overview document. Languages with special characters other than those on that list may not appear properly when viewed on equipment displays or reports.

Electionware Paper Ballot Limitations

1. The paper ballot code channel, which is the series of black boxes that appear between the timing track and ballot contents, limits the number of available ballot variations depending on how a jurisdiction uses this code to differentiate ballots. The code can be used to differentiate ballots using three different fields defined as: Sequence (available codes 1-16,300), Type (available codes 1-30) or Split (available codes 1-18).
2. For paper ballots, if Sequence is used as a ballot style ID, it must be unique election-wide and the Split code will always be 1. In this case the practical style limit would be 16,300.
3. The ExpressVote activation card has a ballot ID consisting of three different fields defined as: Sequence (available codes 1-16,300), Type (available codes 1-30) or Split (available codes 1-18).
4. Grid Portrait and Grid Landscape ballot types are New York specific and not for general use.

DS200 Limitations

1. The DS200 configured for an early vote station does not support precinct level results reporting. An election summary report of tabulated vote totals is supported.
2. The DS200 storage limitation for write-in ballot images is 3,600 images. Each ballot image includes a single ballot face, or one side of one page.

3. Write-in image review requires a minimum 1GB of onboard RAM.
4. To successfully use the write-in report, ballots must span three or more vertical columns. If the column is greater than 1/3 of the ballot width (two columns or less), the write-in image will be too wide to print on the tabulator report tape.

DS300 Limitations

1. The DS300 configured for an early vote station does not support precinct level results reporting. An election summary report of tabulated vote totals is supported.
2. The DS300 storage limitation for write-in ballot images is 3,600 images. Each ballot image includes a single ballot face, or one side of one page.
3. To successfully use the write-in report, ballots must span three or more vertical columns. If the column is greater than 1/3 of the ballot width (two columns or less), the write-in image will be too wide to print on the tabulator report tape.

2.2.6 VVSG

EVS 6.3.0.0 was evaluated against the relevant requirements contained in the EAC VVSG 1.0. To evaluate the EVS 6.3.0.0 test requirements, the submitted modifications were evaluated against each section of the EAC VVSG 1.0 to determine the applicable tests to be performed. Additionally, all requirements that were excluded from the previous test campaign (EVS 6.2.0.0) were also deemed not applicable to this test campaign. The submitted modifications did not require the evaluation of any requirements that were not included in the baseline system.

2.2.7 RFIs

There are no RFIs released by the EAC as of the date of this Test Report that pertain to this test campaign that were not in effect at the time of the baseline system certification.

2.2.8 NOCs

There are no NOCs released by the EAC as of the date of this Test Report that pertain to this test campaign that were not in effect at the time of the baseline system certification.

3.0 TEST FINDINGS AND RECOMMENDATIONS

The EVS 6.3.0.0 was evaluated against the relevant requirements contained in the EAC 2005 VVSG, Volumes I and II. The focus of this test campaign was on the modifications to the voting system configuration that included upgrades to the components of the baselined system. The summary findings and recommendations for each area of testing are provided in the following sections.

3.1 Summary Findings and Recommendation

Summary findings for the System Level Testing (System Integration Testing, Accuracy, and Limited FCA), PCA, and Source Code Review are detailed in the relevant sections of this report. In addition to these areas of testing, a TDP Review was performed, as described below.

Technical Documentation Package (TDP) Review

In order to determine compliance of the modified TDP documents with the EAC VVSG 1.0, a limited TDP review was conducted. This review focused on TDP documents that have been modified since the certification of the baseline system. The review consisted of a compliance review to verify that each regulatory, state, or manufacturer-stated requirement had been met based on the context of each requirement.

Results of the review of each document were entered on the TDP Review Checklist and reported to the manufacturer for disposition of any anomalies. This process was ongoing until all anomalies were resolved. Any revised documents during the TDP review process were compared with the previous document revision to determine changes made, and the document was re-reviewed to determine whether subject requirements had been met. A listing of all documents contained in the EVS 6.3.0.0 TDP is provided in Table 3-1.

Table 3-1. EVS 6.3.0.0 TDP Documents

Document ID	Description	Revision
<i>00_Preface</i>		
ESSSYS_6'3'0'0_L_RequirementsMatrix_QA	Requirements of the VVSG 1.0 Trace to Vendor Testing	1.0
ESSSYS_6'3'0'0_L_RequirementsMatrix_TDP	Requirements of the VVSG 1.0 Trace for TDP	1.1
<i>01_System Overview</i>		
ESSSYS_6'3'0'0_D_SYSOVR	ES&S Voting System 6.3.0.0 System Overview	1.3
<i>02_System Functionality Description</i>		
ESSSYS_6'3'0'0_D_SFD	ES&S Voting System 6.3.0.0 System Functionality Description	1.0
<i>03_System Hardware Specification</i>		
DS200_1'2_SPC_HWSpec	DS200 Hardware Specification, Hardware Revision 1.2	3.8
DS200_1'3_SPC_HWSpec	DS200 Hardware Specification, Hardware Revision 1.3	4.10
DS300_1'0_SPC_HWSpec	DS300 Hardware Specification, Hardware Revision 1.0	1.0
DS450_1'0_SPC_HWSpec	DS450 Hardware Specification, Hardware Revision 1.0	1.11
DS850_1'0_SPC_HWSpec	DS850 Hardware Specification, Hardware Revision 1.0	1.10
DS950_1'0_SPC_HWSpec	DS950 Hardware Specification, Hardware Revision 1.0	1.1
ETOUCH_1'0_SPC_HWSpec	ExpressTouch Hardware Specification, Hardware Revision 1.0	1.1
EVOTE_1'0_SPC_HWSpec	ExpressVote Hardware Specification, Hardware Revision 1.0	3.12
EVOTE_2'1_SPC_HWSpec	ExpressVote Hardware Specification, Hardware Revision 2.1	1.5
EVOTEXL_1'0_SPC_HWSpec	ExpressVote XL Hardware Specification, Hardware Revision 1.0	1.3

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
<i>03_System Hardware Specification – Approved Parts List</i>		
DS200_1'2_L_APL	Approved Parts List: DS200 HW1.2	1.1
DS200_1'3_L_APL	Approved Parts List: DS200 HW 1.3	1.6
DS300_1'0_L_APL	Approved Parts List: DS300 HW 1.0	1.1
DS450_1'0_L_APL	Approved Parts List: DS450 HW 1.0	1.5
DS850_1'0_L_APL	Approved Parts List: DS850 HW 1.0	1.4
DS950_1'0_L_APL	Approved Parts List: DS950 HW 1.0	1.1
ETOUCH_1'0_L_APL	Approved Parts List: ExpressTouch HW Rev 1.0	1.1
EVOTE_1'0_L_APL	Approved Parts List: ExpressVote HW 1.0	2.3
EVOTE_2'1_L_APL	Approved Parts List: ExpressVote HW 2.1	2.7
EVOTEXL_1'0_L_APL	Approved Parts List: ExpressVote XL HW Rev 1.0	1.3
<i>04_Software Design and Specification</i>		
DS200_3'0'0'0_SDS	DS200 - Software Design Specification	1.0
DS300_3'0'0'0_SDS	DS300 - Software Design Specification	1.0
DS450_4'2'0'0_SDS	DS450 - Software Design Specification	1.0
DS850_4'2'0'0_SDS	DS850 - Software Design Specification	1.0
DS950_4'2'0'0_SDS	DS950 - Software Design Specification	1.0
ELS_3'0'0'0_SDS	Event Log Service – Software Design Specification	1.1
ESSSYS_1'0_P_CODINGSTANDARDS	Coding Standards	1.7
ESSSYS_1'0_P_SYSDEVPROGRAM	System Development Program	2.1
ESSSYS_1'0_SPC_LICENSEAGREEMENTS	License Agreements for Procured Software	1.15
ETOUCH_4'2'1'0_SDS	ExpressTouch - Software Design Specification	1.0
EVOTE_4'2'1'0_SDS_HW1'0	ExpressVote 1.0 - Software Design Specification	1.0
EVOTE_4'2'1'0_SDS_HW2.1	ExpressVote 2.1 - Software Design Specification	1.1
EVOTEXL_4'2'1'0_SDS	ExpressVote XL - Software Design Specification	1.0
EWARE_6'3'0'0_SDS	Electionware-Software Design Specification	1.0
EWARE_99'3_D_PostGreSQLDescriptions_EVS6300	SDS Appendices - PostGreSQL Entity Descriptions EVS6300	n/a
EWARE_99'5_D_XMLDiagrams_EVS6300	SDS Appendices - XML Diagrams EVS6300	n/a
EWARE_99'6_D_MediaContents_6300	SDS Appendices - Media Contents EVS6300	n/a
RGRSLT_1'5'0'0_SDS	Regional Results- Software Design Specification	1.0

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
05 System Test and Verification		
ESSSYS_6'3'0'0_D_TestPlan	System Test Plan	1.0
DS200_1'3_D_CIFRpt	Usability Test Report: DS200 Precinct-Based Scanner and Tabulator Version 2.17.0.0 ES&S Voting System 6.0.0.0	n/a
DS300_1'0_D_CIFRpt	Usability Test Report: ES&S DS300 Precinct-Based Scanner and Tabulator ES&S Voting System 6.3.0.0	n/a
ETOUCH_1'0_D_CIFRpt	Usability Test Report: ExpressTouch Electronic Universal Voting System Version 1.0.0.0 ES&S Voting System 6.0.0.0	n/a
EVOTE_1'0_D_CIFRpt	Usability Test Report: ExpressVote Universal Voting System Version 1.5.0.0 ES&S Voting System 6.0.0.0	n/a
EVOTE_2'1_D_CIFRpt	Usability Test Report: ExpressVote Universal Voting System Version 2.4.0.0 ES&S Voting System 6.0.0.0	n/a
EVOTEXL_1'0_D_CIFRpt	Usability Test Report: ExpressVote XL Full-Faced Universal Voting System	n/a
06 System Security Specification		
ESSSYS_1'0_SPC_SECURITYSCRIPTDESC	Security Script Description ES&S Standards and Procedures	1.2
ESSSYS_6'3'0'0_SPC_CLIENTWORKSTATIONSETUPCONFIGGUIDE	EMS Client Workstation Secure Setup & Configuration Guide	1.2
ESSSYS_6'3'0'0_SPC_DATACOMMSERVERSETUPCONFIGGUIDE	Data Communication Server Secure Setup & Configuration Guide	1.1
ESSSYS_6'3'0'0_SPC_EMSSERVERSETUPCONFIGGUIDE	EMS Server Secure Setup & Configuration Guide	1.1
ESSSYS_6'3'0'0_SPC_FIREWALLSETUPCONFIGGUIDE	Firewall Setup & Configuration Guide	1.0
ESSSYS_6'3'0'0_SPC_REGIONALRESULTSSETUPCONFIGGUIDE	Regional Results Setup & Configuration Guide	1.2
ESSSYS_6'3'0'0_SPC_SECBESTPRACT	Best Practices for Physically Securing ES&S Equipment	1.3
ESSSYS_6'3'0'0_SPC_STANDALONEWORKSTATIONSETUPCONFIGGUIDE	EMS Standalone Workstation Secure Setup & Configuration Guide	1.3
ESSSYS_6'3'0'0_SPC_SYSTEMSECURITY	Voting System Security Specification	1.2
ESSSYS_6'3'0'0_SPC_VPNROUTERSETUPCONFIGGUIDE	VPN Router Setup and Configuration Guide for RV340	1.1

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
<i>Verification Procedures & Scripts</i>		
ESSSYS_1'5'0'0_D_VERPROC_REGIONALRESULTS	Verification Procedure: Regional Results	1.0
ESSSYS_1'5'0'0_D_VERPROC_REGIONALRESULTS_ADMIN	Verification Procedure: Regional Results - Administrator's Guide	1.0
ESSSYS_3'0'0'0_D_VERPROC_DS200_HW12	Verification Procedure: DS200 Hardware 1.2 Firmware Version: 3.0.0.0	1.0
ESSSYS_3'0'0'0_D_VERPROC_DS200_HW13	Verification Procedure: DS200 Hardware 1.3 Firmware version: 3.0.0.0	1.0
ESSSYS_3'0'0'0_D_VERPROC_DS200_HW13'13	Verification Procedure: DS200 Hardware 1.3.13 Firmware Version: 3.0.0.0	1.0
ESSSYS_3'0'0'0_D_VERPROC_DS300	Verification procedure: DS300 Firmware Version: 3.0.0.0	1.0
ESSSYS_4'2'0'0_D_VERPROC_DS450	Verification Procedure: DS450 Firmware Version: 4.2.0.0	1.0
ESSSYS_4'2'0'0_D_VERPROC_DS850	Verification Procedure: DS850 Firmware Version: 4.2.0.0	1.0
ESSSYS_4'2'0'0_D_VERPROC_DS950	Verification Procedure: DS950 Firmware Version: 4.2.0.0	1.0
ESSSYS_4'2'1'0_D_VERPROC_ETOUCH	Verification Procedure: ExpressTouch Firmware Version: 4.2.1.0	1.0
ESSSYS_4'2'1'0_D_VERPROC_EVOTE_HW1'0	Verification Procedure: ExpressVote Hardware 1.0 Firmware Version: 4.2.1.0	1.0
ESSSYS_4'2'1'0_D_VERPROC_EVOTE_HW2'1	Verification Procedure: ExpressVote Hardware 2.1 Firmware Version: 4.2.1.0	1.0
ESSSYS_4'2'1'0_D_VERPROC_EVOTEXL	Verification Procedure: ExpressVote XL Firmware Version: 4.2.1.0	1.0
ESSSYS_6'3'0'0_D_VERPROC_DATACOMM	Verification Procedure: Data Communication Server	1.0
ESSSYS_6'3'0'0_D_VERPROC_DATACOMM_ADMIN	Verification Procedure: Data Communication Server Administrator's Guide	1.0
ESSSYS_6'3'0'0_D_VERPROC_EMS	Verification Procedure: Election Management System	1.0
ESSSYS_6'3'0'0_D_VERPROC_EMS_ADMIN	Verification Procedure: Election Management System – Administrator's Guide	1.0
ESSSYS_6'3'0'0_D_VERPROC_FIREWALL	Verification Procedure: Cisco ASA Firewall	1.0
ESSSYS_6'3'0'0_D_VERPROC_OVERVIEW	Verification Procedure: Overview	1.2
ESSSYS_6'3'0'0_D_VERPROC_VPN_ROUTER	Verification Procedure: VPN Router	1.0
<i>Validation File Lists</i>		
DataComm_6'3_L_ValFileList	Validation File List: Data Communications Server	1.0

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
DS200_3'0_L_ValFileList_HW1'2	Validation File List: DS200, Hardware 1.2	1.2
DS200_3'0_L_ValFileList_HW1'3	Validation File List: DS200, Hardware 1.3	1.2
DS200_3'0_L_ValFileList_HW1'3'13	Validation File List: DS200, Hardware 1.3.13	1.2
DS300_3'0_L_ValFileList	Validation File List: DS300	1.3
DS450_4'2_L_ValFileList	Validation File List: DS450	1.5
DS850_4'2_L_ValFileList	Validation File List: DS850	1.4
DS950_4'2_L_ValFileList	Validation File List: DS950	1.2
EMS_6'3_L_ValFileList_Client	Validation File List: Election Management System- Client	1.0
EMS_6'3_L_ValFileList_Server	Validation File List: Election Management System- Server	1.0
EMS_6'3_L_ValFileList_Standalone	Validation File List: Election Management System- Standalone	1.0
ETOUCH_4'2_L_ValFileList	Validation File List: ExpressTouch	1.8
EVOTE_4'2_L_ValFileList_HW1'0	Validation File List: ExpressVote HW1.0	1.5
EVOTE_4'2_L_ValFileList_HW2'1	Validation File List: ExpressVote HW2.1	1.5
EVOTEXL_4'2_L_ValFileList	Validation File List: ExpressVote XL	1.9
RGRSLT_1'5_L_ValFileList	Validation File List: Regional Results	1.0
Verification Packs		
DC-6.3.0.0d-Generate-HashTrusted-Pack	[zipped folder]	---
DC-6.3.0.0-Verification-Pack	[zipped folder]	---
DS200-HW1.2-3.0.0.0-Verification-Pack	[zipped folder]	---
DS200-HW1.3.13-3.0.0.0-Verification-Pack	[zipped folder]	---
DS200-HW1.3-3.0.0.0-Verification-Pack	[zipped folder]	---
DS300-3.0.0.0-Verification-Pack	[zipped folder]	---
DS450-4.2.0.0-Verification-Pack	[zipped folder]	---
DS850-4.2.0.0-Verification-Pack	[zipped folder]	---
DS950-4.2.0.0-Verification-Pack	[zipped folder]	---
EMS-Client-6.3.0.0-Verification-Pack	[zipped folder]	---
EMS-Server-6.3.0.0-Verification-Pack	[zipped folder]	---

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
EMS-Standalone-6.3.0.0-Verification-Pack	[zipped folder]	---
EMS-6.3.0.0a-Generate-HashTrusted-Pack	[zipped folder]	---
ET-4.2.1.0-Verification-Pack	[zipped folder]	---
EV1-4.2.1.0-Verification-Pack	[zipped folder]	---
EV2-4.2.1.0-Verification-Pack	[zipped folder]	---
RR-1.5.0.0-Verification-Pack	[zipped folder]	---
RR-1.5.0.0-Generate-HashTrusted-Pack	[zipped folder]	---
XL-4.2.1.0-Verification-Pack	[zipped folder]	---
Build Procedures		
<i>Harvested Documents – EVS 6.0.0.0</i>		
ESSSYS_6'0'0'0_BP_DS200ANCILLARYTRUSTEDBUILD1.0.DOCM	Build Procedure, DS200 Ancillary Devices Trusted Build 1 ES&S Voting System 6'0'0'0	1.1
ESSSYS_6'0'0'0_BP_DS200ANCILLARYVMBUILDENVIRONMENT	Build Environment Construction: DS200 Ancillary Devices ES&S Voting System 6'0'0'0	1.0
ESSSYS_6'0'0'0_BP_EXPRESSVOTEUVS-V1TRUSTEDBUILD1.0.DOCM	Build Procedure: ExpressVoteUVS-v1 and ExpressVoteUVS-v1 Previewer Trusted Build 1 ES&S Voting System 6.0.0.0	1.1
ESSSYS_6'0'0'0_BP_EXPRESSVOTEUVS-V1VMBUILDENVIRONMENT	Build Environment Construction: ExpressVoteUVS-V1 ES&S Voting System 6.0.0.0	1.0
ESSSYS_6'0'0'0_BP_EXPRESSVOTEUVS-V2TRUSTEDBUILD1.0.DOCM	Build Procedure: ExpressVoteUVS-v2 and ExpressVoteUVS-v2 Previewer Trusted Build 1	1.1
ESSSYS_6'0'0'0_BP_EXPRESSVOTEUVS-V2VMBUILDENVIRONMENT	Build Environment Construction: ExpressVoteUVS-v2 ESS Voting System v. 6.0.0.0	1.1
<i>Harvested Documents – EVS 6.0.4.0</i>		
ESSSYS_6'0'4'0_BP_DYNAMICREPORTSBUILD	Build Procedure: Dynamic Reports 2.5.1 ES&S Voting System 6.0.4.0	1.1
<i>Harvested Documents – EVS 6.1.0.0</i>		
ESSSYS_6'1'0'0_BP_EMWEBVMBUILDENVIRONMENT	Build Environment Construction: Election Management System ES&S Voting System 6.1.0.0	1.1
ESSSYS_6'1'0'0_BP_EMWEBVMTRUSTEDBUILD1.1	Build Procedure, Election Management System Trusted Build 1.1 ES&S Voting System 6.1.0.0	1.2

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
ESSSYS_6'1'0'0_BP_EXPRESS VOTEANCILLARYVMBUILDE NVIRONMENT	Build Environment Construction: ExpressVote Ancillary Devices ESS Voting System v. 6.1.0.0	1.0
<i>Harvested Documents – EVS 6.2.0.0</i>		
ESSSYS_6'2'0'0_BP_EMSVMT RUSTEDBUILD1	Build Procedure, Election Management System Trusted Build 1 ES&S Voting System 6.2.0.0	1.1
ESSSYS_6'2'0'0_BP_EXPRESS VOTEANCILLARYVMTRUST EDBUILD1	Build Procedure: ExpressVote Ancillary Trusted Build 1 ES&S Voting System 6.2.0.0	1.1
ESSSYS_6'2'0'0_BP_FIPS- VALIDATED OPENSSSLBUILD	Build Procedure: FIPS-validated Openssl ES&S Voting System 6.2.0.0	1.0
ESSSYS_6'2'0'0A1_BP_EMSBui ldEnvironment	Build Environment Construction, EMS, Addendum 1	1.1
ESSSYS_6'2'0'0_BP_COREVM BUILDENVIRONMENT	Build Environment Construction VM: CoRE	1.0
07 System Operations Procedures		
CENTRAL_4'2'0'0_SOP	Central Count Operator's Guide DS450, DS850, and DS950	1.1
DS200_3'0'0'0_SOP	DS200 Operator's Guide	1.2
DS300_3'0'0'0_SOP	DS300 Operator's Guide	1.2
ELS_3'0'0'0_SOP	EVS Event Log Service User's Guide	1.1
ETOUCH_4'2'1'0_SOP	ExpressTouch Operator's Guide	1.1
EVOTE_4'2'1'0_SOP_HW1'0	ExpressVote Operator's Guide Hardware Version 1.0	1.1
EVOTE_4'2'1'0_SOP_HW2'1	ExpressVote Operator's Guide Hardware Version 2.1	1.1
EVOTEXL_4'2'1'0_SOP	ExpressVote XL Operator's Guide	1.1
EWARE_6'3'0'0_SOP_01Admin	Electionware Vol. I: Administrator Guide	1.1
EWARE_6'3'0'0_SOP_02Define	Electionware Vol. II: Define User Guide	1.1
EWARE_6'3'0'0_SOP_03Design	Electionware Vol. III: Design User Guide	1.0
EWARE_6'3'0'0_SOP_04 Deliver	Electionware Vol. IV: Deliver User Guide	1.1
EWARE_6'3'0'0_SOP_05 Results	Electionware Vol. V: Results User Guide	1.2
EWARE_6'3'0'0_SOP_06 Appendices	Electionware Vol. VI: Appendices	1.0
RGRSLT_1'5'0'0_SOP	Regional Results Transfer User Guide	1.1
08 System Maintenance Manuals		
CENTRAL_4'2'0'0_SMM	Central Count Maintenance Manual DS450, DS850 and DS950	1.0
DS200_3'0'0'0_SMM	DS200 Maintenance Manual	1.1
DS300_3'0'0'0_SMM	DS300 Maintenance Manual	1.2

Table 3-1. EVS 6.3.0.0 TDP Documents (continued)

Document ID	Description	Revision
ETOUCH_4'2'1'0_SMM	ExpressTouch Maintenance Manual	1.0
EVOTE_4'2'1'0_SMM	ExpressVote Maintenance Manual	1.0
EVOTEXL_4'2'1'0_SMM	ExpressVote XL Maintenance Manual	1.0
<i>09 Personnel Deployment and Training</i>		
ESSSYS_1'0_P_Training Program	Personnel Deployment and Training Program	1.4
<i>10 Configuration Management Plan</i>		
ESSSYS_1'0_P_CMProgram	Configuration Management Program	1.8
ESSSYS_1'0_P_TDPProgram	Technical Documentation Program	1.5
<i>11 QA Program</i>		
ESSSYS_1'0_P_MNFQA Program	Manufacturing Quality Assurance Program	1.12
ESSSYS_1'0_P_SWQAProgram	Software Quality Assurance Program	1.8
<i>12 System Change Notes</i>		
ESSSYS_6'3'0'0_D_ChangeNotes	ES&S Voting System 6.3.0.0 System Change Notes	1.3
ESSSYS_6'3'0'0_D_CHANGENOTES_QA	System Change Notes w/ QA Test Notes ES&S Voting System 6.3.0.0	1.0
<i>13 Attachments</i>		
ESSSYS_6'3'0'0_SOP_BPG	Ballot Production Guide for EVS	1.1

3.1.1 Source Code Review

Pro V&V reviewed the submitted source code to the EAC VVSG 1.0 and the manufacturer-submitted coding standards. Prior to initiating the software review, Pro V&V verified that the submitted documentation is sufficient to enable: (1) a review of the source code and (2) Pro V&V to design and conduct tests at every level of the software structure to verify that design specifications and performance guidelines are met.

A combination of Automated Source Code Review and Manual Source Code Review methods were used to review the changes in the source code from the previously certified EVS 6.2.0.0 voting system. In addition, 10% of the source code comments were manually reviewed.

Summary Findings

- Automated Source Code Review: The Automated Source Code Review was performed during the EVS 6.3.0.0 Compliance and Trusted Builds. No source code issues were found during the Automated Source Code review.
- Manual Source Code Review: The Manual Source Code review was performed on 10% of the comments for compliance to VVSG Volume Section 5.2.7. No source code issues were found during the Manual Source Code review.
- Compliance Build: The compliance build was performed following the compliance review. Once the compliance review was performed and the source was deemed stable enough to

proceed with testing, the source code and all additional packages were compiled into a Compliance Build.

- **Trusted Build:** The trusted build consisted of inspecting customer submitted source code, COTS, and third-party software products and combining them to create the executable code. This inspection followed the documented process from the “United States Election Assistance Commission Voting System Test Laboratory Program Manual v2.0” Section 5.5 –5.7. Performance of the trusted build includes the build documentation review. The Trusted Build was performed following the completion of the Functional Configuration Audit.

3.1.2 Physical Configuration Audit (PCA)

The Physical Configuration Audit (PCA) compares the voting system components submitted for qualification to the manufacturer’s technical documentation, and included the following activities:

- Establish a configuration baseline of software and hardware to be tested; confirm whether manufacturer’s documentation is sufficient for the user to install, validate, operate, and maintain the voting system
- Verify software conforms to the manufacturer’s specifications; inspect all records of manufacturer’s release control system; if changes have been made to the baseline version, verify manufacturer’s engineering and test data are for the software version submitted for certification
- If the hardware is non-COTS, Pro V&V reviewed drawings, specifications, technical data, and test data associated with system hardware to establish a system hardware baseline associated with the software baseline
- Review manufacturer’s documents of user acceptance test procedures and data against system’s functional specifications; resolve any discrepancy or inadequacy in manufacturer’s plan or data prior to beginning system integration functional and performance tests
- Subsequent changes to baseline software configuration made during testing, as well as system hardware changes that may produce a change in software operation are subject to re-examination

Summary Findings

During execution of the PCA, the components of the EVS 6.3.0.0 system were documented by component name, model, serial number, major component, and any other relevant information needed to identify the component. For COTS equipment, every effort was made to verify that the COTS equipment had not been modified for use. Additionally, each technical document submitted in the TDP was recorded by document name, description, document number, revision number, and date of release. At the conclusion of the test campaign, test personnel verified that any changes made to the software, hardware, or documentation during the test process were fully and properly documented.

3.1.3 System Level Testing

System Level Testing was performed to evaluate the complete system. This testing included all proprietary components and COTS components (software, hardware, and peripherals), as well as the Ancillary Systems detailed in Attachment A. Although not part of the system under test, the Ancillary Devices were used during the test campaign to support testing. During test performance, the system was configured exactly as it would for normal field use per the procedures detailed in the EVS 6.3.0.0 technical documentation. This included connecting all supporting equipment and peripherals including ballot boxes, voting booths (regular and accessible), and any physical security equipment such as locks and ties.

System Level Testing included the evaluations of the following test areas: Functional Configuration Audit (FCA), Accuracy Test, Volume and Stress Testing, System Integration Tests, and Security Review. All functional modifications submitted in this release that have not been evaluated in a previously tested and approved EAC-certified system that are included in the listed Cross-Products Changes as well as for each of the following individual components were evaluated during System Level Testing: DS200, DS450, DS950, DS850, ExpressVote HW1.0, ExpressVote HW2.1, ExpressVote XL, and ExpressTouch. Additionally, modifications submitted for Electionware, Event Logging Service, and Removable Media Service were evaluated during this area of testing. The full functionality of the DS300 was assessed during System Level Testing, as it is the new component for this configuration. This testing also included the Accuracy Test transmission of the DS300 results via Regional Results.

For software system tests, the tests were designed according to the stated design objective without consideration of its functional specification. The system level hardware and software test cases were prepared independently to assess the response of the hardware and software to a range of conditions. Pro V&V reviewed the manufacturer's program analysis, documentation, and module test case design and evaluated the test cases for each module with respect to flow control parameters and entry/exit data.

3.1.3.1 Functional Configuration Audit (FCA)

The Functional Configuration Audit (FCA) encompasses an examination of manufacturer's tests, and the conduct of additional tests, to verify that the system hardware and software perform all the functions described in the manufacturer's documentation submitted in the TDP. The FCA for this test campaign included an assessment of the submitted modifications and included inputs of both normal and abnormal data during test performance. This evaluation utilized baseline test cases as well as specifically designed test cases and included predefined election definitions for the input data.

In addition to functioning according to the manufacturer's documentation, tests were conducted to ensure all applicable EAC VVSG 1.0 requirements were met.

Summary Findings

All functional tests were successfully executed. Regression testing was performed as needed to verify all noted deficiencies were successfully addressed.

3.1.3.2 Accuracy

The Accuracy Test ensured that each component of the voting system could process at least 1,549,703 consecutive ballot positions correctly within the allowable target error rate. The Accuracy Test is designed to test the ability of the system to “capture, record, store, consolidate and report” specific selections and absences of a selection. The required accuracy is defined as an error rate. This rate is the maximum number of errors allowed while processing a specified volume of data.

For paper-based voting systems, the ballot positions on a paper ballot must be scanned to detect selections for individual candidates and contests and the conversion of those selections detected on the paper ballot converted into digital data. In an effort to achieve this and to verify the proper functionality of the units under test, the following methods were used to test components of the voting system.

Summary Findings

The EVS 6.3.0.0 system was tested by utilizing a combination of hand marked (70%) and pre-marked (30%) paper ballots to achieve an accuracy rate greater than 1,549,703 correct ballot positions. The EVS 6.3.0.0 system was tested by using all of the available ballot sizes to cast a sufficient number of paper ballots to achieve an accuracy rate of 1,628,800 correct ballot positions for the DS200, DS300, DS450, DS850, and DS950.

In addition to the paper ballots, the accuracy test utilizing automated L&A, pre-marked, and hand-marked vote summary cards of each card length supported by the ExpressVote and the ExpressVote XL successfully passed the Accuracy Test without issue. A total of 1,600,000 voting positions were processed by the ExpressVote. A total of 2,166,528 voting positions were processed by the ExpressVote XL.

In addition to the paper ballots and the vote summary cards, the accuracy test utilizing automated L&A and manual voting sessions of each card length supported by the ExpressTouch successfully passed the Accuracy Test without issue. A total of 1,624,896 voting positions were processed by the ExpressTouch.

The Accuracy Test also included the transmission of the DS300 results via Regional Results through a Virtual Private Network (VPN). The test securely transmitted 1,628,800 correct ballot positions to the EMS.

The Accuracy Test also included the transmission of the DS950, DS850 and DS450 results via a closed local area network. The test securely transmitted 1,628,800 correct ballot positions to the EMS.

All of the results from the Accuracy Test were compiled into Electionware and all actual results obtained during test execution matched the expected results.

3.1.3.3 Volume and Stress Testing

A Volume and Stress Test was performed on the EVS 6.3.0.0 voting system. The Volume & Stress test investigated the system's response to conditions that tend to overload the system's capacity to process, store, and report data. The test parameters focused on the system's stated limits and the ballot logic for areas such as the maximum number of active voting positions, maximum number of ballot styles, maximum candidates, maximum contests, and stated limits within the EMS.

Summary Findings

The EVS 6.3.0.0 successfully met the requirements of the Volume and Stress Testing. It was verified that the system can achieve the manufacturer's TDP claims of what the system can support. Testing was performed on the DS300 by exercising six election definitions and test cases developed specifically to test for volume and stress conditions of the system. Testing was performed on the entire system by exercising one election definition and test case developed specifically to test for the maximum precincts allowed in an election increased from 9900 to 9999.

3.1.3.4 System Integration

System Integration is a system level test that evaluates the integrated operation of both hardware and software. System Integration tests the compatibility of the voting system software components, or subsystems, with one another and with other components of the voting system environment. This functional test evaluates the integration of the voting system software with the remainder of the system. The System Integration Tests were performed to verify the EVS 6.3.0.0 functioned as a complete system.

The System Integration test was performed as part of the regression test requirements for this campaign. Regression testing establishes assurance that the modifications have no adverse impact on the compliance, integrity, or performance of the system.

Summary Findings

During test performance, the system was configured as it would be for normal field use. This involved connecting all supporting equipment and peripherals including ballot boxes, voting booths (regular and accessible), and any physical security equipment such as locks and ties.

Pro V&V personnel properly configured and tested the system by following the procedures detailed in the EVS 6.3.0.0 technical documentation.

During System Integration testing, two General Elections and two Primary Elections were successfully exercised on the voting system, as described below:

Two general elections with the following breakdowns:

- General Election GEN-01: A General Election with Straight Party held in four precincts, one of which is a split precinct. This election contains nineteen contests compiled into four ballot styles. Five of the contests are in all four ballot styles. The other fourteen contests

are split between at least two of the precincts with a maximum of four different contests spread across the four precincts.

- General Election GEN-03: A General Election held in two precincts. This election contains eight contests and compiled into two ballot styles. Four of the contests are in both ballot styles. The other four contests are split between the two precincts. This election is designed to functionally test the handling of multiple ballot styles, support for at least three languages including a character-based language, support for common voting variations, and audio support for at least three languages and an ADA binary input device.

Two primary elections with the following breakdowns:

- Primary Election PRIM-01: This election is designed to functionally test a Closed Primary Election with multiple ballots and support for common voting variations. This election contains thirty-one contests and six parties compiled into eighteen ballot styles, each ballot containing six contests.
- Primary Election PRIM-03: A Closed Primary Election held in two precincts. This election contains ten contests and is compiled into two ballot styles. Two of the contests are in both ballot styles. The other eight contests are split between the two parties' ballots. This election is designed to functionally test the handling of multiple ballot styles, support for at least three languages including a character-based language, support for common voting variations, and audio support for at least three languages and an ADA binary input device.

Summary Findings

The EVS 6.3.0.0 system successfully passed the System Integration Test. During execution of the test procedure, it was verified that the EVS 6.3.0.0 system successfully completed the system level integration tests with all actual results obtained during test execution matching the expected results.

3.1.3.5 Security Review

The objective of the Security Testing is to evaluate the effectiveness of the voting system in detecting, preventing, recording, reporting, and recovering from security threats. To evaluate the integrity of the system, Pro V&V developed specifically designed test cases in an attempt to defeat the access controls and security measures documented in the system TDP. The test methods for performing the Security Testing were execution and review. Prior to performance of Security testing, the examiner verified that security hardening scripts had been properly applied to system components per the system documentation. The examiner also reviewed the submitted TDP to verify that documented access and physical controls were in place. Following the documented procedures, the examiner configured the voting system for use and functionality to verify that the documented controls were in place and adequate and met the stated requirements.

Summary Findings

Physical Security was tested by setting up the system as described in the TDP and then examining the effectiveness and comprehensiveness of physical security measures. Administrative Security

was tested by examining the system's documented security instructions and procedures for effectiveness and breadth. Logical security was tested as part of FCA testing by a recognized security expert who reviewed the physical and administrative testing outcomes and performed the following tests on system components: Vulnerability Scans and Physical Bypass Attempts. Logical security testing assessed the effectiveness of the security hardening scripts applied during the system setup and install process. Based on the review results, the system was deemed secure.

3.1.4 Usability and Accessibility Testing

Usability & Accessibility testing was performed to evaluate the EVS 6.3.0.0 system to the applicable requirements. The usability testing focused on the usability of the DS300. Usability is defined generally as a measure of the effectiveness, efficiency, and satisfaction achieved by a specified set of users with a given product in the performance of specified tasks.

During test performance, the voting system was configured as per the ES&S TDP. This area of testing focused on the addition of the DS300.

Summary Findings

The EVS 6.3.0.0 System successfully met the requirements of the Usability & Accessibility evaluation. Additionally, Pro V&V reviewed the results of usability testing performed by Iowa State University on the DS300 to verify that the submitted test results were in common industry format.

3.1.5 Hardware Testing

Previous hardware examinations were performed on the EAC-certified baseline system (EVS 6.2.0.0) and/or previous certified versions of the EVS 6.3.0.0 components. As a new system component, the full suite of hardware electrical and all applicable environmental testing, as listed below, was required for the DS300.

This testing was conducted during a state-level certification effort, the results of which are contained in Pro V&V Test Report TR 01-02-ESS-035-01.00, "Election Systems & Software (ES&S) Voting System EVSFL 6.3.0.0 Hardware Testing", which was submitted to the EAC for evaluation and approved for reuse in this test campaign.

Electrical Testing

- Electrical Power Disturbance
- Radiated Emissions
- Conducted Emissions
- Electrostatic Disruption
- Electromagnetic Susceptibility

- Electrical Fast Transient
- Lightning Surge
- Conducted RF Immunity
- Magnetic Fields Immunity
- Electrical Supply
- Safety

Environmental Testing

- Low Temperature
- High Temperature
- Humidity
- Temperature Power Variation
- Transportation Vibration
- Bench Handling

Additionally, the submitted modifications for the DS450 and DS950 required the following select hardware tests to be performed:

Electrical Testing

- Electrical Power Disturbance
- Radiated Emissions
- Conducted Emissions
- Electrostatic Disruption
- Electromagnetic Susceptibility
- Electrical Fast Transient
- Lightning Surge
- Conducted RF Immunity

- Magnetic Fields Immunity
- Electrical Supply

Environmental Testing

- Temperature Power Variation

Pro V&V utilized third party testing during the performance of hardware testing. All hardware testing was performed at the NTS Longmont facility located in Longmont, Colorado. All testing was witnessed on-site by Pro V&V personnel, with the exception of Temperature Power Variation in which Pro V&V qualified staff executed all testing at the NTS Longmont facility.

Summary Findings

Electrical Testing was performed on the components listed above. The procedures and results for this testing are included in NTS Test Report ETR-PR145960-1, Revision 1, presented in Attachment B, Part 1, NTS Test Report ETR-PR145960-2, Revision 2, presented in Attachment B, Part 2, NTS Test Report ITR-PR145960-1, Revision 1, presented in Attachment B, Part 3, NTS Test Report ITR-PR145960-2, Revision 2, presented in Attachment B, Part 4, and NTS Test Report TR-PR145960-PS, presented in Attachment B, Part 5.

The test results from this testing are summarized below:

Table 3-2. Electrical Hardware Test Results

Standard/Method	Description	Criteria	Class/Level	Result
FCC 15.107 ICES-003 VVSG Vol. 1 4.1.2.9	Power Line Conducted Emissions	N/A	Class B	Compliant
FCC 15.109 ICES-003 VVSG Vol. 1 4.1.2.9	Radiated Emissions	N/A	Class B	Compliant
EN61000-4-11 VVSG Vol. 1 4.1.2.5	Electrical Power Disturbance	Normal Operation & No Data Loss	Various	Compliant
EN61000-4-4 VVSG Vol. 1 4.1.2.6	Electrical Fast Transient	Normal Operation & No Data Loss	±2kV - Mains	Compliant
EN61000-4-5 VVSG Vol. 1 4.1.2.7	Lightning Surge	Normal Operation & No Data Loss	±2kV Line - Line ±2kV Line - Ground	Compliant
EN61000-4-2 VVSG Vol. 1 4.1.2.8	Electrostatic Disruption	Normal Operation & No Data Loss	±8kV Contact ±15kV Air	Compliant
EN61000-4-3 VVSG Vol. 1 4.1.2.10	Electromagnetic Susceptibility	Normal Operation & No Data Loss	10 V/m, 80 MHz – 1 GHz	Compliant

Table 3-2. Electrical Hardware Test Results (continued)

Standard/Method	Description	Criteria	Class/Level	Result
EN61000-4-6 VVSG Vol. 1 4.1.2.11	Conducted RF Immunity	Normal Operation & No Data Loss	10 Vrms, 150 kHz – 80 MHz	Compliant
EN61000-4-8 VVSG Vol. 1 4.1.2.12	Magnetic Immunity	Normal Operation & No Data Loss	30 A/m	Compliant
EN62368-1 UL62368-1 VVSG Vol. 1 4.38	Safety (DS300 Only)	Normal Operation & No Data Loss		Compliant
Overall Result				Pass/ Compliant

The Electrical Supply portion of the Electrical Testing was performed at Pro V&V’s test facility. The components completed the test requirements successfully with no deficiencies noted. Test Result – PASS

Environmental Testing was performed on the DS950 and ExpressVote HW2.1. The procedures and results for this testing are included in NTS Test Report TR-PR120980-1 Revision 1, presented in Attachment B, Part 6, and NTS Test Report TR-PR120980 Revision 2, presented in Attachment B, Part 7.

The test results from this testing are summarized below:

Low Temperature - Storage (MIL-STD-810D, 502.2, II-3)

The DS300 was subjected to Low Temperature – Storage Testing. Samples were subjected to a temperature of -4°F (-20°C +/-3 °C) for a duration of 4 hours, after which operation was confirmed by Pro V&V. Samples were not powered, and were left in their packaging for the duration of the test. They were removed from the boxes for operational verification after the test. At the conclusion of testing, a visual inspection and an operational status check was performed. Test Result – PASS

High Temperature - Storage (MIL-STD-810D, 501.2, I-3.2)

The DS300 was subjected to High Temperature – Storage Testing. Samples were subjected to a temperature of 140°F (60°C +/-3 °C) for a duration of 4 hours, after which operation was confirmed by Pro V&V. Samples were not powered, and were left in their packaging for the duration of the test. They were removed from the boxes for operational verification after the test. At the conclusion of testing, a visual inspection and an operational status check was performed. Test Result – PASS

Humidity – Hot/Humid (MIL-STD-810D, 507.2, I-3.2)

The DS300 was subjected to Humidity – Hot/Humid Testing. Samples were subjected as per Table 507.2-I, Hot-Humid (Cycle 1), for a duration of 240 hours (10 days), after which operation was confirmed by Pro V&V. Samples were not powered/operational, and were left in their packaging for the duration of the test, and were removed from the boxes for operational verification. At the

conclusion of testing, a visual inspection and an operational status check was performed. Test Result – PASS

Bench Handling (MIL-STD-810D, 516.3, I-3.8)

The DS300 was subjected to Shock – Bench Handling Testing. Using one edge as a pivot, the opposite edge of the chassis of each unit was lifted until the face reached 45° with horizontal bench top, or 4 inches above bench top (whichever occurred first). This was repeated with each practical edge, of the same horizontal face. At the conclusion of testing, the components were subjected to a visual inspection and an operational status check was performed. Result – PASS

Transportation Vibration (MIL-STD-810D, 514.3, I-3.2.1)

The DS300 was subjected to Vibration – Basic Transportation Testing. Testing was performed at ambient/room temperature (20°C +/-3 °C) in the X, Y and Z axis at the levels identified in Table 3-4. At the conclusion of testing, a visual inspection and an operational status check was performed. Test Result - PASS

Table 3-4. Vibration Test Profiles

Axis	Random Vibration Profile
Vertical	1.04 gRMS
Longitudinal	0.74 gRMS
Transverse	0.2 gRMS

Temp-Power Variation Testing (MIL-STD-810D, 501.2/502.2)

The DS300, DS450, and DS950 were subjected to Temperature/Power Variation Testing. The components were powered and being operated by Pro V&V for the duration of the environmental profile, to confirm operation. The DS450 and the DS950 passed with no issues.

Initially, three DS300 units were utilized to perform the test. One unit experienced a printing issue at the conclusion of sixty-four hours of testing. This unit received a printer timeout error message and failed to print reports from the report printer upon poll close. The unit was pulled from testing and the test time was extended to eighty-five hours on the remaining two units. The remaining two units completed the test with no issues. ES&S performed a Root Cause Analysis (RCA) on the faulty unit and determined that printer damage, was due to overstress of repeated ESD testing, caused the issue. This RCA was approved by both the VSTL and the EAC. ES&S recommended a replacement of the control board and print mechanism. It was determined this resolved the printer timeout issue. The unit was returned to Pro V&V for additional testing, including a reliability test, in which 12,800 ballots were processed. Test Result – PASS

3.2 Anomalies and Resolutions

When a result is encountered during test performance that deviates from what is standard or expected, a root cause analysis is performed. Pro V&V considers it an anomaly if no root cause can be determined. In instances in which a root cause is established, the results are then considered deficiencies. No anomalies occurred during the testing of the EVS 6.3.0.0.

3.3 Deficiencies and Resolutions

Any violation of the specified requirement or a result is encountered during test performance that deviates from what is standard or expected in which a root cause is established is considered to be a deficiency. Upon occurrence, deficiencies are logged throughout the test campaign for disposition and resolution. Throughout the test campaign, any deficiencies encountered were logged in the Pro V&V tracking system (Mantis) for disposition and resolution. In each instance, if applicable, the resolution was verified to be resolved through all required means of testing (regression testing, source code review, and TDP update) as needed.

Table 3-4. Noted Deficiencies

ID#	Test Category	Deficiency	Resolution
540	FCA	The DS200/DS300 will not save the correct time zone after a reboot. After reboot, the config report shows the correct time from the saved time zone. When the user prints any other report, it always shows the central time zone time.	Source Code change to both the SetTimeZoneCommand.cpp and GetTimeZoneCommand.cpp.

4.0 RECOMMENDATION FOR CERTIFICATION

The EVS 6.3.0.0, as presented for testing, successfully met the requirements set forth for voting systems in the U.S. Election Assistance Commission (EAC) 2005 Voluntary Voting System Guidelines (VVSG), Version 1.0. Additionally, Pro V&V, Inc. has determined that the EVS 6.3.0.0 functioned as a complete system during System Integration Testing. Based on the test findings, Pro V&V recommends the EAC grant the EVS 6.3.0.0 identified in Table 4-1 certification to the EAC VVSG 1.0.

Table 4-1. EVS 6.3.0.0 System Components – Proprietary

System Component	Software or Firmware Version	Hardware Version(s)	Description
Electionware	6.3.0.0	---	Election management software that provides end-to-end election management activities
ES&S Event Log Service (ELS)	3.0.0.0	---	Logs users' interactions with EMS

Table 4-1. EVS 6.3.0.0 System Components – Proprietary (continued)

System Component	Software or Firmware Version	Hardware Version(s)	Description
Removable Media Service (RMS)	3.0.0.0	---	Utility that runs in the background of the Windows operating system
Regional Results	1.5.0.0	---	Standalone application that is deployed at Regional Sending Sites.
DS200	3.0.0.0	1.2, 1.3	Poll Place Scanner and Tabulator that scans voter selections from both sides of the ballot simultaneously
DS300	3.0.0.0	1.0	Poll Place Scanner and Tabulator that scans voter selections from both sides of the ballot simultaneously
DS200/DS300 Ballot Box	---	1.0, 1.1	Collapsible Ballot Box (Model 98-00009)
DS200/DS300 Ballot Box	---	1.0	Collapsible Ballot Box (Model 98-00110)
DS200/DS300 Ballot Box	---	1.2, 1.3, 1.4, 1.5	Plastic Ballot Box (Model 57521)
DS200/DS300 Tote Bin	---	1.0	Tote Bin Ballot Box (Model 00074)
DS200/DS300 Ballot Trolley	---	N/A	Ballot Trolley Ballot Box (Model 212516)
DS200 Metal Ballot Box	---	1.0, 1.1, 1.2	Metal Ballot Box (Model 76245)
DS200/DS300 Ballot Tote Bag	---	N/A	Ballot Tote Bag (Model 60)
DS200/DS300 Carrying Case	---	N/A	Soft-sided carrying case (Model 90282)
DS200/DS300 Carrying Case	---	N/A	Hard-sided lid/carrying case with wheels and extendable handle (Model 98-00045)
DS200/DS300 Carrying Case	---	N/A	Hard-sided carrying case (suitcase) (Model 94052)
DS300 Ballot Box	---	1.0	Plastic Ballot Box (Model 57300)
DS450	4.2.0.0	1.0	Central Count Scanner and Tabulator (Model 3002)
DS450 Cart	---	---	
DS850	4.2.0.0	1.0	Central Count Scanner and Tabulator
DS850 Cart	---	---	Metal cart for DS850 only (Model 6823)
DS950	4.2.0.0	1.0	Central Count Scanner and Tabulator
Central Count Cart	---	---	Metal cart for DS450/DS950 (Model 7898)
ExpressVote XL	4.2.1.0	1.0	Hybrid full face paper-based vote capture and selection device and precinct count tabulator
ExpressTouch	4.2.1.0	1.0	DRE

Table 4-1. EVS 6.3.0.0 System Components – Proprietary (continued)

System Component	Software or Firmware Version	Hardware Version(s)	Description
ExpressVote HW1.0	4.2.1.0	1.0	Hybrid paper-based vote capture and selection device
ExpressVote HW2.1	4.2.1.0	2.1.0.0 2.1.2.0	Hybrid paper-based vote capture and selection device
ExpressVote Carrying Case	---	N/A	Soft-sided carrying case (Model 98-00050)
ExpressVote Rolling Kiosk	---	1.0	Portable Voting Booth (Model 98-00049)
Voting Booth	---	---	Stationary Voting Booth (Model 98-00051)
ExpressVote Ben Franklin Booth	---	---	Sitting and Standing Voting Booth (Model 00380, adapter 00381)
Dual Express Cart	---	---	Portable Voting Booth (Model 41402)
Quad Express Cart	---	---	Portable Voting Booth (Model 41404)
Voting Booth Workstation	---	---	Stationary voting booth (Model 87035)
MXB ExpressVote Voting Booth	---	---	Sitting and Standing Voting Booth (Model 95000)
ExpressVote Single Table	---	---	Voting Table for One Unit (Model 87033)
ExpressVote Double Table	---	---	Voting Table for Two Units (Model 87032)
ADA Table	---	---	Voting Table for One Unit (Model 87031)
ExpressVote Audio-Tactile Keypad	1.0.0.0	---	Audio-Tactile Keypad (Model 97-00168)
Universal Voting Console (UVC)	---	2.0	Detachable ADA support peripheral (Model 98-00077)
ExpressTouch Tabletop Easel	---	---	Model 14040
ExpressTouch Carrying Case	---	---	Soft-sided carrying case (Model 14041)
ExpressTouch Voting Booth	---	---	Stationary Voting Booth (Model 98-00081)
SecureSetup	6.3.0.0	---	Proprietary Hardening Script

Table 4-2. EVS 6.3.0.0 System Components – COTS Software

Manufacturer	Application	Version
ES&S/Microsoft Corporation	Windows 10 Enterprise LTSC (ISO)*	WIN10_6300.iso
ES&S/Microsoft Corporation	Windows Server 2016 (ISO)*	WIN2016_6300.iso

Table 4-2. EVS 6.3.0.0 System Components – COTS Software (continued)

Manufacturer	Application	Version
ES&S/Microsoft Corporation	Windows Server 2016 DataComm (ISO)*	WIN2016DC_6300.iso
Microsoft Corporation	Windows Updates (Software updates included in the OS image)	Package date: WIN10_6300.iso-01/24/2022 WIN2016_6300.iso-01/20/2022 WIN2016DC_6300.iso-01/20/2022
Microsoft Corporation	Windows Defender Antivirus (Configured within the OS image)	N/A
Dell	TPM Utility	DellTpm2.0_Fw1.3.2.8_V1_64.exe
Cisco	Router firmware	1.0.03.26
Cisco	Rommon	ASA 5506-X (1.1.18) ASA 5508-X (1.1.18) ASA FPR-1010 (N/A)
Cisco	ASA Firmware	ASA 5506-X (9.16.1) ASA 5508-X (9.16.1) ASA FPR1010 (9.16.1)
Kiwi Syslog Server	Remote Event Log Monitoring	9.6.7
Amyuni	Amyuni PDF Generator	5.5
Cerberus	Cerberus FTP Server – Enterprise	12.1 (64-bit)
Sumatra	Sumatra PDF Viewer	3.1.2 (64-bit)
Legion of the Bouncy Castle Inc.	Bouncy Castle FIPS Java API	1.0.2.1
Yubico Login for Windows	Dual Factor Authentication YubiKey USB keys for dual factor authentication (optional)	Yubico-Login-for-Windows-2.0.3-win64.msi
WS FTP	Secure file transfer	12.7.0

*These ISOs were constructed by Pro V&V per ES&S-provided procedures utilizing COTS software components.

Table 4-3. EVS 6.3.0.0 System Components – COTS Hardware

Manufacturer	Hardware	Model/Version
Dell	EMS Server	PowerEdge T430, T440, T630, R540
Dell	Regional Results Data Comm Server	PowerEdge T430, T440, T630, R540
Dell	EMS Client or Standalone Workstation	Latitude 5520, 5580 (32GB Ram), OptiPlex 5040, 5050, 7020, XE3
Dell	Trusted Platform Module (TPM) Chip 1.2 and 2.0 (optional)	Security device (optional)
Dell	Regional Results Client	Latitude 5520, 5580
Toshiba	Regional Results Client	Tecra A50-C
Innodisk	USB EDC H2SE (16GB) for ExpressVote 2.1	DEEUH1-16GI72AC1SB

Table 4-3. EVS 6.3.0.0 System Components – COTS Hardware (continued)

Manufacturer	Hardware	Model/Version
Delkin	2.0 USB Flash Drive (512MB, 1GB, 2GB, 4GB, 8GB)	N/A
Delkin	3.0 USB Flash Drive (4GB, 8GB, 16GB, 32GB)	6206, 6207, 6208, 6209
Delkin	3.0 USB Flash Drive (256GB) data transfer	6210
Delkin	USB Embedded 2.0 Module Flash Drive for ExpressVote HW1.0	MY08TQJ7A-RA000-D 8 GB MY16TNK7A-RA042-D/ 16 GB
Delkin	USB Embedded 2.0 Module Flash Drive for ExpressVote HW2.1	MY16TNK7A-RA042-D/ 16 GB
Delkin	Compact Flash Memory Card (1GB)	CE0GTFHHK-FD038-D
Delkin	Compact Flash Memory Card (4GB)	CE04TQSF3-XX000-D
Delkin	Secure CF Card (2GB)	CE02TLQCK-FD000-D
Delkin	CFast Memory Card (4GB)	BE04TRSJG-3N042-D
Delkin	Compact Flash Memory Card Reader/Writer	6381
Delkin	CFast Card (2GB, 4GB)	380-00006 – 2GB, 380-00007 – 4GB
Delkin	CFast Card Reader/Writer	67417
Delkin USB Flash Drive	BitLocker 32.2 MB (optional)	Storage for security key (Model 10004)
Cisco Firewall	Regional Results Security Firewall	ASA-5506-X, ASA-5508-X, ASA FPR-1010
Cisco Router	Regional Results VPN Router	RV340
D-link	network switch (1 GB Min)	DSG-1005G
YubiKey USB drive	Multi factor Authentication (optional)	5A series
Lexar	CFast Card Reader/Writer	LRWCRI1TBNA
CardLogix	Smart Card	CLXSU128kC7/ AED C7
SCM Microsystems	Smart Card Writer	SCR3310
Avid	Headphones	86002
Zebra Technologies	QR code scanner (Integrated)	DS457-SR20009, DS457-SR20004ZZWW
Symbol	QR Code scanner (External)	DS9208
Brother	DS450 and DS950 Report Printer	B6400
Dell	DS450 Report Printer	S2810dn
OKI	DS450, DS850, and DS950 Report Printer	B431dn, B431d, B432DN
OKI	DS450 and DS850 Audit Printer	Microline 420
APC	DS450 UPS	Back-UPS Pro 1500, Smart-UPS 1500
APC	DS850 UPS	Back-UPS RS 1500, Pro 1500
CyberPower	DS950 UPS	OR1500PFCLCD
CyberPower	DS450 and DS950 UPS	CP1500PFCLCD
Tripp Lite	DS450 Surge Protector	SPIKECUBE

Table 4-3. EVS 6.3.0.0 System Components – COTS Hardware *(continued)*

Manufacturer	Hardware	Model/Version
Seiko Instruments	Thermal Printer	LTPD-347B
NCR/Nashua	Paper Roll	2320
Fujitsu	Thermal Printer	FTP-62GDSL001, FTP-63GMCL153
HP	Ink cartridge for DS450/DS850 ballot number imprinting	87002
HP	Ink cartridge for DS950 ballot number imprinting	HP C6195A
TDS	Ink cartridge for DS200/DS300 ballot stamping	2278
HP	Ink cartridge for DS300 risk-limiting audit number imprinting	370-00538
Pivot	Vote Summary Card Only Suppression Tray	97-00359

ATTACHMENT A

ANCILLARY SYSTEMS

Ancillary systems represent products and utilities that are not part of the EAC certified configuration, however, they may be used to facilitate testing.

Ancillary systems include:

- Ballot Production
 - Balotar is a secure printing product that receives ballot artwork PDFs and ballot on demand (BOD) files from Electionware Capture. Balotar is specifically designed to automatically generate and print ad hoc ballots.
- Electronic Pollbook
 - ExpressPoll electronic pollbook stores registered voter information for precincts, districts, or entire jurisdictions. The voter registration data can be shared with the ExpressLink application to print a voter's activation card for use in an ExpressVote or ExpressVote XL.
- ExpressLink System
 - ExpressLink is a Windows PC application that can run in either a standalone mode, or in a monitor mode, where the application monitors requests from a voter registration (VR) system over a shared network folder. The application imports an election definition from Electionware, accepts requests to print a voter's activation card for use in an ExpressVote or ExpressVote XL, determines the voter's ballot style and then prints the activation card on the ExpressVote Activation Card Printer. Separately, this application is used to program vote session activator cards for use with ExpressTouch.
 - ExpressVote Activation Card Printer, a thermal, on demand printer, is used to print the ballot activation code on the activation card for use with ExpressVote or ExpressVote XL.
 - ExpressTouch Smart Card Writer is a device used to program the ballot activation code on the ExpressTouch vote session activator card.
- Electionware Toolbox is a set of utilities that can be integrated into the Electionware EMS to enhance the software usability experience and streamline various processes. These add-on utilities include Test Deck, Text to Speech and Media Restore.
 - Test Deck provides a means for the election official to test the election on each machine that will be used for voting. Vote patterns can be created with automatic ballot marking, and then the ballots can be printed and scanned through the ES&S ballot tabulators to test logic and accuracy of the counting. Additionally, a test pattern file can be created for the ExpressTouch, ExpressVote or ExpressVote XL that allows automated logic and accuracy testing on the universal voting machine.
 - Text to Speech provides a simplified method for creating the audio files that make up the audible ballot.
 - Media Restore is used to prepare ES&S-certified USB media flash drives for use with Electionware by securely clearing all data and then restoring to the FAT32 format.

**Table A-1
Ancillary Systems**

System Component	Software or Firmware Version	Hardware Version(s)
BOD Software (Balotar)	1.0	---
BOD Printer	---	BOD6400, BOD9310
Balotar Compact	---	OKI C712
ExpressPoll	7.0.1.0 (or greater)	Microsoft Surface Go
ExpressLink	3.0.0.0	---
ExpressVote Activation Card Printer	---	1.0
ExpressTouch Smart Card Writer	---	SCR3310
Electionware Toolbox – Test Deck	4.3.0.0	---
Electionware Toolbox – Text to Speech	4.3.0.0	---
Electionware Toolbox – Media Restore	4.3.0.0	---

ATTACHMENT B
Hardware Test Reports

Part 1: NTS Test Report ETR-PR145960-1, Revision 1

Part 2: NTS Test Report ETR-PR145960-2, Revision 2

Part 3: NTS Test Report ITR-PR145960-1, Revision 1

Part 4: NTS Test Report ITR-PR145960-2, Revision 2

Part 5: NTS Test Report TR-PR145960-PS

Part 6: NTS Test Report TR-PR145943-1, Revision 0

Part 7: NTS Test Report TR-PR145943-2, Revision 2

(Provided Separately)



U. S. ELECTION ASSISTANCE COMMISSION
VOTING SYSTEM TESTING AND CERTIFICATION PROGRAM
1335 East West Highway, Suite 4300
Silver Spring, MD 20910

May 3, 2019

Sue McKay
Election Systems and Software
11208 John Galt Blvd
Omaha, NE 68137

Sent via e-mail

Re: Agency Decision – Grant of Certification

Dear Ms. McKay,

As required under §5.9 of the EAC's Voting System Testing and Certification Program Manual, ES&S and SLI Compliance have provided the necessary documentation for the EVS 6.0.4.0 voting system verifying that 1) the trusted build has been performed, 2) software has been deposited in an approved repository, 3) system identification tools are available to election officials, and 4) signed a letter stating, under penalty of law, that you have:

1. Performed a trusted build consistent with the requirements of §5.6 of the EAC's Certification Manual;
2. Deposited software consistent with §5.7 of the EAC's Certification Manual;
3. Created and made available system identification tools consistent with §5.8 of the EAC's Certification Manual (a copy and description of the system identification tool developed must be provided with the letter); and
4. Upon a final decision to grant certification, the manufacturer accepts the certification and all conditions placed on the certification.

Based on the review of the documentation above and the fact that ES&S EVS 6.0.4.0 successfully completed conformance testing to the Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0), the Voting System Testing & Certification Program Director has recommended EAC certification of this system.

I have reviewed all of the documentation and concur with the Program Director's recommendation. As such, I hereby grant EAC Certification to ES&S EVS 6.0.4.0 to the VVSG 1.0.

The EAC certification number issued for this system is: **ESSEVS6040**. In addition, a Certificate of Conformance shall be provided to ES&S as evidence of the EAC certification of the EVS 6.0.42.0. The Certificate of Conformance shall be provided to

ES&S no later than five business days from the date of this letter, and it shall be posted on the EAC's website.

As stated in §5.11 of the EAC's Certification Manual, the EAC certification and certificate apply only to the specific voting system configuration(s) identified, submitted, and evaluated under the Certification Program. Any modification to the system not authorized by the EAC shall void the certificate.

If you have any questions or need further information, please do not hesitate to contact Ryan Macias at your earliest convenience. I thank you in advance for your time and attention to this matter and congratulate you on this achievement.

Sincerely,

A handwritten signature in blue ink, appearing to read "BDN", with a stylized flourish at the end.

Brian D. Newby
Executive Director
Decision Authority

Cc: Ryan Macias, U.S. Election Assistance Commission
Jonathon Panek, SLI Compliance



United States Election Assistance Commission



Certificate of Conformance

ES&S EVS 6.3.0.0

The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the *Voluntary Voting System Guidelines Version 1.0 (VMSG 1.0)*. Components evaluated for this certification are detailed in the attached Scope of Certification document. This certificate applies only to the specific version and release of the product in its evaluated configuration. The evaluation has been verified by the EAC in accordance with the provisions of the *EAC Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.

Product Name: EVS

Model or Version: 6.3.0.0

Name of VSTL: Pro V&V

EAC Certification Number: ESSEVS6300

Date Issued: 11/17/2022

Interim Executive Director

Scope of Certification Attached

Manufacturer: *Election Systems & Software*
System Name: *EVS 6.3.0.0*
Certificate: *ESSEVS6300*

Laboratory: *Pro V&V*
Standard: *VVSG 1.0*
Date: *11/17/2022*



Scope of Certification

This document describes the scope of the validation and certification of the system defined above. Any use, configuration changes, revision changes, additions or subtractions from the described system are not included in this evaluation.

Significance of EAC Certification

An EAC certification is an official recognition that a voting system (in a specific configuration or configurations) has been tested to and has met an identified set of Federal voting system standards. An EAC certification is **not**:

- An endorsement of a Manufacturer, voting system, or any of the system's components.
- A Federal warranty of the voting system or any of its components.
- A determination that a voting system, when fielded, will be operated in a manner that meets all HAVA requirements.
- A substitute for State or local certification and testing.
- A determination that the system is ready for use in an election.
- A determination that any particular component of a certified system is itself certified for use outside the certified configuration.

Representation of EAC Certification

Manufacturers may not represent or imply that a voting system is certified unless it has received a Certificate of Conformance for that system. Statements regarding EAC certification in brochures, on Web sites, on displays, and in advertising/sales literature must be made solely in reference to specific systems. Any action by a Manufacturer to suggest EAC endorsement of its product or organization is strictly prohibited and may result in a Manufacturer's suspension or other action pursuant to Federal civil and criminal law.

System Overview

The ES&S EVS 6.3.0.0 voting system is a modification of the EVS 6.2.0.0 voting system, certified on December 23, 2021. The EVS 6.3.0.0 voting system contains modifications to Electionware, ExpressVote versions 1.0 and 2.1, ExpressVote XL, ExpressTouch, DS200, and DS950. It also introduces the DS300, a polling place scanner and tabulator. EVS 6.3.0.0 is composed of software applications, central count location devices and polling place devices with accompanying firmware, and COTS hardware and software:

Electionware[®] election management software is an end-to-end election management software application that provides election definition creation, ballot formation, equipment configuration, result consolidation, adjudication, and report creation. Electionware is composed of five software groups: Define, Design, Deliver, Results, and Manage.

ExpressVote® XL is a hybrid paper-based polling place voting device that provides a full-face touch screen vote capture interface that incorporates the printing of the voter's selections as a cast vote record and tabulation scanning in a single unit.

ExpressTouch® is a DRE voting system which supports electronic vote capture for all individuals at the polling place.

ExpressVote® Hardware 1.0 is a hybrid paper-based polling place voting device that provides touch screen vote capture that incorporates the printing of the voter's selections as a cast vote record to be scanned for tabulation in any one of the ES&S precinct or central tabulators.

ExpressVote® Hardware 2.1 is a hybrid paper-based polling place voting device that provides touch screen vote capture that incorporates the printing of the voter's selections as a cast vote record to be scanned for tabulation in any one of the ES&S precinct or central tabulators. There are two separate versions of ExpressVote HW2.1: version 2.1.0.0 and version 2.1.2.0.

DS200® is a polling place paper-based voting system, specifically a digital scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic cast vote records (CVR).

DS300® is a polling place paper-based voting system, specifically a digital scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic cast vote records.

DS450® is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic CVRs.

DS850® is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic CVRs.

DS950® is a central scanner and tabulator that simultaneously scans the front and back of a paper ballot and/or vote summary card in any of four orientations for conversion of voter selection marks to electronic CVRs.

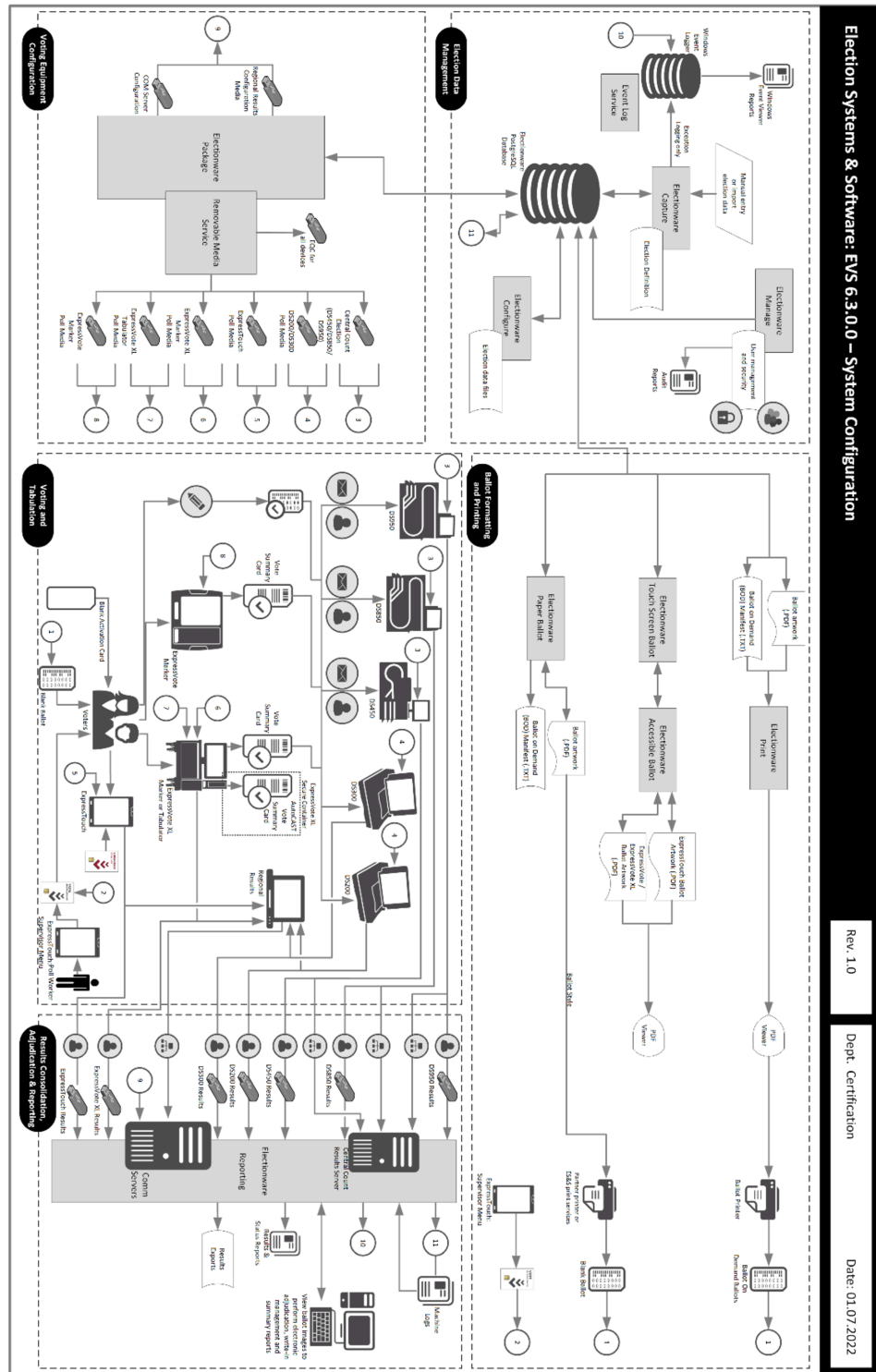
Event Log Service (ELS) monitors and logs users' interactions with the election management system. Events that happen when a connection to the database is not available are logged to the Windows operating system log through the ELS.

Removable Media Service (RMS) is a utility that runs in the background of the Windows operating system. RMS reads specific information from any attached USB devices so that an ES&S application such as Electionware can use that information for media validation purposes.

Electionware® Regional Results (Regional Results) is a standalone application that is deployed at Regional Sending Sites. For more efficient results reporting, the Regional Results software

then securely transmits the encrypted unofficial results collection files over a customer dedicated network.

System Diagram



EVS 6.3.0.0 System Overview

Certified System before Modification (If applicable):

EVS 6.2.0.0

Changes addressed by modification

Hardware

New Hardware

- DS300: introduced the new polling place scanner and tabulator.
- DS300 Ballot Box: introduced for use with the DS300 tabulator only.

Hardware Modifications

- ExpressVote XL: added/updated the following components:
 - Added one-way printer roller
 - Updated Paper Path Module (PPM) firmware
- DS450: added/updated the following components:
 - Updated monitor with new video control board
 - Added reverse belt assembly
 - Added output tray stops to allow more room for 19" ballots
- DS950: added/updated the following components:
 - Updated monitor with new video control board
 - Added risk-limiting audit number printer
 - Added cutout with filler plate for future location of imprinter

New Configuration Options

- DS450/DS950 Printer. The Brother printer is a new laser report printer configuration option.
- DS450/DS950 UPS. The CyberPower uninterruptible power supply is a new UPS configuration option.
- DS450/DS950 network cable. The Ethernet network cable is now optional in the certified configuration.
- DS450 Cart. The DS450 is now configured on the Central Count cart.

Software/Firmware Changes

- Customize Write-in Cells
Added the ability to customize Write-in cells in Electionware Touch Screen Ballot to fit more offices on a page for the ExpressVote XL.
Impacted products:
 - Electionware
 - ExpressVote XL
- Park the Vote Summary Card

Added the ability to park the vote summary card under glass when the printed card is reinserted into the ExpressVote XL.

Impacted products:

- Electionware
- ExpressVote XL
- Reduce Poll worker Intervention
Implemented an option on the ExpressVote XL to allow the voter to quit the vote session after printing the vote summary card without poll worker intervention:
 - Electionware
 - ExpressVote XL
- Multi-Language Vote Summary Card
Added configurable options for printing the contest and candidate names in English and the voter's selected language on vote summary cards.

Impacted products:

- Electionware
- ExpressVote HW1.0
- ExpressVote HW2.1
- ExpressVote XL
- Team Write-in Contest Type
Added the ability to enter two write-in names for contests where two candidates use one voting target.

Impacted products:

- ExpressVote HW1.0
- ExpressVote HW2.1
- ExpressTouch
- ExpressVote XL
- DS200 Label Change
Renamed "DS200" labels to "Poll Place Count".

Impacted products:

- Election Management System
- Security
Implement a Cisco firmware update to address security vulnerabilities on the Cisco RV340 VPN Router.

DS200

- Operating System
 - Upgraded the DS200 operating system to Linux (Yocto).

DS950

- Risk limiting Audit
 - Implemented DS950 imprinter functionality for risk limiting audits.

Electionware

- System Limit
 - Increased Precinct ID limit from 9900 to 9999.
- Adjudication
 - Enabled adjudication of write-ins on the vote summary card in Ballot Review in the Electionware Reporting module.

ExpressVote XL

- Side by Side Review
 - Introduced the ability to display the full on-screen ballot during voter review when the printed vote summary card is reinserted into the ExpressVote XL, which allows a side-by-side comparison.

Mark Definition

ES&S' declared mark recognition for the DS200, DS300, DS450, DS850 and DS950 is a mark across the oval that is 0.02" long x 0.03" wide at any direction.

Tested Marking Devices:

Bic Grip Roller Pen

Language Capability

System supports English, Spanish, Chinese, Korean, Japanese, Hindi, Bengali, Vietnamese, Tagalog, Creole, Russian, French, Gujarati (not supported by poll place tabulators), Punjabi (not supported by poll place tabulators)

Proprietary Components Included

This section provides information describing the components and revision level of the primary components included in this Certification.

System Component	Software or Firmware Version	Hardware Version	Model	Comments
Electionware	6.3.0.0			Election management software that provides end-to-end election management activities
ES&S Event Log Service (ELS)	3.0.0.0			Logs users' interactions with EMS
Regional Results	1.5.0.0			Standalone application that is deployed at Regional Sending Sites.
Removable Media Service	3.0.0.0			Utility that runs in the background of the Windows operating system

System Component	Software or Firmware Version	Hardware Version	Model	Comments
DS200	3.0.0.0	1.2, 1.3		Precinct count tabulator that scans voter selections from both sides of the ballot simultaneously
DS300	3.0.0.0	1.0		Precinct count tabulator that scans voter selections from both sides of the ballot simultaneously
DS200/DS300 Ballot Box		1.0, 1.1	98-00009	Collapsible ballot box
DS200/DS300 Ballot Box		1.0	98-00110	Collapsible ballot box
DS300 Ballot Box		1.0	57300	DS300 plastic ballot box
DS200/DS300 Ballot Box		1.2, 1.3, 1.4, 1.5	57521	Plastic ballot box
DS200/DS300 Tote Bin		1.0	00074	Tote bin ballot box
DS200/DS300 Ballot Trolley			212516	Ballot Trolley Ballot Box
DS200 Metal Ballot Box		1.0, 1.1, 1.2	76245	Metal Tote Bag
DS200 Ballot Tote Bag			60	Ballot Tote Bag
DS200/DS300 Carrying Case			90282	Soft sided carrying case
DS200/DS300 Carrying Case			98-00045	Hard sided lid/carrying case with wheels and extendable handle
DS200/DS300 Carrying Case			94052	Hard sided carrying case (suitcase)
DS450	4.2.0.0	1.0		Central count scanner and tabulator
DS450 Cart			3002	
DS850	4.2.0.0	1.0		Central count scanner and tabulator
DS850 Cart			6823	
DS950	4.2.0.0	1.0		Central count scanner and tabulator
Central Count Cart			7898	Cart for DS450 and DS950
ExpressVote XL	4.2.1.0	1.0		Hybrid full-face paper-based vote capture and selection device and precinct count tabulator
ExpressTouch	4.2.1.0	1.0		DRE
ExpressVote HW1.0	4.2.1.0	1.0		Hybrid paper-based vote capture and selection device
ExpressVote HW2.1	4.2.1.0	2.1.0.0 2.1.2.0		Hybrid paper-based vote capture and selection device
ExpressVote Rolling Kiosk		1.0	98-00049	Portable Voting Booth
ExpressVote Carrying Case			98-00050	

System Component	Software or Firmware Version	Hardware Version	Model	Comments
Voting Booth			98-00051	Stationary Voting Booth
ExpressVote Ben Franklin Booth			00380, 00381 (adaptor)	Sitting and Standing Voting Booth
ExpressVote Dual Express Cart			41402	Portable Voting Booth
Voting Booth Workstation			87035	Stationary Voting Booth
Quad Express Cart			41404	Portable Voting Booth
MXB ExpressVote Voting Booth			95000	Sitting and Standing Voting Booth
ExpressVote Single Table			87033	Voting Table for One Unit
ExpressVote Double Table			87032	Voting Table for Two Units
ADA Table			87031	Voting Table for One Unit
Universal Voting Console (UVC)		2.0	98-00077	Detachable ADA support peripheral
ExpressVote Audio-Tactile Keypad	1.0.0.0		97-00168	Audio-Tactile Keypad
Tabletop Easel			14040	
ExpressTouch Voting Booth			98-00081	Stationary Voting Booth
ExpressTouch Carrying Case			14041	Soft sided carrying case
SecureSetup	6.3.0.0			Proprietary Hardening Script

COTS Software

Manufacturer	Application	Version
Microsoft Corporation	Windows Server 2016	WIN2016_6300.iso
Microsoft Corporation	Windows 10 Enterprise LTSC	WIN10_6300.iso
Microsoft Corporation	Windows Server 2016 DataComm (ISO)	WIN2016DC_6300.iso
Microsoft Corporation	Windows Updates (Software updates included in the OS image)	Package date: WIN10_6300.iso-01/24/2022 WIN2016_6300.iso-01/20/2022 WIN2016DC_6300.iso-01/20/2022
Microsoft Corporation	Windows Defender Antivirus (Configured within the OS image)	N/A
Dell	TPM Utility	DellTpm2.0_Fw1.3.2.8_V1_64.exe
Cisco	Rommon	ASA 5506-X (1.1.18) ASA 5508-X (1.1.18) ASA FPR-1010 (N/A)
Cisco	ASA Firmware	ASA 5506-X (9.16.1) ASA 5508-X (9.16.1) ASA FPR1010 (9.16.1)
Cisco	RV340 Firmware	1.0.03.26
SolarWinds / Kiwi Syslog Server	Remote Event Log Monitoring	9.6.7
Amyuni	Amyuni PDF Generator	5.5

Manufacturer	Application	Version
Cerberus	Cerberus FTP Server – Professional	12.1 (64-bit)
Sumatra	Sumatra PDF Viewer	3.1.2 (64-bit)
Legion of the Bouncy Castle Inc.	Bouncy Castle FIPS Java API	1.0.2.1
Yubico Login for Windows	Dual Factor Authentication YubiKey USB keys for dual factor authentication (optional)	Yubico-Login-for-Windows- 2.0.3-win64.msi
Progress File Transfer / WS FTP	Secure file transfer	12.7.0

COTS Hardware

Manufacturer	Hardware	Model/Version
Dell	EMS Server	PowerEdge T430, T440, T630, R540
Dell	Regional Results Data Comm Server	PowerEdge T430, T440, T630, R540
Dell	EMS Client or Standalone Workstation	Latitude 5520, 5580 (32GB Ram), OptiPlex 5040, 5050, 7020, XE3
Dell	Trusted Platform Module (TPM) Chip 2.0 (optional)	Security device (optional)
Dell	Regional Results Client	Latitude 5520, 5580
Toshiba	Regional Results Client	Tecra A50-C
Innodisk	USB EDC H2SE (16GB) for ExpressVote 2.1	DEEUH1-16GI72AC1SB
Delkin	2.0 USB Flash Drive (512MB, 1GB, 2GB, 4GB, 8GB)	N/A
Delkin	3.0 USB Flash Drive (4GB, 8GB, 16GB, 32GB)	6206, 6207, 6208, 6209
Delkin	3.0 USB Flash Drive (256GB) data transfer	6210
Delkin	USB Embedded 2.0 Module Flash Drive for ExpressVote HW1.0	MY08TQJ7A-RA000-D (8 GB) MY16TNK7A-RA042-D (16 GB)
Delkin	USB Embedded 2.0 Module Flash Drive for ExpressVote HW2.1	MY16TNK7A-RA042-D (16 GB)
Delkin	Compact Flash Memory Card (1GB)	CE0GTFHHK-FD038-D
Delkin	Compact Flash Memory Card (4GB)	CE04TQSF3-XX000-D
Delkin	Secure CF Card (2GB)	CE02TLQCK-FD000-D
Delkin	CFast Memory Card (4GB)	BE04TRSJG-3N042-D
Delkin	Compact Flash Memory Card Reader/Writer	6381
Delkin	CFast Card (2GB, 4GB)	380-00006 – 2GB 380-00007 – 4GB
Delkin	CFast Card Reader/Writer	67417
Delkin USB Flash Drive	BitLocker 32.2 MB (optional)	Storage for security key (Model 10004)
Cisco Firewall	Regional Results Security Firewall	ASA-5506-X, ASA-5508-X, ASA FPR-1010
Cisco Router	Regional Results VPN Router	RV340
D-Link	network switch (1 GB Min)	DSG-1005G
YubiKey USB drive	Multi factor Authentication (optional)	5A series
Lexar	CFast Card Reader/Writer	LRWCR1TBNA
CardLogix	Smart Card	CLXSU128kC7/ AED C7
SCM Microsystems	Smart Card Writer	SCR3310
Avid	Headphones	86002
Zebra Technologies	QR code scanner (Integrated)	DS457-SR20009, DS457-SR20004ZZWW
Symbol	QR Code scanner (External)	DS9208
Brother	DS450 and DS950 Report Printer	B6400
Dell	DS450 Report Printer	S2810dn
OKI	DS450, DS850, and DS950 Report Printer	B431dn, B431d, B432DN
OKI	DS450 and DS850 Audit Printer	Microline 420

Manufacturer	Hardware	Model/Version
APC	DS450 UPS	Back-UPS Pro 1500, Smart-UPS 1500
APC	DS850 UPS	Back-UPS RS 1500, Pro 1500
CyberPower	DS950 UPS	OR1500PFCLCD
CyberPower	DS450 and DS950 UPS	CP1500PFCLCD
Tripp Lite	DS450 Surge Protector	SPIKECUBE
Seiko Instruments	Thermal Printer	LTPD-347B
NCR/Nashua	Paper Roll	2320
Fujitsu	Thermal Printer	FTP-62GDSL001, FTP-63GMCL153
HP	Ink cartridge for DS450/DS850 ballot number imprinting	87002
HP	Ink cartridge for DS950 ballot number imprinting	HP C6195A
TDS	Ink cartridge for DS200/DS300 ballot stamping	2278
HP	Ink cartridge for DS300 risk-limiting audit number imprinting	370-00538
Pivot	Vote Summary Card Only Suppression Tray	97-00359

System Limitations

This table provides the system limits that have been verified during testing.

System Characteristic	Boundary or Limitation	Limiting Component
Max. precincts allowed in an election	9,999	Electionware
Max. candidates allowed per election	10,000	Electionware
Max. contests allowed in an election	10,000	Electionware
Max. contests allowed per ballot style	500 or # of positions on ballot	N/A
Max. candidates (ballot choices) allowed per contest	230	Electionware
Max. number of parties allowed	General election: 75 Primary election: 30 (including nonpartisan party)	Electionware
Max. 'vote for' per contest	230	Electionware
Ballot formats	All paper ballots used in an election must be the same length. Voteable paper ballots must contain the same number of rows	Ballot scanning equipment
Max. ballot styles	15,000	Electionware
Max. ballots per batch	1,500	DS450/DS850/DS950
Max. precinct types/groups	25 (arbitrary)	Electionware
Max. precincts of a given type	250 (arbitrary)	Electionware
Max. reporting groups	14	Electionware
Max. connections	18 client connections	Electionware

Component Limitations

ExpressVote

1. Capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, election management system and

ballot tabulator limitations define the boundaries and capabilities of the ExpressVote system as the maximum capacities of the ExpressVote are never approached during testing.

2. Does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. ExpressVote vote summary cards using the high-capacity barcode are limited to 630 or fewer oval positions.
4. Does not support Massachusetts Group Vote.
5. Does not support Universal Primary Contest.
6. Does not support Multiple Target Cross Endorsement.
7. Does not support Judges Initials boxes.
8. ExpressVote does not support 19-inch cards with ballot stubs.

ExpressVote XL

1. Capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, election management system and ballot tabulator limitations define the boundaries and capabilities of the ExpressVote XL system as the maximum capacities of the ExpressVote XL are never approached during testing.
2. Does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. ExpressVote XL vote summary cards using the high-capacity barcode are limited to 630 or fewer oval positions.
4. Does not support Massachusetts Group Vote.
5. Does not support Universal Primary Contest.
6. Does not support Judges Initials boxes.
7. In a general election, ExpressVote XL screen can hold 32 party columns if set up as columns or 16 party rows if set up as rows.
8. ExpressVote XL does not support 19-inch cards with ballot stubs.
9. ExpressVote XL does not support 17-inch cards with ballot stubs.

ExpressTouch

1. Capacities exceed all documented limitations for the ES&S election management, vote tabulation and reporting system. For this reason, election management system limitations define the boundaries and capabilities of the ExpressTouch system as the maximum capacities of the ES&S ExpressTouch are never approached during testing.
2. Does not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
3. Does not support Massachusetts Group Vote.
4. Does not support Universal Primary Contest.
5. Does not support Multiple Target Cross Endorsement.

Electionware

1. Electionware software field limits were calculated based on an average character width for ballot and report elements. Some uses and conditions, such as magnified ballot views or combining elements on printed media or ballot displays, may result in field limits (and associated warnings) lower than those listed.
2. Ballot Images function is limited to 250 districts per export.
3. Supports the language and special characters listed in the System Overview, Attachment 1. Language special characters other than those on this list may not appear properly when viewed on equipment displays or reports.

Electionware Paper Ballot

1. The paper ballot code channel, which is the series of black boxes that appear between the timing track and ballot contests, limits the number of available ballot variations depending on how a jurisdiction uses this code to differentiate ballots. The code can be used to differentiate ballots using three different fields defined as: Sequence (available codes 1-16,300), Type (available codes 1-30), or Split (available codes 1-18).
2. For paper ballots, if Sequence is used as a ballot style ID, it must be unique electionwide and Split code will always be 1. In this case, the practical style limit would be 16,300.
3. The ExpressVote activation card has a ballot ID consisting of three different fields defined as: Sequence (available codes 1-16,300), Type (available codes 1-30), or Split (available codes 1-18).
4. Grid Portrait and Grid Landscape ballot types are New York specific and not for general use.

DS200

1. Configured for an early vote station does not support precinct level results reporting. An election summary report of tabulated vote totals is supported.
2. Storage limitation for write-in ballot images is 3,600 images. Each ballot image includes a single ballot face, or one side of one page.
3. Write-in image review requires a minimum 1GB of onboard RAM.
4. To successfully use the write-in report, ballots must span three or more vertical columns. If the column is greater than 1/3 of the ballot width (two columns or less), the write-in image will be too wide to print on the tabulator report tape.

DS300

1. Configured for an early vote station does not support precinct level results reporting. An election summary report of tabulated vote totals is supported.
2. Storage limitation for write-in ballot images is 3,600 images. Each ballot image includes a single ballot face, or one side of one page.

- To successfully use the write-in report, ballots must span three or more vertical columns. If the column is greater than 1/3 of the ballot width (two columns or less), the write-in image will be too wide to print on the tabulator report tape.

Functionality

VVSG 1.0 Supported Functionality Declaration

Feature/Characteristic	Yes/No	Comment
Voter Verified Paper Audit Trails		
VVPAT	No	
Accessibility		
Forward Approach	Yes	
Parallel (Side) Approach	Yes	
Closed Primary		
Primary: Closed	Yes	
Open Primary		
Primary: Open	Yes	ExpressVote, ExpressVote XL and ExpressTouch do not offer open primary support based on the ES&S definition of Open Primary, which is the ability to select a party and vote based on that party.
Partisan & Non-Partisan:		
Partisan & Non-Partisan: Vote for 1 of N race	Yes	
Partisan & Non-Partisan: Multi-member ("vote for N of M") board races	Yes	
Partisan & Non-Partisan: "vote for 1" race with a single candidate and write-in voting	Yes	
Partisan & Non-Partisan "vote for 1" race with no declared candidates and write-in voting	Yes	
Write-In Voting:		
Write-in Voting: System default is a voting position identified for write-ins.	Yes	
Write-in Voting: Without selecting a write in position.	Yes	
Write-in: With No Declared Candidates	Yes	
Write-in: Identification of write-ins for resolution at central count	Yes	
Primary Presidential Delegation Nominations & Slates:		
Primary Presidential Delegation Nominations: Displayed delegate slates for each presidential party	Yes	
Slate & Group Voting: one selection votes the slate.	Yes	
Ballot Rotation:		
Rotation of Names within an Office; define all supported rotation methods for location on the ballot and vote tabulation/reporting	Yes	
Straight Party Voting:		

Feature/Characteristic	Yes/No	Comment
Straight Party: A single selection for partisan races in a general election	Yes	
Straight Party: Vote for each candidate individually	Yes	
Straight Party: Modify straight party selections with crossover votes	Yes	
Straight Party: A race without a candidate for one party	Yes	
Straight Party: "N of M race (where "N">1)	Yes	
Straight Party: Excludes a partisan contest from the straight party selection	Yes	
Cross-Party Endorsement:		
Cross party endorsements, multiple parties endorse one candidate.	Yes	ExpressVote and ExpressTouch do not support Multiple Target Cross Endorsement.
Split Precincts:		
Split Precincts: Multiple ballot styles	Yes	
Split Precincts: P & M system support splits with correct contests and ballot identification of each split	Yes	
Split Precincts: DRE matches voter to all applicable races.	Yes	
Split Precincts: Reporting of voter counts (# of voters) to the precinct split level; Reporting of vote totals is to the precinct level	Yes	It is possible to list the number of voters.
Vote N of M:		
Vote for N of M: Counts each selected candidate, if the maximum is not exceeded.	Yes	
Vote for N of M: Invalidates all candidates in an overvote (paper)	Yes	
Recall Issues, with options:		
Recall Issues with Options: Simple Yes/No with separate race/election. (Vote Yes or No Question)	No	
Recall Issues with Options: Retain is the first option, Replacement candidate for the second or more options (Vote 1 of M)	No	
Recall Issues with Options: Two contests with access to a second contest conditional upon a specific vote in contest one. (Must vote Yes to vote in 2 nd contest.)	No	
Recall Issues with Options: Two contests with access to a second contest conditional upon any vote in contest one. (Must vote Yes to vote in 2 nd contest.)	No	
Cumulative Voting		
Cumulative Voting: Voters are permitted to cast, as many votes as there are seats to be filled for one or more candidates. Voters are not limited to giving only one vote to a candidate. Instead, they can put multiple votes on one or more candidate.	No	
Ranked Order Voting		

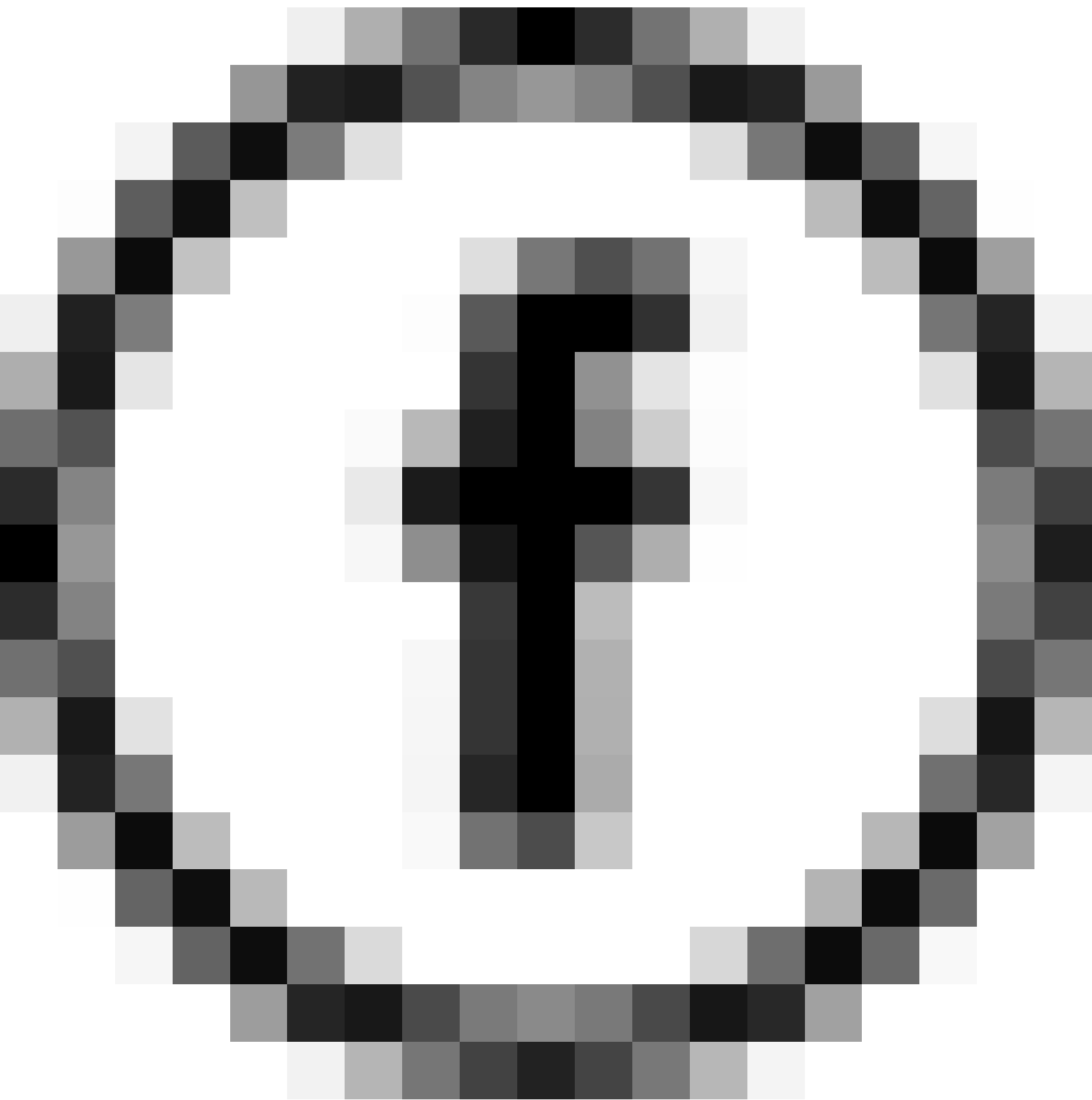
Feature/Characteristic	Yes/No	Comment
Ranked Order Voting: Voters can write in a ranked vote.	Yes	Ballots can be formatted for Ranked Order Voting and the system supports export of CVR data for processing of Ranked Order Voting Rounds
Ranked Order Voting: A ballot stops being counted when all ranked choices have been eliminated	Yes	Ballots can be formatted for Ranked Order Voting and the system supports export of CVR data for processing of Ranked Order Voting Rounds
Ranked Order Voting: A ballot with a skipped rank counts the vote for the next rank.	Yes	Ballots can be formatted for Ranked Order Voting and the system supports export of CVR data for processing of Ranked Order Voting Rounds
Ranked Order Voting: Voters rank candidates in a contest in order of choice. A candidate receiving a majority of the first choice votes wins. If no candidate receives a majority of first choice votes, the last place candidate is deleted, each ballot cast for the deleted candidate counts for the second choice candidate listed on the ballot. The process of eliminating the last place candidate and recounting the ballots continues until one candidate receives a majority of the vote	No	
Ranked Order Voting: A ballot with two choices ranked the same, stops being counted at the point of two similarly ranked choices.	Yes	Ballots can be formatted for Ranked Order Voting and the system supports export of CVR data for processing of Ranked Order Voting Rounds
Ranked Order Voting: The total number of votes for two or more candidates with the least votes is less than the votes of the candidate with the next highest number of votes, the candidates with the least votes are eliminated simultaneously and their votes transferred to the next-ranked continuing candidate.	No	
Provisional or Challenged Ballots		
Provisional/Challenged Ballots: A voted provisional ballots is identified but not included in the tabulation, but can be added in the central count.	Yes	
Provisional/Challenged Ballots: A voted provisional ballots is included in the tabulation, but is identified and can be subtracted in the central count	Yes	
Provisional/Challenged Ballots: Provisional ballots maintain the secrecy of the ballot.	Yes	
Overvotes (must support for specific type of voting system)		
Overvotes: P & M: Overvote invalidates the vote. Define how overvotes are counted.	Yes	
Overvotes: DRE: Prevented from or requires correction of overvoting.	Yes	

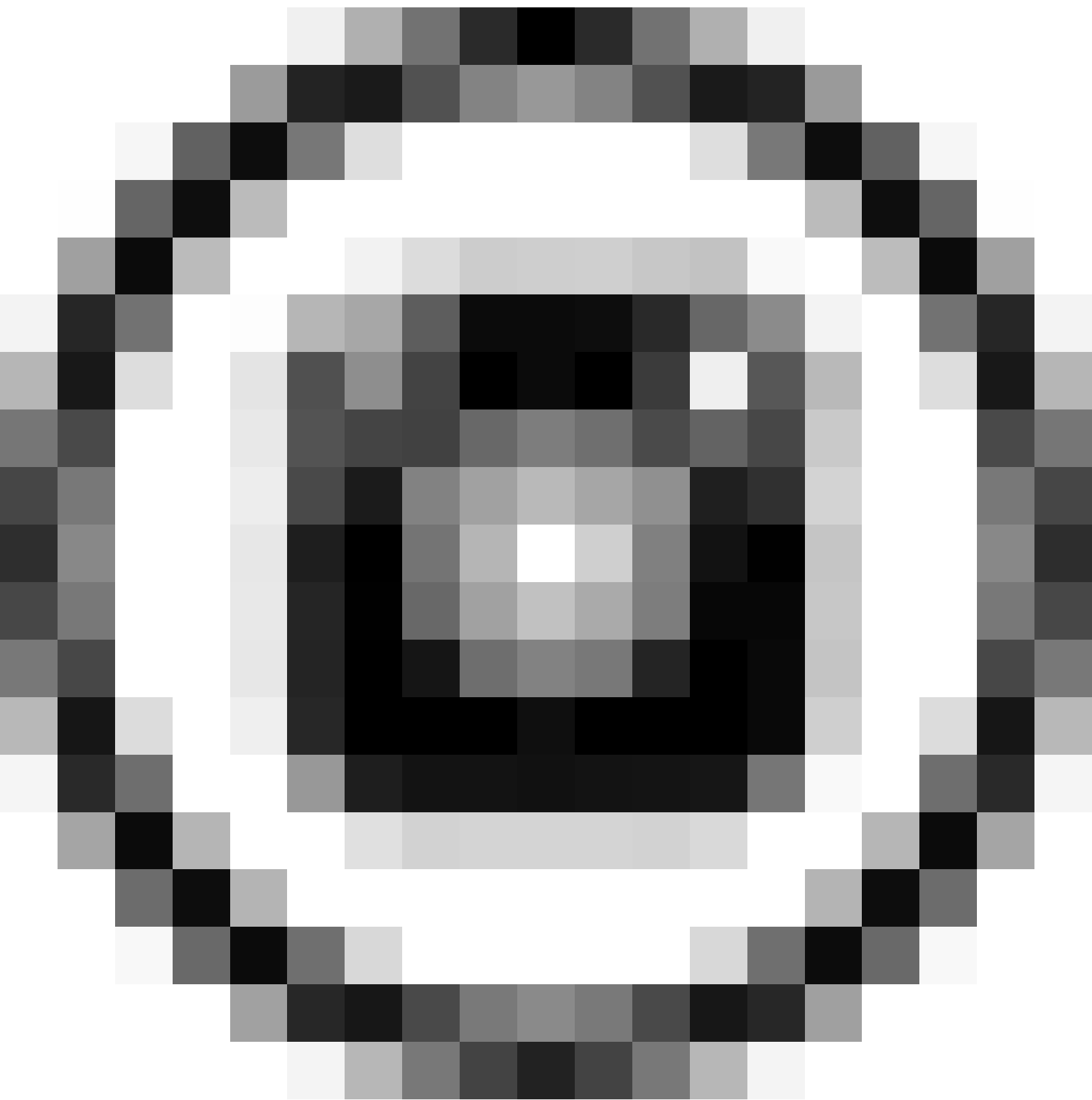
Feature/Characteristic	Yes/No	Comment
Overvotes: If a system does not prevent overvotes, it must count them. Define how overvotes are counted.	Yes	
Overvotes: DRE systems that provide a method to data enter absentee votes must account for overvotes.	Yes	
Undervotes		
Undervotes: System counts undervotes cast for accounting purposes	Yes	
Blank Ballots		
Totally Blank Ballots: Any blank ballot alert is tested.	Yes	
Totally Blank Ballots: If blank ballots are not immediately processed, there must be a provision to recognize and accept them	Yes	
Totally Blank Ballots: If operators can access a blank ballot, there must be a provision for resolution.	Yes	
Networking		
Wide Area Network – Use of Modems	No	
Wide Area Network – Use of Wireless	No	
Local Area Network – Use of TCP/IP	No	
Local Area Network – Use of Infrared	No	
Local Area Network – Use of Wireless	No	
FIPS 140-2 validated cryptographic module	Yes	
Used as (if applicable):		
Precinct counting device	Yes	DS200, DS300, ExpressTouch, ExpressVote XL
Central counting device	Yes	DS450, DS850, DS950

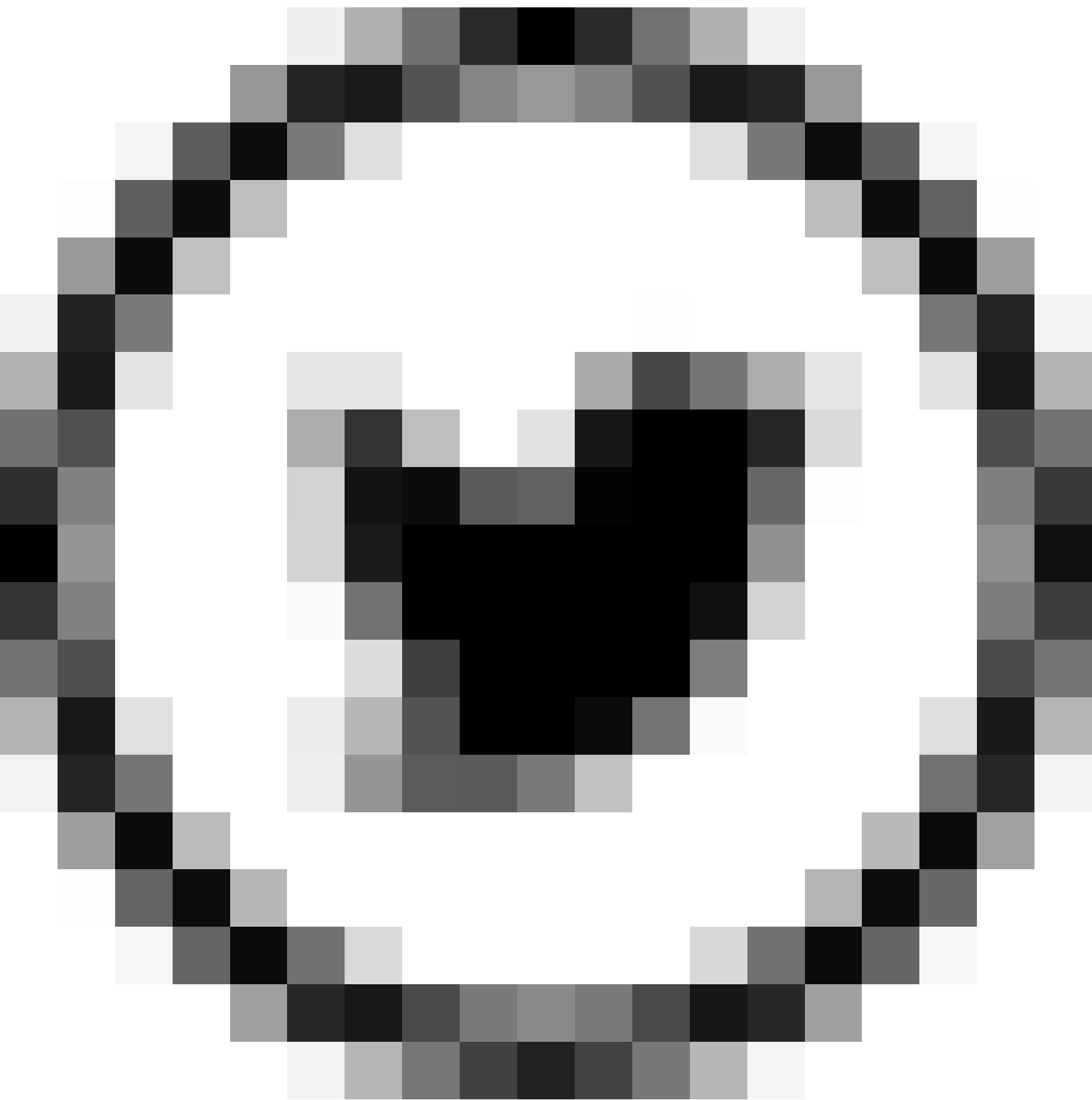
Baseline Certification Engineering Change Orders (ECO)

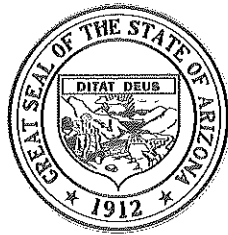
This table depicts the ECOs certified with the voting system:

Change ID	Date	Component	Description	Inclusion
ECO 1141	06/08/22	Windows 10, Windows Server 2016	This ECO addresses the Critical Vulnerability CVE-2021-34527, also known as PrintNightmare, in the Windows Operating System. It also updates antivirus definitions for the applicable EVS systems.	De minimis









KATIE HOBBS
SECRETARY OF STATE
State of Arizona

November 5, 2019

Susan Parmer
State Certification Manager
Election Systems & Software
11208 John Galt Blvd
Omaha, NE 68137

Dear Ms. Parmer,

Elections Systems & Software (ES&S) has requested certification of the EVS 6.0.4.0 Voting Systems. The EVS 6.0.4.0 Voting System consists of the following components:

Component Name	Software/Firmware Version	Hardware Version
Electionware	5.0.4.0	-
DS200	2.17.4.0	HW 1.2 & 1.3
DS450	3.1.1.0	HW 1.0
DS850	3.1.1.0	HW 1.0
ExpressVote	1.5.2.0	HW 1.0
ExpressVote	2.4.5.0	HW 2.1

The Secretary of State's Equipment Certification Advisory Committee, appointed by me pursuant to A.R.S. § 16-442, met in a public meeting held October 29, 2019, to discuss your application and make a final recommendation on certification. The Committee forwarded their findings and recommendation for conditional certification.

I concur with the Committee report and hereby approve and grant conditional certification of the EVS 6.0.4.0 Voting Systems for use in Arizona's state, county, city, and town elections with the following conditions:

- 1) the ExpressVote units will not be programmed and/or used as a tabulation unit;
- 2) conditional certification of the electronic adjudication feature contingent on the process being authorized in the next Elections Procedures Manual and conducted in compliance with the procedures defined therein; and
- 3) the EAC issues approval of the Software Engineering Change Order to address the missing Spanish translation on the ExpressVote ballot by January 2, 2021. In the event the EAC denies approval for the Change Order or EAC approval for the Change Order is not issued by January 2, 2021, the EVS 6.0.4.0 voting system may be subject to decertification.

1700 West Washington Street, Floor 7

Phoenix, Arizona 85007-2808

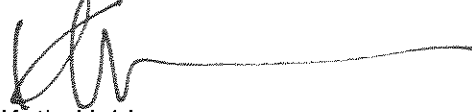
Telephone (602) 542-4285 Fax (602) 542-1575

www.azsos.gov

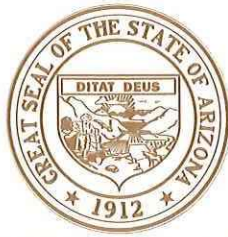
AZ-NAVAJO-24-1638-A-000472

As a reminder, before the voting system may be used in a state election, the application source code must be placed in escrow with the State of Arizona as the recipient of escrow. Should questions arise regarding this certification, please contact Janine Petty, Deputy State Election Director at 602-542-6209.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Hobbs', with a long horizontal flourish extending to the right.

Katie Hobbs
Secretary of State



KATIE HOBBS
SECRETARY OF STATE
State of Arizona

February 24, 2020

Susan Parmer
State Certification Manager
Election Systems & Software
11208 John Galt Blvd
Omaha, NE 68137

Dear Ms. Parmer,

Elections Systems & Software (ES&S) has requested certification of Engineering Change Order # 1045 (ECO) for software components of the ExpressVote HW 1.0 & 2.1 as it relates to the EVS 6.0.4.0 voting system release previously conditionally certified for use in Arizona elections.

The Secretary of State Equipment Certification Advisory Committee, appointed by me pursuant to A.R.S. § 16-442, met in a public meeting held January 28, 2020 to review your application and supporting documentation. The Committee forwarded their findings and recommendation for certification.

I concur with the Committee report and hereby approve and grant certification of ECO # 1045 which includes:

ECO #	Component	Hardware Version	Software/Firmware Version
1045	ExpressVote	HW 1.0	1.5.2.1
	ExpressVote	HW 2.1	2.4.5.1

In addition, I believe ES&S has demonstrated that ECO # 1045 has fully addressed the missing Spanish translation issue previously identified on the ExpressVote units which needed to be resolved prior to January 2, 2021 or the system may be subject to decertification. Therefore, I grant certification of EVS 6.0.4.0 Voting System for use in Arizona's state, county, city, and town elections with the following conditions:

- 1) The ExpressVote units will not be programmed and/or used as a tabulation unit;
- 2) Certification of the electronic adjudication feature contingent on the process being conducted in accordance with A.R.S. § 16-621(B) and the Elections Procedures Manual.

1700 West Washington Street, Floor 7
Phoenix, Arizona 85007-2808
Telephone (602) 542-4285 Fax (602) 542-1575
www.azsos.gov

AZ-NAVAJO-24-1638-A-000474

As a reminder, before the voting system may be used in a state election, the application source code must be placed in escrow with the State of Arizona as the recipient of escrow. Should questions arise regarding this certification, please contact Janine Petty, Deputy State Election Director at 602-542-6209.

Sincerely,



Katie Hobbs
Secretary of State



May 25, 2023

Ms. Sarah Herman
State Certification Manager
Election Systems and Software
11208 John Galt Blvd.
Omaha, NE 68137

Dear Ms. Herman,

Election Systems and Software (ES&S) has requested certification of the EVS 6.3.0.0 voting system for use in Arizona elections.

The Secretary of State's Equipment Certification Advisory Committee, appointed by me pursuant to A.R.S. § 16-442, held a public meeting on May 2, 2023, to review the application and conduct testing. The Committee forwarded their findings and recommendation for certification.

I concur with the Committee's recommendation and hereby approve and grant certification of the EVS 6.3.0.0 voting system, to include the following components:

Component Name	Software/Firmware Version
Electionware	6.3.0.0
Event Log Service	3.0.0.0
Removable Media Service	3.0.0.0
Optional Utility: ExpressLink	3.0.0.0
Optional Utility: Toolbox	4.3.0.0
PaperBallot	6.3.0.0
DS200 Precinct-Based Tabulator (HW 1.2, 1.3, 1.3.13)	3.0.0.0
DS300 Precinct-Based Tabulator (HW 1.0)	3.0.0.0
DS450 High-Throughput Central Tabulator (HW 1.0)	4.2.0.0
DS850 High-Speed Central Tabulator (HW 1.0)	4.2.0.0
DS950 High-Speed Central Tabulator (HW 1.0)	4.2.0.0
ExpressVote – Marker Mode (HW 2.1)	4.2.1.0
ExpressVote – Marker Only (HW 1.0)	4.2.1.0

Should questions arise regarding this certification, please contact Tonia Tunnell, Director of Special Projects & Innovation at 602-540-6170.

Sincerely,

A handwritten signature in green ink, appearing to read "Adrian Fontes".

Adrian Fontes
Secretary of State

From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapier](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Reports
Date: Monday, July 1, 2024 2:09:38 PM
Attachments: [2024 Session Recap.pdf](#)
[2024 Ballot Referrals.pdf](#)
[2024 Primary Election Candidates - Updated June 28, 2024.pdf](#)

Caution: This email originated from outside of Navajo County.

Good afternoon! I've attached a few things:

- The more in-depth recap of the 2024 legislative session..
- A list of the ballot referrals the legislature sent to the November ballot - This includes the items approved in the 2023 *and* 2024 legislative sessions.
- An updated list of the 2024 Primary Election candidates - This includes some new write-in candidates.

I hope you find this helpful in your efforts to better understand the legislative session and process, as well as what and who will be on the ballot this year. Have a great week!

James

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The legislature sent eleven referrals to the November 2024 ballot:

- [HCR 2023](#) would create a process for a property owner to apply for a primary property tax refund from their city, town, or county if they can document expenses that were necessary to mitigate the local government’s policies or failure to enforce laws on specific “public nuisances” – including effects of homelessness and public drug or alcohol use.
- [HCR 2033](#) would establish legislative authority over primary election procedures – an effort to ban ranked-choice voting in state or local elections.
- [HCR 2039](#) would amend the state constitution to reduce a Governor’s authority during a state of emergency.
- [HCR 2060](#) would establish new crimes for immigration violations, require eligibility verification for public benefits, and increase penalties for drug offenses involving fentanyl.
- [SCR 1006](#) would create a new \$20 fee on criminal convictions to fund a \$250,000 payment to the families of first responders killed in the line of duty.
- [SCR 1012](#) would expand legislative oversight of state agency rulemaking.
- [SCR 1015](#) would require citizen initiatives to obtain voter signatures from every legislative district in the state. (Currently, initiative supporters may collect signatures from anywhere in the state.)
- [SCR 1021](#) would require life imprisonment for someone convicted of sex trafficking of a minor child.
- [SCR 1040](#) would alter minimum wage laws for tipped workers.
- [SCR 1041](#) would allow anyone to pursue legal action challenging the constitutionality of proposed amendments to the Arizona constitution.
- [SCR 1044](#) would eliminate most judicial retention elections and retroactively prevent voters from ending the terms of current Supreme Court justices.

2024 Candidates | Arizona Legislature

Legislative District	Arizona Senate	Arizona House of Representatives
District 1 Prescott, Chino Valley, Sedona	<u>Ken Bennett</u> ** – R <u>Mark Finchem</u> – R <u>Mike S. Fogel</u> – D \$ <u>Steve Zipperman</u> – R	<u>Selena Bliss</u> ** – R <u>Quang Nguyen</u> ** – R <u>Jay Ruby</u> – D \$ <u>Marcia Smith</u> – D \$ <u>Shawn Dell Wildman</u> – R \$
Republican: 51% Independent: 29% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		
District 2 North Phoenix	<u>Josh Barnett</u> – R <u>Shawna Bolick</u> ** – R Dennis Pugsley – G <u>Judy Schwiebert</u> – D (currently serving in the House)	<u>Ari Daniel Bradshaw</u> – R <u>Danielle Hagen</u> – R (write-in candidate) <u>Stephanie Simacek</u> – D <u>Tom Simes</u> – I <u>Justin Wilmeth</u> ** – R
Republican: 36% Independent: 35% Democrat: 27% Libertarian: 1% No Labels: <1% Green: <1%		
District 3 Scottsdale, Phoenix, Anthem, Fountain Hills	<u>John Kavanagh</u> ** – R <u>John Skirbst</u> – D (write-in candidate)	<u>Joseph Chaplik</u> ** – R <u>Richard Corles</u> – D \$ <u>Alexander Kolodin</u> ** – R
Republican: 48% Independent: 31% Democrat: 20% Libertarian: <1% No Labels: <1% Green: <1%		
District 4 Paradise Valley, Scottsdale, Phoenix	<u>Kenneth R. Bowers, Jr</u> – R <u>Carine Werner</u> – R <u>Christine Marsh</u> ** – D	<u>Kelli Butler</u> – D <u>Pamela Carter</u> – R <u>Karen Gresham</u> – D <u>Matt Gress</u> ** – R
Republican: 40% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 5 Phoenix	<u>Lela Alston</u> ** – D Joshua Ortega – R	<u>Sarah Liguori</u> ** – D <u>Charles Lucking</u> ** – D <u>Aaron Márquez</u> – D <u>Reina Patocs</u> – R (write-in candidate) <u>Juan Schoville</u> – R (write-in candidate) <u>Dorri Thyden</u> – D
Democrat: 43% Independent: 33% Republican: 22% Libertarian: <1% No Labels: <1% Green: <1%		
District 6 Flagstaff, Window Rock, Page	<u>Theresa Hatathlie</u> ** – D	<u>Lloyd Johnson</u> – R \$ <u>Rich King</u> – R Angela Maloney – D <u>Mae Peshlakai</u> ** – D <u>Myron Tsosie</u> ** – D
Democrat: 49% Independent: 30% Republican: 20% Libertarian: <1% No Labels: <1% Green: <1%		
District 7 Flagstaff, Payson, Show Low	<u>Haley Creighton</u> – D \$ <u>David Cook</u> – R (currently serving in the House) <u>Roberto Apodaca Reveles</u> – D <u>Wendy Rogers</u> ** – R	<u>Walter "Walt" Blackman</u> – R <u>Kevin Chiquete</u> – D <u>Andrew Costanzo</u> – R <u>John Fillmore</u> – R <u>Nancy Hartl</u> – D <u>Barby Ingle</u> – R <u>David Marshall, Sr.</u> ** – R <u>Steven Slaton</u> – R
Republican: 47% Independent: 30% Democrat: 21% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 8 Tempe, Mesa, Phoenix, Scottsdale	<u>Roxana Holzapfel</u> – R <u>Lauren Kuby</u> – D Ivan Pemberton – D (write-in candidate)	<u>Janeen Connolly</u> – D <u>Caden Darrow</u> – R <u>Brian Garcia</u> – D <u>Juan Mendez</u> – D (currently serving in the Senate) Tre Rook – G (write-in candidate)
Independent: 37% Democrat: 35% Republican: 26% No Labels: 1% Libertarian: 1% Green: <1%		
District 9 Mesa, Tempe	<u>Eva Burch</u> ** – D <u>Robert Scantlebury</u> – R <u>Christopher Stapley</u> – R	<u>Lorena Austin</u> ** – D <u>Kylie Barber</u> – R <u>Seth Blattman</u> ** – D <u>Mary Ann Mendoza</u> – R
Independent: 36% Republican: 32% Democrat: 30% Libertarian: 1% No Labels: <1% Green: <1%		
District 10 Mesa, Apache Junction	<u>Robert Doyle</u> – D \$ <u>David Farnsworth</u> ** – R	<u>Ralph Heap</u> – R <u>Matt Greer</u> – R <u>Helen Hunter</u> – D \$ <u>Justin Olson</u> – R <u>Stephanie Simmons</u> – D (write-in candidate)
Republican: 44% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		
District 11 Phoenix, Guadalupe	Joshua Ayala – R \$ <u>Catherine Miranda</u> ** – D	Cesar Ivan Aleman – R \$ <u>Junelle Caverro</u> ** – D <u>Joseph Charles Dailey</u> – R \$ <u>Oscar De Los Santos</u> ** – D <u>Isaak Ruiz</u> – D
Democrat: 46% Independent: 38% Republican: 14% No Labels: <1% Libertarian: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 12 Chandler, Tempe, Phoenix	<u>Mitzi Epstein</u> ** – D <u>Cara Vicini</u> – R \$	<u>Patty Contreras</u> ** – D <u>Lawrence Hudson</u> – R \$ <u>Anastasia "Stacey" Travers</u> ** – D
<i>Independent: 34% Democrat: 33% Republican: 31% Libertarian: <1% No Labels: <1% Green: <1%</i>		
District 13 Chandler, Gilbert	<u>J.D. Mesnard</u> ** – R <u>Sharon Lee Winters</u> – D	<u>Nicholas Gonzales</u> – D <u>Cody Hannah</u> – G (write-in candidate) <u>Brandy Reese</u> – D <u>Jeff Weninger</u> – R <u>Julie Willoughby</u> ** – R
<i>Independent: 35% Republican: 36% Democrat: 28% Libertarian: <1% No Labels: <1% Green: <1%</i>		
District 14 Gilbert, Chandler	<u>Elizabeth Brown</u> – D <u>Warren Petersen</u> ** – R	<u>Kristin Clark</u> – D (write-in candidate) <u>Joel Coen</u> – R <u>Laurin Hendrix</u> ** – R <u>Lulani Hunsaker</u> – R <u>Andrew Jackson</u> – R <u>Scott Menor</u> – G (write-in candidate) <u>Khyl Powell</u> – R
<i>Republican: 43% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%</i>		

Legislative District	Arizona Senate	Arizona House of Representatives
District 15 Mesa, Queen Creek	<u>Jake Hoffman</u> ** – R <u>Evan Olson</u> – I <u>Alan Smith</u> – D \$	<u>Peter Anello</u> – R <u>Barbara Beneitone</u> – D <u>Neal Carter</u> ** – R <u>Alex Stovall</u> – R <u>Michael Way</u> – R
Republican: 45% Independent: 34% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		
District 16 Casa Grande, Eloy, Coolidge	<u>Judy Nganga</u> – R (write-in candidate) <u>Stacey Seaman</u> – D <u>T.J. Shope</u> ** – R	<u>Rob Hudelson</u> – R <u>Chris Lopez</u> – R <u>Teresa Martinez</u> ** – R <u>Gabriela "Gabby" Saucedo Mercer</u> – R <u>Keith Seaman</u> ** – D
Independent: 37% Republican: 33% Democrat: 29% No Labels: <1% Libertarian: <1% Green: <1%		
District 17 Marana, Oro Valley, Tucson	<u>Vince Leach</u> – R <u>John McLean</u> – D <u>Justine Wadsack</u> ** – R	<u>Rachel Jones</u> ** – R <u>Cory McGarr</u> ** – R <u>Anna Orth</u> – R <u>Kevin Volk</u> – D
Republican: 38% Independent: 32% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%		
District 18 Tucson, Catalina Foothills	<u>Priya Sundareshan</u> ** – D	<u>Nancy Gutierrez</u> ** – D <u>Chris Mathis</u> ** – D <u>Leonard "Len" Rosenblum</u> – R
Democrat: 40% Independent: 31% Republican: 27% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 19 Sierra Vista, Safford	<u>David Gowan</u> ** – R <u>Bob Karp</u> – D \$	<u>Gregg Frostrom, Jr</u> – D <u>Lupe Diaz</u> ** – R <u>Gail Griffin</u> ** – R
Republican: 42% Independent: 33% Democrat: 24% Libertarian: <1% No Labels: <1% Green: <1%		
District 20 Tucson	<u>Sally Ann Gonzales</u> ** – D	<u>Alma Hernandez</u> ** – D <u>Betty Villegas</u> ** – D
Democrat: 49% Independent: 35% Republican: 15% Libertarian: <1% No Labels: <1% Green: <1%		
District 21 Tucson, Sahuarita, Nogales	<u>Rosanna Gabaldón</u> ** – D	Christopher Kibbey – R <u>Consuelo Hernandez</u> ** – D Briana "Breezy" Ortega – D <u>Stephanie Stahl Hamilton</u> ** – D
Democrat: 41% Independent: 36% Republican: 21% Libertarian: <1% No Labels: <1% Green: <1%		
District 22 Phoenix, Avondale, Glendale	<u>Eva Diaz</u> ** – D <u>Steve Robinson</u> – R <u>Leezah Sun</u> – D \$	<u>Lupe Chavira Contreras</u> ** – D Blaine "BJ" Griffin – R \$ <u>Diana Jones</u> – R \$ <u>Elda Luna-Nájera</u> ** – D <u>Betsy Munoz</u> – D Jen Wynne – D \$
Independent: 41% Democrat: 39% Republican: 18% No Labels: 1% Libertarian: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 23 Yuma, San Luis	<u>Michelle Altherr</u> – R <u>Brian Fernandez</u> ** – D <u>Jesus Arnulfo Lugo, Jr</u> – D	<u>James “Jimmy” Holmes</u> – D \$ <u>Michele Peña</u> ** – R <u>Matias Rosales</u> – D <u>Mariana Sandoval</u> ** – D
<i>Independent: 39% Democrat: 35% Republican: 24% No Labels: <1% Libertarian: <1% Green: <1%</i>		
District 24 Glendale, Phoenix	<u>Mario Garcia</u> – D <u>Analise Ortiz</u> – D (currently serving in the House)	<u>Anna Abeytia</u> – D <u>Lydia Hernandez</u> ** – D <u>Hector Jaramillo</u> – D
<i>Independent: 40% Democrat: 39% Republican: 19% No Labels: <1% Libertarian: <1% Green: <1%</i>		
District 25 Buckeye, Yuma	<u>Tim Dunn</u> – R (currently serving in the House)	<u>Michael Carbone</u> ** – R <u>Nickolas “Nick” Kupper</u> – R <u>Steve Markegard</u> – R \$ <u>William “Bill” Peter Olear</u> – D \$ <u>Gary Garcia Snyder</u> – R
<i>Republican: 41% Independent: 36% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%</i>		
District 26 Phoenix, Glendale	<u>Flavio Bravo</u> ** – D <u>Vic Harris</u> – R \$	<u>Cesar Aguilar</u> ** – D <u>Quantá Crews</u> ** – D \$ <u>Skyla Edwards</u> – R \$ <u>Frank Roberts</u> – R \$
<i>Democrat: 41% Independent: 39% Republican: 18% No Labels: <1% Libertarian: <1% Green: <1%</i>		

Legislative District	Arizona Senate	Arizona House of Representatives
District 27 Peoria, Phoenix	<u>Kevin Payne</u> – R (currently serving in the House)	Linda Busam – R <u>Lisa Fink</u> – R \$ <u>Deborah Howard</u> – D <u>Brian Morris</u> – R <u>Tony Rivero</u> – R
Republican: 37% Independent: 34% Democrat: 27% Libertarian: <1% No Labels <1% Green: <1%		
District 28 Sun City, Peoria, Phoenix	<u>Frank Carroll</u> ** – R	Susan Black – R <u>Barbara Jean Fike</u> – D \$ <u>David Livingston</u> ** – R <u>Beverly Pingerelli</u> ** – R
Republican: 48% Independent: 29% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		
District 29 Goodyear, El Mirage, Litchfield Park	<u>Janae Shamp</u> ** – R <u>Eric Stafford</u> – D \$	<u>Amy Heusted</u> – R (write-in candidate) <u>Steve Montenegro</u> ** – R <u>Tanairi Ochoa-Martínez</u> – D \$ <u>James Taylor</u> – R <u>Tom Tzitzura</u> – D \$
Republican: 40% Independent: 35% Democrat: 24% No Labels: <1% Libertarian: <1% Green: <1%		
District 30 Bullhead City, Kingman, Wickenburg	<u>Hildy Angius</u> – R <u>Ashley Gerich</u> – R <u>J'aime Morgaine</u> – D \$ <u>Kimberly Zanon</u> – R	<u>Leo Biasiucci</u> ** – R <u>John Gillette</u> ** – R <u>Monica Timberlake</u> – D \$
Republican: 54% Independent: 31% Democrat: 13% Libertarian: <1% No Labels: <1% Green: <1%		

Corporation Commission

<u>Ylenia Aguilar</u> – D	Nina Luxenberg – G (write-in candidate)
Mike Cease – G (write-in candidate)	<u>Lea Márquez-Petersen</u> ** – R \$
<u>Jonathon Hill</u> – D \$	<u>Joshua Polacheck</u> – D
<u>Rene Lopez</u> – R \$	<u>Rachel Walden</u> – R \$

U.S. Senate

<u>Ruben Gallego</u> – D (currently serves in the U.S. House)	<u>Michael Norton</u> – G
Arturo Hernandez – G	<u>Eduardo Quintana</u> – G (write-in candidate)
<u>Kari Lake</u> – R	Elizabeth Jean Reye – R
<u>Mark Lamb</u> – R	Steven Sanders – I (write-in candidate)
	Dustin Williams – R (write-in candidate)

Republican: 35% Independent: 34% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 1

<u>Robert Backie</u> – R	<u>Kurt Kroemer</u> – D
<u>Andrei Cherny</u> – D	<u>Conor O’Callaghan</u> – D
<u>Marene Galán-Woods</u> – D	<u>David Schweikert</u> ** – R
<u>Kim George</u> – R	<u>Amish Shah</u> – D
<u>Andrew Horne</u> – D	

Republican: 39% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 2

David Alexander – D (write-in candidate)	<u>Jonathan Nez</u> – D
<u>Elijah Crane</u> ** – R	<u>Jack Smith</u> – R
Richard Ester – I (write-in candidate)	

Republican: 39% Independent: 31% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 8

<u>Patrick "Pat" Briody</u> – R	<u>Anthony Kern</u> – R
<u>Trent Franks</u> – R	<u>Blake Masters</u> – R
Isiah Gallegos – R (write-in candidate)	<u>Ben Toma</u> – R
<u>Abraham Hamadeh</u> – R	<u>Gregory Whitten</u> – D

Republican: 41% Independent: 32% Democrat: 25% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 9

<u>Paul Gosar</u> ** – R
<u>Quacy Smith</u> – D

Republican: 44% Independent: 34% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%

** INDICATES INCUMBENT WHO CURRENTLY HOLDS THE OFFICE

§ INDICATES CANDIDATE WHO QUALIFIED WITH ARIZONA CLEAN ELECTIONS





The 2024 Arizona legislative session was not one of the state’s longest, but it was highly unusual. As numerous House members resigned and decorum decreased, Governor Katie Hobbs (D) and lawmakers from both parties navigated a state budget deficit, big policy questions, and shifting political alliances.

Several factors shaped this year at the Capitol:

- **Timeline**

The session stretched through 160 days, often interrupted by delays of a week or more due to budget talks and a bipartisan trip to Israel.

- **Turnover**

House Democrats continued last year’s trend of unexpected resignations: Six lawmakers resigned during this legislative session, with another resignation shortly after the session ended. There are a variety of reasons for the departures. Some lawmakers resigned to pursue other political offices, but several left for other career opportunities with the candid confession that it’s hard to serve in the legislature.

<u>2024 Statistics</u>	
Bills Signed:	259
Bills <u>Vetoed</u> :	73
Ballot Referrals:	7

- **Tension**

This session, like every one before it, reflected current political divisions and electoral calculations. At times, though, those dynamics extended beyond the usual political tensions. It was a year filled with investigations, indictments, and calls for impeachment. There were retributions, ethics accusations, and internal political party feuds that spilled into the headlines. Ongoing litigation continued a power struggle about oversight of state agencies.

The political divides, policy disagreements, and interpersonal tiffs were too great an obstacle for some high-profile issues that did not make it into state law:

- **Baseball Salaries**

Lawmakers did not approve a proposed change to minimum wage laws for minor league baseball players during Spring Training.

- **Education**

Policymakers deliberately set aside the extension of Proposition 123 education funding after Republicans and Governor Hobbs disagreed about the details. Both sides say they'll focus on the issue next year.

Other education policy discussions got sidelined, as well – including changes to the A-F grading system for schools and school discipline reporting, mandatory partisan designations in school board elections, efforts to include the U.S. flag and the Ten Commandments in classrooms, and tighter limits on Empowerment Scholarship Accounts (though the enacted budget did impose some changes to ESA oversight).

Proposals to expand reporting, equipment, and mental health resources for school safety didn't reach the Governor's desk.

- **Elections**

House and Senate election-related committees approved significant changes to the state's election procedures – including limits on early voting, a ban on voting centers, and a shift of electoral power to lawmakers – but none passed the legislature.

- **Firearms**

The legislature did not approve efforts to add limits to gun ownership in some circumstances, limit children's ability to possess a firearm, allow guns on college campuses, or ask voters to require banks to serve firearm manufacturers. Governor Hobbs vetoed a proposal to limit local governments' ability to turn away gun shows.

- **Gender Identity**

Governor Hobbs vetoed every proposal legislative Republicans sent her about gender – including requirements for school showers, statutory gender definitions, and a requirement that insurers cover detransitioning services.

- **Healthcare**

The legislature did not approve expanded services for AHCCCS members, insurance coverage for children’s hearing aids, provisional medical licenses for international medical licensees, or more testing for newborns. It did not pass bills to limit vaccine requirements in schools, expand exemptions from employer vaccine requirements, or ban vaccine requirements for agriculture. Governor Hobbs’ efforts to restrict prescription drug price increases did not advance.

- **Lab-Grown Meat**

Multiple bills sought to add labeling requirements or otherwise limit lab-grown meat products from being marketed as meat when they are available in Arizona, but none made it through the legislative process to the Governor’s desk.

- **Marxist Ideologies & Magazines**

Attempts to outlaw policies they believe to be “Marxist ideologies” failed due to Democratic opposition and Republican disagreement on what should be included in the list of those ideologies. The House never passed authority for the Department of Transportation to privatize the Arizona Highways magazine.

- **Renewable Energy**

Legislators did not approve measures to create an Arizona Climate Resiliency Planning Group, ask voters to bar restrictions on devices because of the energy they use, increase the registration fee for alternative fuel vehicles, charge county residents for solar panels, set location restrictions on wind farms, or limit acreage for electric energy production and procurement of electric vehicles or electric vehicle charging stations.

- **Scope of Practice**

Lawmakers did not enact proposals to broaden pharmacists’ ability to prescribe medications and treat some illnesses or dental hygienists’ authority to administer Botox. They also did not expand chiropractors’ authority to order diagnostic imaging and blocked efforts to enact licensing for genetic counselors and dietitian nutritionists.

- **Short-Term Rentals**

A years-long debate about short-term rentals continued this year as local governments around the state called for more authority on the issue, but none of the proposed changes succeeded due to Republican concerns about violating homeowners’ property rights. Policymakers – including Governor Hobbs – say there’s still a need for changes to laws on short-term rentals in the broader discussion about housing affordability.

- **Sober Living**

Following announcements about some facilities' fraudulent practices, legislators from both parties introduced legislation intended to prevent future abuses. Those proposals failed to reach the Governor's desk, though, as lawmakers navigated the complexities of the policies and faced sharp and personal debates on how to best address the problems. Lawmakers from both sides of the aisle pledged to pursue changes again next year.

- **Transportation**

Some Republicans sought to curb authority for transportation planning and limit how transportation entities can track vehicle miles traveled or encourage the use of public transportation or bicycle paths, but they failed to advance those proposals through the legislative process or to the ballot. Bipartisan opposition also blocked a bill to increase penalties for slow driving in the left lane.

- **Universities**

Governor Hobbs vetoed a proposal that would alter university governance, and lawmakers did not pass proposals requiring online posting of course materials, allowing students to challenge a grade attributed to political bias, mandating free speech policy changes, and cutting university budgets for perceived free speech violations.

- **Water**

Debates on water policy simmered throughout the legislative session, but most proposals did not become law as policymakers split along party lines and between rural and urban areas of the state. Governor Hobbs vetoed many of the water-related proposals that did pass the legislature, and the bipartisan budget agreement cut funding allocated for water infrastructure under former Governor Ducey. Water will remain at the top of the list for many policymakers, and the Governor is open to a special session on the topic later this year.

Despite the unusual dynamics and a state government divided between political parties, state policymakers did cooperate to address other policy goals:

- **Abortion**

After procedural hurdles and passionate debate, a bipartisan coalition repealed the state's long-dormant ban on most abortions after the Arizona Supreme Court reinstated the law. Another existing law banning abortions after 15 weeks of pregnancy remains in effect.

- **Agency Continuations**

Policymakers negotiated through Republican concerns about the Arizona Commerce Authority, Department of Child Safety, and Department of Transportation to continue the work of those agencies, with some changes to reporting and oversight of the Commerce Authority.

- **Ballot Referrals**

Legislative Republicans evaded Democratic opposition by sending seven controversial topics directly to voters this year – including immigration enforcement, policies on public nuisances, and changes to judicial elections, citizen initiatives, and minimum wage laws. (Last year, lawmakers approved four ballot measures, so voters will see 11 legislative referrals on the November ballot in addition to any local ballot measures and successful citizen initiatives.)

- **Deepfakes**

There was bipartisan support for action against the abuse of deepfakes and artificial intelligence. Lawmakers did not pass a bill to criminalize the intentional misuse of computer-generated recordings and Governor Hobbs vetoed one approach to deepfake regulations, but policymakers authorized new legal actions and new limits against the use of deepfakes in elections.

- **Education**

Lawmakers enhanced Holocaust education, temporarily waived the Aggregate Expenditure Limit for schools, and streamlined the path to a degree – and funding – for children in the foster care system.

- **Elections**

Early in the year, policymakers found bipartisan agreement for a bill that moved up the Primary Election date to address concerns from election officials. Legislators also enacted more voter registration alerts, extended how long campaign signs can stay up, outlined hand count audit procedures, and required statewide candidates to file more campaign finance reports.

- **Healthcare**

Lawmakers authorized pharmacists to provide opioid antagonists without a prescription, legalized natural organic reduction as an alternative to cremation, set standards for memory care, and permitted schools to administer glucagon in an emergency.

New laws also alter procedures for mental health evaluations, expand substance abuse counseling, and enhance communication between healthcare facilities for patients with serious mental illnesses. While specific expansions of some medical professionals' authorities did not become law, policymakers did expand authority for medical assistants and licensed health aides, broadened collaborative practice agreements with pharmacists, and voted to eliminate the state's sunrise review process to streamline future changes to scope of practice laws.

- **Housing**

Governor Hobbs vetoed a long-debated proposal on housing but enacted other measures intended to facilitate more housing development across the state, set new standards for adaptive reuse, and require local governments to perform more housing assessments. The state budget directed \$15 million into the Housing Trust Fund.

- **Public Safety**

There was bipartisan support for a new law to help prevent swatting and another to enhance peace offer cooperation across state lines.

- **Space**

Legislators designated Pluto as Arizona's official state planet and created an Arizona Space Commission.

- **Study Committees**

Lawmakers enacted bills to authorize further study of education on genocides, issues around off-highway vehicles, and preparation for conflict in the Pacific.

- **Tamales and Taylor Swift Tickets**

Governor Hobbs approved a law that expands the foods home cooks may sell – including tamales – and signed legislation intended to keep bots from driving up ticket prices for events in Arizona.

- **Water**

While many water-related bills were vetoed or failed to pass the legislature, the Governor did approve some changes to water policy, set new reporting requirements for some domestic water improvement districts and new authorities for qualifying on-site wastewater treatment facilities, and extended the timeline for grandfathered right claims in the Douglas Active Management Area.

The legislature will shift again next year. There will be a new House Speaker, and Republicans and Democrats are both hoping to hold a larger majority of seats in the legislative chambers after the election. There will be many new faces and big policy challenges – including ongoing concerns about state revenues. Lawmakers will have the opportunity to build on the successes and partnerships of this year, finding new and continued ways to work together to achieve what they believe to be best for Arizona and those who live here.

From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapier](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Update and Tracking Lists
Date: Friday, May 17, 2024 12:00:00 PM
Attachments: [May 17, 2024 Legislative Update.pdf](#)
[2024 Primary Election Candidates - Updated May 13, 2024 \(1\).pdf](#)
[EACO 5-17-24.pdf](#)
[Water 5-17-24.pdf](#)

Caution: This email originated from outside of Navajo County.

Good Morning,

Another short week for the legislature, but not without its fireworks! The senate heard the controversial border bill with a lot of debate, but the Republicans were one member short so they were not able to vote the bill on third read. The House adjourned until June 4th, but the Senate will work over the next few weeks. Not much on the budget, still nothing moving at this time, despite rumors that the immigration measure may spur on some budget movement by the Gov's office. I hope you have a great weekend!

James

James Candland
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2024 Candidates | Arizona Legislature

Legislative District	Arizona Senate	Arizona House of Representatives
District 1 Prescott, Chino Valley, Sedona	<u>Ken Bennett</u> ** – R <u>Mark Finchem</u> – R <u>Mike S. Fogel</u> – D \$ <u>Steve Zipperman</u> – R	<u>Selena Bliss</u> ** – R <u>Quang Nguyen</u> ** – R <u>Jay Ruby</u> – D \$ <u>Marcia Smith</u> – D \$ <u>Shawn Dell Wildman</u> – R \$
Republican: 51% Independent: 29% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		
District 2 North Phoenix	<u>Josh Barnett</u> – R <u>Shawna Bolick</u> ** – R Dennis Pugsley – G <u>Judy Schwiebert</u> – D (currently serving in the House)	<u>Ari Daniel Bradshaw</u> – R <u>Stephanie Simacek</u> – D <u>Tom Simes</u> – I <u>Justin Wilmeth</u> ** – R
Republican: 36% Independent: 35% Democrat: 27% Libertarian: 1% No Labels: <1% Green: <1%		
District 3 Scottsdale, Phoenix, Anthem, Fountain Hills	<u>John Kavanagh</u> ** – R	<u>Joseph Chaplik</u> ** – R <u>Richard Corles</u> – D \$ <u>Alexander Kolodin</u> ** – R
Republican: 48% Independent: 31% Democrat: 20% Libertarian: <1% No Labels: <1% Green: <1%		
District 4 Paradise Valley, Scottsdale, Phoenix	<u>Kenneth R. Bowers, Jr</u> – R <u>Carine Werner</u> – R <u>Christine Marsh</u> ** – D	<u>Kelli Butler</u> – D <u>Pamela Carter</u> – R <u>Karen Gresham</u> – D <u>Matt Gress</u> ** – R
Republican: 40% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District		Arizona Senate	Arizona House of Representatives
District 5 Phoenix	<u>Lela Alston</u> ** - D Joshua Ortega - R		<u>Sarah Liguori</u> ** - D <u>Charles Lucking</u> ** - D <u>Aaron Márquez</u> - D Juan Schoville - R (write-in candidate) <u>Dorri Thyden</u> - D
<i>Democrat: 43% Independent: 33% Republican: 22% Libertarian: <1% No Labels: <1% Green: <1%</i>			
District 6 Flagstaff, Window Rock, Page	<u>Theresa Hatathlie</u> ** - D		<u>Lloyd Johnson</u> - R \$ <u>Rich King</u> - R Angela Maloney - D <u>Mae Peshlakai</u> ** - D <u>Myron Tsosie</u> ** - D
<i>Democrat: 49% Independent: 30% Republican: 20% Libertarian: <1% No Labels: <1% Green: <1%</i>			
District 7 Flagstaff, Payson, Show Low	<u>Haley Creighton</u> - D \$ <u>David Cook</u> - R (currently serving in the House) <u>Roberto Apodaca Reveles</u> - D <u>Wendy Rogers</u> ** - R		<u>Walter "Walt" Blackman</u> - R <u>Kevin Chiquete</u> - D <u>Andrew Costanzo</u> - R <u>John Fillmore</u> - R <u>Nancy Hartl</u> - D <u>Barby Ingle</u> - R <u>David Marshall, Sr.</u> ** - R <u>Steven Slaton</u> - R
<i>Republican: 47% Independent: 30% Democrat: 21% Libertarian: <1% No Labels: <1% Green: <1%</i>			

Legislative District	Arizona Senate	Arizona House of Representatives
District 8 Tempe, Mesa, Phoenix, Scottsdale	<u>Roxana Holzapfel</u> – R <u>Lauren Kuby</u> – D Ivan Pemberton – D (write-in candidate)	<u>Janeen Connolly</u> – D <u>Caden Darrow</u> – R <u>Brian Garcia</u> – D <u>Juan Mendez</u> – D (currently serving in the Senate)
<i>Independent: 37% Democrat: 35% Republican: 26% No Labels: 1% Libertarian: 1% Green: <1%</i>		
District 9 Mesa, Tempe	<u>Eva Burch</u> ** – D <u>Robert Scantlebury</u> – R <u>Christopher Stapley</u> – R	<u>Lorena Austin</u> ** – D <u>Kylie Barber</u> – R <u>Seth Blattman</u> ** – D <u>Mary Ann Mendoza</u> – R
<i>Independent: 36% Republican: 32% Democrat: 30% Libertarian: 1% No Labels: <1% Green: <1%</i>		
District 10 Mesa, Apache Junction	<u>Robert Doyle</u> – D \$ <u>David Farnsworth</u> ** – R	<u>Ralph Heap</u> – R <u>Matt Greer</u> – R <u>Helen Hunter</u> – D \$ <u>Justin Olson</u> – R Stephanie Simmons – D (write-in candidate)
<i>Republican: 44% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%</i>		
District 11 Phoenix, Guadalupe	Joshua Ayala – R <u>Catherine Miranda</u> ** – D	Cesar Ivan Aleman – R <u>Junelle Caverio</u> ** – D <u>Joseph Charles Dailey</u> – R <u>Oscar De Los Santos</u> ** – D <u>Isaak Ruiz</u> – D
<i>Democrat: 46% Independent: 38% Republican: 14% No Labels: <1% Libertarian: <1% Green: <1%</i>		

Legislative District	Arizona Senate	Arizona House of Representatives
District 12 Chandler, Tempe, Phoenix	<u>Mitzi Epstein</u> ** – D <u>Cara Vicini</u> – R \$	<u>Patty Contreras</u> ** – D <u>Lawrence Hudson</u> – R \$ <u>Anastasia "Stacey" Travers</u> ** – D
Independent: 34% Democrat: 33% Republican: 31% Libertarian: <1% No Labels: <1% Green: <1%		
District 13 Chandler, Gilbert	<u>J.D. Mesnard</u> ** – R <u>Sharon Lee Winters</u> – D	<u>Nicholas Gonzales</u> – D <u>Cody Hannah</u> – G (write-in candidate) <u>Brandy Reese</u> – D <u>Jeff Weninger</u> – R <u>Julie Willoughby</u> ** – R
Independent: 35% Republican: 36% Democrat: 28% Libertarian: <1% No Labels: <1% Green: <1%		
District 14 Gilbert, Chandler	<u>Elizabeth Brown</u> – D <u>Warren Petersen</u> ** – R	<u>Kristin Clark</u> – D (write-in candidate) <u>Joel Coen</u> – R <u>Laurin Hendrix</u> ** – R <u>Lulani Hunsaker</u> – R <u>Andrew Jackson</u> – R <u>Khyl Powell</u> – R
Republican: 43% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		
District 15 Mesa, Queen Creek	<u>Jake Hoffman</u> ** – R <u>Evan Olson</u> – I <u>Alan Smith</u> – D \$	<u>Peter Anello</u> – R <u>Barbara Beneitone</u> – D <u>Neal Carter</u> ** – R <u>Alex Stovall</u> – R <u>Michael Way</u> – R
Republican: 45% Independent: 34% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 16 Casa Grande, Eloy, Coolidge	<u>Judy Nganga</u> – R (write-in candidate) <u>Stacey Seaman</u> – D <u>T.J. Shope</u> ** – R	<u>Rob Hudelson</u> – R <u>Chris Lopez</u> – R <u>Teresa Martinez</u> ** – R <u>Gabriela “Gabby” Saucedo Mercer</u> – R <u>Keith Seaman</u> ** – D
Independent: 37% Republican: 33% Democrat: 29% No Labels: <1% Libertarian: <1% Green: <1%		
District 17 Marana, Oro Valley, Tucson	<u>Vince Leach</u> – R <u>John McLean</u> – D <u>Justine Wadsack</u> ** – R	<u>Rachel Jones</u> ** – R <u>Cory McGarr</u> ** – R <u>Anna Orth</u> – R <u>Kevin Volk</u> – D
Republican: 38% Independent: 32% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%		
District 18 Tucson, Catalina Foothills	<u>Priya Sundareshan</u> ** – D	<u>Nancy Gutierrez</u> ** – D <u>Chris Mathis</u> ** – D <u>Leonard “Len” Rosenblum</u> – R
Democrat: 40% Independent: 31% Republican: 27% Libertarian: <1% No Labels: <1% Green: <1%		
District 19 Sierra Vista, Safford	<u>David Gowan</u> ** – R <u>Bob Karp</u> – D \$	<u>Gregg Frostrom, Jr</u> – D <u>Lupe Diaz</u> ** – R <u>Gail Griffin</u> ** – R
Republican: 42% Independent: 33% Democrat: 24% Libertarian: <1% No Labels: <1% Green: <1%		
District 20 Tucson	<u>Sally Ann Gonzales</u> ** – D	<u>Alma Hernandez</u> ** – D <u>Betty Villegas</u> ** – D
Democrat: 49% Independent: 35% Republican: 15% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 21 Tucson, Sahuarita, Nogales	<u>Rosanna Gabaldón</u> ** – D	<u>Christopher Kibbey</u> – R <u>Consuelo Hernandez</u> ** – D Briana “Breezy” Ortega – D <u>Stephanie Stahl Hamilton</u> ** – D
Democrat: 41% Independent: 36% Republican: 21% Libertarian: <1% No Labels: <1% Green: <1%		
District 22 Phoenix, Avondale, Glendale	<u>Eva Diaz</u> ** – D <u>Steve Robinson</u> – R <u>Leezah Sun</u> – D \$	<u>Lupe Chavira Contreras</u> ** – D Blaine “BJ” Griffin – R \$ <u>Diana Jones</u> – R <u>Elda Luna-Nájera</u> ** – D <u>Betsy Munoz</u> – D Jen Wynne – D \$
Independent: 41% Democrat: 39% Republican: 18% No Labels: 1% Libertarian: <1% Green: <1%		
District 23 Yuma, San Luis	<u>Michelle Altherr</u> – R <u>Brian Fernandez</u> ** – D <u>Jesus Arnulfo Lugo, Jr</u> – D	<u>James “Jimmy” Holmes</u> – D <u>Michele Peña</u> ** – R <u>Matias Rosales</u> – D <u>Mariana Sandoval</u> ** – D
Independent: 39% Democrat: 35% Republican: 24% No Labels: <1% Libertarian: <1% Green: <1%		
District 24 Glendale, Phoenix	<u>Mario Garcia</u> – D <u>Analise Ortiz</u> – D (currently serving in the House)	<u>Anna Abeytia</u> – D <u>Lydia Hernandez</u> ** – D <u>Hector Jaramillo</u> – D
Independent: 40% Democrat: 39% Republican: 19% No Labels: <1% Libertarian: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 25 Buckeye, Yuma	<u>Tim Dunn</u> – R (currently serving in the House)	<u>Michael Carbone</u> ** – R <u>Nickolas “Nick” Kupper</u> – R <u>Steve Markegard</u> – R \$ <u>William “Bill” Peter Olear</u> – D \$ <u>Gary Garcia Snyder</u> – R
Republican: 41% Independent: 36% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%		
District 26 Phoenix, Glendale	<u>Flavio Bravo</u> ** – D <u>Vic Harris</u> – R	<u>Cesar Aguilar</u> ** – D <u>Quantá Crews</u> ** – D \$ <u>Skyla Edwards</u> – R <u>Frank Roberts</u> – R \$
Democrat: 41% Independent: 39% Republican: 18% No Labels: <1% Libertarian: <1% Green: <1%		
District 27 Peoria, Phoenix	<u>Joshua Abbott</u> – D <u>Kevin Payne</u> – R (currently serving in the House)	<u>Linda Busam</u> – R <u>Lisa Fink</u> – R \$ <u>Deborah Howard</u> – D <u>Brian Morris</u> – R <u>Tony Rivero</u> – R
Republican: 37% Independent: 34% Democrat: 27% Libertarian: <1% No Labels <1% Green: <1%		
District 28 Sun City, Peoria, Phoenix	<u>Frank Carroll</u> ** – R	<u>Susan Black</u> – R <u>Barbara Jean Fike</u> – D \$ <u>David Livingston</u> ** – R <u>Beverly Pingerelli</u> ** – R
Republican: 48% Independent: 29% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 29 Goodyear, El Mirage, Litchfield Park	<u>Janae Shamp</u> ** – R <u>Eric Stafford</u> – D \$	<u>Steve Montenegro</u> ** – R <u>Tanairi Ochoa-Martinez</u> – D <u>James Taylor</u> – R (write-in candidate) <u>Tom Tzitzura</u> – D
Republican: 40% Independent: 35% Democrat: 24% No Labels: <1% Libertarian: <1% Green: <1%		
District 30 Bullhead City, Kingman, Wickenburg	<u>Hildy Angius</u> – R <u>Ashley Gerich</u> – R <u>J'aime Morgaine</u> – D \$ <u>Kimberly Zanon</u> – R	<u>Leo Biasiucci</u> ** – R <u>John Gillette</u> ** – R <u>Monica Timberlake</u> – D \$
Republican: 54% Independent: 31% Democrat: 13% Libertarian: <1% No Labels: <1% Green: <1%		

Corporation Commission

Ylenia Aguilar – D

Lea Márquez-Petersen** – R

Jonathon Hill – D

Joshua Polacheck – D

Rene Lopez – R \$

Rachel Walden – R

U.S. Senate

Ruben Gallego – D (currently serves in the U.S. House)

Michael Norton – G

Arturo Hernandez – G

Eduardo Quintana – G (write-in candidate)

Kari Lake – R

Elizabeth Jean Reye – R

Mark Lamb – R

Dustin Williams – R (write-in candidate)

Republican: 35% Independent: 34% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 1

Robert Backie – R

Kurt Kroemer – D

Andrei Cherny – D

Conor O'Callaghan – D

Marene Galán-Woods – D

David Schweikert** – R

Kim George – R

Amish Shah – D

Andrew Horne – D

Republican: 39% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 2

Elijah Crane** – R

Jonathan Nez – D

Jack Smith – R

Republican: 39% Independent: 31% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 8

Patrick "Pat" Briody – R
Trent Franks – R
Abraham Hamadeh – R
Anthony Kern – R

Blake Masters – R
Ben Toma – R
Gregory Whitten – D

Republican: 41% Independent: 32% Democrat: 25% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 9

Paul Gosar** – R
Quacy Smith – D

Republican: 44% Independent: 34% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%

** INDICATES INCUMBENT WHO CURRENTLY HOLDS THE OFFICE

\$ INDICATES CANDIDATE WHO QUALIFIED WITH ARIZONA CLEAN ELECTIONS



CLARUS

EACO

Enacted

Ch. 61, Laws 2024 (HB2012 - Department of forestry; continuation)

Sponsor

Rep. Gail Griffin (R)

Summary

The statutory life of the Arizona Department of Forestry and Fire Management is extended eight years to July 1, 2032. Retroactive to July 1, 2024. AS PASSED SENATE. Requires the state forester to provide a written report to each listed legislative committee, the Governor and Secretary of State and lists the information to be included in the written report. AS SIGNED BY GOVERNOR.

Actions

04/02/2024 G - Signed

Ch. 29, Laws 2024 (HB2191 - Property; criminal damage)

Sponsor

Rep. David L. Cook (R)

Summary

Replaces "parking any vehicle" with "physically obstructing a passageway" for the purpose of assigning a criminal damage charge for blocking a passageway in such a way as to deprive livestock of access to the only reasonably available water. AS SIGNED BY GOVERNOR.

Actions

03/29/2024 G - Signed

Ch. 121, Laws 2024 (HB2367 - Solid waste; fees; rules)

Sponsor

Rep. Gail Griffin (R)

Summary

Stipulates that authorized total fees or associated percentages that formulate fees for the sale of new vehicles tires as determined by the Department of Environmental Quality (DEQ) are applicable until the effective date of this bill. Requires an owner or operator of a waste tire collection site register with DEQ. Removes the public notice and comment requirement and statutory authorization mandate on DEQ to increase fees associated with waste tire collection sites, transporting human excreta from privies, septic tanks, cesspools and other waste treatment processes, general permits, solid waste landfills, the storage, processing, treatment and disposal of solid waste, and biohazardous medical waste. Removes criteria for determining fees on various activities, operations and sites by DEQ and authorizes DEQ to charge fees for processing applications for facilities, sites and applications for the disposal of waste mentioned in this bill. Directs the DEQ to register collection and recycling facilities that accept lead acid batteries, solid waste and biohazardous medical waste facilities, handlers or used oil, and to charge an initial registration fee to those facilities that is deposited into the Solid Waste Fee Fund. Requires DEQ to establish fees as part of the rule making process for solid waste, biohazardous medical waste, and biosolid processing that are to be deposited into the Solid Waste Fee Fund. Requires used oil transporters, marketers, processors and re-refiners to submit to DEQ an annual report within 30 days of the end of the year that contains all required tracking information. Requires DEQ to charge an annual fee to facilities that generate, transport or receive special waste and exempts facilities that pay fees associated with this bill from paying the annual fee. Adds lead acid battery collection and recycling fees to the Solid Waste Fee Fund. Contains a legislative intent and emergency clause. AS SIGNED BY GOVERNOR.

Actions

04/09/2024 G - Signed

Ch. 179, Laws 2024 (HB2637 - State lake improvement fund; drones)

Sponsor

Rep. Leo Biasiucci (R)

Summary

Requires Arizona State Parks Board (ASPB) to fund the purchase of drones to clean plastic, algae, biomass and other floating trash from lakes and waterways that are equipped with time stamped GPS locating data sensors and collision avoidance and to aid law enforcement and fire service agencies for search, rescue and recovery operations, and training in the use and operations of drones. Lists the bodies within the ASPB that are part of the management process of this program. Stipulates that fund monies may be used on projects if matching funds are made available. AS SIGNED BY GOVERNOR.

Actions

04/23/2024 G - Signed

Ch. 187, Laws 2024 (HB2685 - Mine inspector; geological survey; authority)

Sponsor

Rep. Selina Bliss (R)

Summary

Requires the Arizona Geological Survey (AGS) to establish a map and inventory of all known areas that contain aggregate resources and all existing aggregate mining facilities in Arizona. Adds criteria that must be included in an aggregate mining unit reclamation plan. Requires the Arizona State Geologist, on request of the Arizona State Mine Inspector (ASMI), to update the maps and inventories of the aggregate resources of Arizona and include areas of aggregate resources discovered since the previous publication. Requires that a proposed reclamation plan include the distance and the direction from the closest existing occupied residential structures and aggregate mining facility exterior and a statement that the owner or operator has provided a notice of the plan to each residential property owner with property located within a one-half mile radius of the aggregate mining operation as shown on the current property tax roll. Specifies how the distance must be measured in the proposed reclamation plan. Specifies that the notice must be sent not less than 15 days before submitting the proposed reclamation plan and include a statement that the residential property owner can request a copy of the plan from ASMI. Allows ASMI to consider comments from the Arizona State Geologist or any elected official when evaluating a reclamation plan. AS PASSED SENATE.

Actions

05/06/2024 G - Signed

HCM2004 - Federal land acquisition; acreage return

Sponsor

Rep. Austin Smith (R)

Summary

Urges the United States Congress pass and the President sign legislation that requires the federal government to give an acre of land of equal or greater size and value for every acre of land acquired or reserved by the United States federal government, as determined by the applicable county or state, or, in the absence of land of equal or greater size and value land of a size and value as proximate as possible to the size and value of the land acquired, reserved or withdrawn, as determined by the applicable county or state, or, in lieu of land, payments to the applicable county or the state for the value of the difference, as determined by the applicable county or state. Requires the Secretary of State of Arizona to transmit copies of the memorial to the President of the United States and the United States Congress, and each member of the Arizona delegation to the United States Congress. AS PASSED HOUSE

Actions

04/02/2024 G - Transmit to Secretary of State

HCM2005 - Federal lands; transfer to states

Sponsor

Rep. Austin Smith (R)

Summary

Urges Congress to pass legislation that gives 30% of all federally owned Western lands to their respective states by 2030 and urges Congress to engage in good faith cooperation with Western States regarding the immediate disposal of the public lands directly to the states. Directs the

Arizona Secretary of State to transmit the memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Congress from the state of Arizona. AS PASSED HOUSE.

Actions

04/02/2024 G - Transmit to Secretary of State

Ch. 111, Laws 2024 (SB1561 - Wildland fire prevention special plates)

Sponsor

Sen. Ken Bennett (R)

Summary

Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Wildland Fire Prevention Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Wildland Fire Prevention Special Plate Fund (Fund). Establishes that ADOT shall administer the Fund, that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to a non-profit entity that meets listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. AS PASSED SENATE Removes requirement that a person be a member or spouse of a member of the National Guard to request a National Guard special plate. Extends authority for ADOT to issue a Pascua Yagi Tribe special plate through 2025 (from 2023). Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Neurodiversity Services and Research Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Neurodiversity Services and Research Special Plate Fund. Establishes the Neurodiversity Services and Research Special Plate Fund (Fund) and requires ADOT to administer the Fund. Requires that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to two non-profit entities that meet listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Wildland Fire Prevention Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Wildland Fire Prevention Special Plate Fund. Establishes the Wildland Fire Prevention Special Plate Fund (Fund) and requires ADOT to administer the Fund. Requires that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to a non-profit entity that meets listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. Retroactive to January 1, 2024. AS SIGNED BY GOVERNOR.

Actions

04/08/2024 G - Signed

Vetoed

HB2002 - Power plants; transmission lines; definition

Sponsor

Rep. Gail Griffin (R)

Summary

For the purpose of the requiring approval from the Power Plant and Transmission Line Siting Committee, "transmission line" does not include a substation or switchyard to which the line connects. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that there are more targeted approaches to adjust the Power Plant and Line Siting Committing permitting process and she looks forward to continued partnership on the issue.

Actions

04/23/2024 G - Vetoed

Bills in Progress

HB2003 - Replacement lines; structures; commission hearings

Sponsor

Rep. Gail Griffin (R)

Summary

Utilities are authorized to replace a cable or wire on a transmission line and to replace an existing structure without receiving a new certificate of environmental compatibility and without holding a hearing with the Power Plant and Transmission Line Siting Committee if the replacement is within a sit that has previously received a certificate.

Actions

04/17/2024 S - DP - Senate Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Committee of the Whole, Senate Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Senate Floor

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

01/30/2024 H - House Majority Caucus - Y

01/30/2024 H - House Minority Caucus - Y

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Minority Caucus, House Floor

01/29/2024 H - C&P - House Rules

01/29/2024 H - Hearing Scheduled - 01/30/2024 - Caucus, House Floor

01/26/2024 H - Hearing Scheduled - 01/29/2024, 1:00 PM - House RULES, HHR 4

01/23/2024 H - DPA - House Natural Resources, Energy & Water

01/17/2024 H - Hearing Scheduled - 01/23/2024, 2:00 PM - House NREW, HHR 1

01/10/2024 H - Removed from Hearing Agenda - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/10/2024 H - Hearing Scheduled - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2008 - Commercial; industrial; conservation requirements; rules

Sponsor

Rep. Gail Griffin (R)

Summary

By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to modify the fourth and fifth management plans adopted pursuant to state law, including conservation requirements for industrial uses that are within and outside the service area of a designated service provider and that meet stated criteria. Prohibits any requirement that a person who uses water for an industrial use must obtain a certificate of assured water supply, enroll as a member land in a multi-county water conservation district or otherwise meet replenishment obligations. Stipulates that conservation requirements adopted pursuant to this legislation must include on-site water reuse, recycling and efficiency requirements. AS PASSED HOUSE.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/13/2024 H - RET ON CAL - House Committee of the Whole

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2022 - Conservation easements; maintenance; weeds

Sponsor

Rep. Gail Griffin (R)

Summary

The holder of a conservation easement is required to keep the conservation easement property free of "noxious weeds," Russian thistles and "blowing dust that creates a threat to health or safety." AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2102 - Appropriation; Arizona geological survey

Sponsor

Rep. Gail Griffin (R)

Summary

Appropriates \$750,000 from the general fund in FY 2024-25 to the University of Arizona for the Arizona Geological Survey to increase the survey's technical capacity, allow federal grant monies to be leveraged and meet the requirements prescribed in Arizona law. This funding is intended to be ongoing in future years. AS PASSED HOUSE.

Actions

03/19/2024 S - DP - Senate Appropriations

03/13/2024 S - Hearing Scheduled - 03/19/2024, 2:00 PM - Senate APPROP, SHR 109

03/07/2024 S - DP - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - Senate 2nd Read

02/29/2024 S - Hearing Scheduled - 02/29/2024 - Second Reading, Senate Floor

02/28/2024 S - Senate 1st Read

02/28/2024 S - Referred to Committee - Appropriations - Senate Appropriations

02/28/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/28/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Hearing Scheduled - 02/28/2024 - First Reading, Senate Floor

02/23/2024 S - Transmit to Senate

02/22/2024 H - PASSED - House Third Reading

02/21/2024 H - DP - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Consent Calendar - Object: Yes

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/02/2024 H - Introduced

HB2131 - Arizona utility consumer office; businesses (Residential utility consumer office; businesses)

Sponsor

Rep. Gail Griffin (R)

Summary

Expands the responsibilities and oversight of the Arizona Utility Consumer Office to include small commercial utility consumers. AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - N

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, House Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, House Floor

01/04/2024 H - Introduced

HB2376 - Federal government; land acquisition; consent

Sponsor

Rep. Lupe Diaz (R)

Summary

Requires the consent of the Governor and State Legislature for the sale of any Arizona lands to a federal agency if the sale removes the property from state or local property tax rolls, and that any transfer requires the express, affirmative consent through the current joint resolution process. Prohibits that any legislative consent limit the rights of any Indian tribe with respect to its lands, reservations and lands acquired as a settlement of land claim; or affect any Congressionally approved land exchange. Requires the seller of private property to the federal government to notify and request written approval from the Speaker of the House and the Senate President; and requires them to appoint a joint legislative committee to consider the request and prepare a joint resolution upon approval. Requires state to exercise its right of first refusal to purchase the property if the sale is not approved. Requires any state agency that is notified by the U.S. Department of Interior about an effort to place private real property in Arizona in trust as part of an Indian tribe's settlement of a land claim to immediately notify the Speaker of the House and Senate President so that the Legislature can provide comment, file an administrative appeal or file an action with the appropriate court. Specifies penalties if officials are not notified properly. Specifies that this process does not apply to a trustee's deed or mortgage that is insured or held by the U.S. Department of Housing and Urban Development, the U.S. Veterans Affairs or the Federal Housing Administration; or any Congressionally approved land exchange. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/26/2024 H - DPA - House Additional Committee of the Whole

02/26/2024 H - PASSED - House Motion to Ad COW

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Additional Committee of the Whole, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, House Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, House Floor

01/10/2024 H - Introduced

HB2377 - Federal lands; state management costs

Sponsor

Rep. Lupe Diaz (R)

Summary

Requires the Arizona Auditor General (AAG) to conduct and complete a cost and revenue study of the annual price to manage federal lands in this state, excluding land that is under the control of the United States Department of Defense, United States Bureau of Indian Affairs or the United States Bureau of Reclamation, and all revenue generated by this property. Requires the AAG to assume for this study that all federal land, not excluded is given to this state at no cost to the state. Requires the Arizona Game and Fish Department, State Parks Board, Department of Administration, Law, Environmental Quality, and Water Resources, State Forester and State Land Department to cooperate with the AAG and provide all requested and necessary data. Permits the AAG to coordinate with applicable federal agencies and departments as well as affected local, county and state government departments and agencies. AS PASSED HOUSE.

Actions

04/24/2024 S - DPA - Senate Committee of the Whole

04/23/2024 S - Hearing Scheduled - 04/24/2024 - Committee of the Whole, Senate Floor

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DPA - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, House Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, House Floor

01/10/2024 H - Introduced

HB2751 - Interstate compact; fire management; aid

Sponsor

Rep. David L. Cook (R)

Summary

Allows the Governor to enter into the Great Plains Interstate Fire Compact (Compact) on behalf of Arizona with any other state. Specifies that the Compact is operative immediately if two or more member states ratify it. Allows, in each state, the State Forester, or the equivalent, to act as Compact administrator for that state, consult with like officials of the other member states, and implement cooperation between the states in forest fire prevention and control. Allows, if a member state's forest fire control agency requests aid from any other member state in combating, controlling or preventing forest fires, the state forest fire control agency of that state to render all possible aid to the requesting agency, consonant with maintaining protection at home. Exempts a member state and its officers and employees rendering outside aid from liability for any act or omission or maintaining or using any equipment in connection with rendering outside aid. Allows the Compact administrators to formulate procedures for claims and reimbursement in accordance with the laws of the member states. States that ratification of this Compact does not authorize or permit any member state to diminish its forest firefighting forces, services or facilities. States that the compact does not affect any existing or future cooperative relationship between the U.S. Forest Service and a member state. States the provisions relating to reciprocal aid in combating forest fires are operative as between any state party to the Compact if the Legislature of the other state has given its assent to the mutual aid provisions of this compact. Requires the Compact to continue in force and remain binding in each state ratifying it until the Legislature or Governor of the state takes action to withdraw from the compact. (More). AS PASSED HOUSE.

Actions

05/01/2024 H - Transmit to House

05/01/2024 S - PASSED - Senate Third Reading

05/01/2024 S - Hearing Scheduled - 05/01/2024 - Third Reading, Floor

04/30/2024 S - Hearing Scheduled - 05/01/2024 - Third Reading, Senate Floor

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Third Reading, Senate Floor

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Senate Floor

04/03/2024 S - DP - Senate Committee of the Whole

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Senate Floor

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Government - Senate Government

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Transmit to Senate

02/26/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: Yes

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, House Floor

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, House Floor

02/01/2024 H - Introduced

HB2865 - Natural resource conservation districts; board

Sponsor

Rep. Gail Griffin (R)

Summary

Renames the statute, "Division of Natural Resource Conservation." Establishes an 8-member State Natural Resource Conservation Board (Board) and outlines Board membership requirements. Members serve three-year staggered terms. Outlines the Board's duties and purposes. Requires the Board to include in the annual budget request a sum of no more than \$40,000 for each natural resource conservation district and soil and water conservation district, and \$60,000 for each natural resource conservation district that operates an education center. Establishes the Natural Resource Conservation District Fund (Fund) that consists of legislative appropriations, grants, federal monies and other contributions administered by the Board. Specifies Board's responsibilities in investing, divesting and deploying monies from the Fund and procedures upon dissolution of a district. Specifies rules for election and appointment of District Board members. States that one of the responsibilities of a district is to educate landowners on matters pertaining to the district and the landowner. Allows the district to receive and spend monies from the Water Infrastructure Finance Authority of Arizona. Defines the transition from the State Land Commissioner's jurisdiction to the jurisdiction of the State Natural Resources Conservation Board. Appropriates \$150,000 and 2 FTE positions from the state General Fund (GF) in FY 2025 to the Board. Appropriates \$1,000,000 from the GF in FY 2026 to the Fund. Exempts the appropriations from lapsing. (More) AS PASSED BY HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/19/2024 S - W/D - Senate Appropriations

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/11/2024 S - Senate 2nd Read

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Second Reading, Senate Floor

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 1st Read

03/07/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/07/2024 S - Referred to Committee - Appropriations - Senate Appropriations

03/07/2024 S - Referred to Committee - Rules - Senate Rules

03/07/2024 S - Hearing Scheduled - 03/07/2024 - First Reading, Senate Floor

02/29/2024 S - Transmit to Senate

02/29/2024 H - PASSED - House Third Reading

02/29/2024 H - Hearing Scheduled - 02/29/2024 - Third Reading, House Floor

02/28/2024 H - DPA - House Additional Committee of the Whole

02/28/2024 H - PASSED - House Motion to Ad COW

02/28/2024 H - Hearing Scheduled - 02/28/2024 - Additional Committee of the Whole, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Additional Committee of the Whole, House Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/12/2024 H - House 2nd Read

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Second Reading, House Floor

02/08/2024 H - House 1st Read

02/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

02/08/2024 H - Referred to Committee - Rules - House Rules

02/08/2024 H - Hearing Scheduled - 02/08/2024 - First Reading, House Floor

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

02/05/2024 H - Introduced

HCR2051 - Rural communities; groundwater; tools

Sponsor

Rep. Gail Griffin (R)

Summary

Directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, House Floor

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, House Floor

02/01/2024 H - Introduced

SB1052 - All-terrain vehicles; definition

Sponsor

Sen. Frank Carroll (R)

Summary

Increases the maximum weight from 2,500 pounds to 3,500 pounds in the definition of “off-road vehicles” (defined). Provides that this legislation does not become law unless by September 2, 2027, the Arizona Department of Transportation (ADOT) establishes and funds a remediation program to help mitigate damage to the land, including private property, that happens because of ATV use, and the ADOT establishes and funds a county sheriff law enforcement program pertaining to ATV laws in Arizona to enable the sheriff to have dedicated enforcement of ATV laws. Requires the ADOT to notify the Arizona legislative council of compliance or noncompliance with those stipulations by October 1, 2027. AS PASSED HOUSE.

Actions

05/15/2024 H - DPA - House Additional Committee of the Whole

05/15/2024 H - PASSED - House Motion to Ad COW

05/14/2024 H - Hearing Scheduled - 05/15/2024 - Additional Committee of the Whole, Floor

04/10/2024 H - DPA - House Committee of the Whole

04/09/2024 H - Hearing Scheduled - 04/10/2024 - Committee of the Whole, House Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DPA - House Transportation & Infrastructure

03/14/2024 H - House 2nd Read

03/14/2024 H - Hearing Scheduled - 03/20/2024, 2:00 PM - House TI, HHR 3

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, House Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, House Floor

03/13/2024 H - Referred to Committee - Transportation & Infrastructure - House Transportation & Infrastructure

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Senate Floor

03/06/2024 S - DP - Senate Committee of the Whole

03/06/2024 S - RETAINED - Senate Committee of the Whole

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Senate Floor

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Senate Floor

03/05/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Senate Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Senate Floor

01/30/2024 S - Senate Minority Caucus - Y

01/30/2024 S - Senate Majority Caucus - Y

01/29/2024 S - Senate Consent Calendar - Object: Yes

01/29/2024 S - Hearing Scheduled - 01/30/2024 - Caucus, Senate Floor

01/29/2024 S - Hearing Scheduled - 01/29/2024 - Consent, Senate Floor

01/29/2024 S - PFC - Senate Rules

01/26/2024 S - Hearing Scheduled - 01/29/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/22/2024 S - DP - Senate Transportation, Technology and Missing Children

01/16/2024 S - Senate 2nd Read

01/16/2024 S - Hearing Scheduled - 01/22/2024, 2:00 PM - Senate TTMC, SHR 2

01/16/2024 S - Hearing Scheduled - 01/16/2024 - Second Reading, Senate Floor

01/10/2024 S - Senate 1st Read

01/10/2024 S - Referred to Committee - Rules - Senate Rules

01/10/2024 S - Referred to Committee - Transportation, Technology and Missing Children - Senate Transportation, Technology and Missing Children

01/10/2024 S - Hearing Scheduled - 01/10/2024 - First Reading, Senate Floor

01/09/2024 S - Introduced

SB1079 - State land auctions; electronic means

Sponsor

Sen. Sine Kerr (R)

Summary

Allows the Arizona State Land Department (ASLD) to accept bids offered electronically during a public auction. Stipulates that, if ASLD accepts bids offered through electronic means, ASLD is not liable for the failure of the electronic means that prevents a person from participating. Prohibits a person adversely affected by a termination of a sale from appealing the decision because of an electronic means failure. Requires ASLD to include a link or other instructions in the notice of auction to access electronic means of bidding, if offered. Permits ASLD to prescribe the procedure, method and means for the sale of state lands, rather than requiring ASLD to fulfill prescribed attendance and procedural requirements to facilitate the bidding process. Requires ASLD to post a written report of the sale on its website. AS PASSED SENATE.

Actions

05/15/2024 S - Transmit to Senate

05/15/2024 H - PASSED - House Third Reading

05/14/2024 H - Hearing Scheduled - 05/15/2024 - Third Reading, Floor

04/24/2024 H - DPA - House Additional Committee of the Whole

04/24/2024 H - PASSED - House Motion to Ad COW

04/23/2024 H - Hearing Scheduled - 04/24/2024 - Additional Committee of the Whole, House Floor

04/01/2024 H - House Majority Caucus - Y

04/01/2024 H - House Minority Caucus - Y

04/01/2024 H - House Consent Calendar - Object: No

04/01/2024 H - C&P - House Rules

04/01/2024 H - Hearing Scheduled - 04/01/2024 - Third Reading, House Floor

04/01/2024 H - Hearing Scheduled - 04/02/2024 - Caucus, House Floor

04/01/2024 H - Hearing Scheduled - 04/01/2024 - Minority Caucus, House Floor

03/28/2024 H - Hearing Scheduled - 04/01/2024, 1:00 PM - House RULES, HHR 4

03/18/2024 H - DP - House Land, Agriculture & Rural Affairs

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/18/2024 - House LARA, HHR 3

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/12/2024 H - Referred to Committee - Rules - House Rules

03/05/2024 H - Transmit to House

03/05/2024 S - PASSED - Senate Third Reading

03/04/2024 S - DPA - Senate Committee of the Whole

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Third Reading, Senate Floor

03/01/2024 S - Hearing Scheduled - 03/04/2024 - Committee of the Whole, Senate Floor

02/20/2024 S - Senate Majority Caucus - Y

02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Senate Floor

02/19/2024 S - PFCA - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/25/2024 S - HELD - Senate Natural Resources, Energy and Water

01/19/2024 S - Hearing Scheduled - 01/25/2024, 9:00 AM - Senate NREW, SHR 2

01/17/2024 S - Senate 2nd Read

01/17/2024 S - Hearing Scheduled - 01/17/2024 - Second Reading, Senate Floor

01/16/2024 S - Senate 1st Read

01/16/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/16/2024 S - Referred to Committee - Rules - Senate Rules

01/16/2024 S - Hearing Scheduled - 01/16/2024 - First Reading, Senate Floor

01/12/2024 S - Introduced

SB1176 - Appropriation; Arizona trail fund

Sponsor

Sen. David Gowan (R)

Summary

Appropriates \$250,000 from the general fund in FY2024-25 to the to the Arizona Trail Fund for the Arizona Trail. Exempt from lapsing. AS PASSED SENATE.

Actions

03/25/2024 H - DPA/SE - House Appropriations

03/21/2024 H - Hearing Scheduled - 03/25/2024, 1:30 PM - House APPROP, HHR 1

03/20/2024 H - W/D - House Land, Agriculture & Rural Affairs

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/12/2024 H - Referred to Committee - Appropriations - House Appropriations

03/12/2024 H - Referred to Committee - Rules - House Rules

03/05/2024 H - Transmit to House

03/05/2024 S - PASSED - Senate Third Reading

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Third Reading, Senate Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Senate Consent Calendar - Object: No

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Senate Floor

02/12/2024 S - Hearing Scheduled - 02/12/2024 - Consent, Senate Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/06/2024 S - DP - Senate Appropriations

02/01/2024 S - DP - Senate Natural Resources, Energy and Water

01/31/2024 S - Hearing Scheduled - 02/06/2024, 2:00 PM - Senate APPROP, SHR 109

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Senate Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Appropriations - Senate Appropriations

01/23/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Senate Floor

01/18/2024 S - Introduced

SB1403 - Designated countries; land ownership; prohibition

Sponsor

Sen. Janae Shamp (R)

Summary

Prohibits a “foreign principal” (defined) from a “designated country” (defined) from, directly or indirectly, purchasing, owning, acquiring by grant or device, or having any other interest in real property in Arizona with listed exceptions regarding size, location, zoning, documentation, and status as a natural born person. Requires enforcement by the Arizona Attorney General. Requires the Superior Court, upon ascertaining that this legislation has been violated, to divest the person’s interest in the property. Exempts from liability under this Act a title insurer, title agent, escrow agent, or real estate licensee. Stipulates that this Act may not be the basis for a title insurance claim. AS PASSED SENATE.

Actions

04/24/2024 H - FAILED - House Third Reading

04/23/2024 H - Hearing Scheduled - 04/24/2024 - Third Reading, House Floor

04/17/2024 H - DPA - House Committee of the Whole

04/16/2024 H - Hearing Scheduled - 04/17/2024 - Committee of the Whole, House Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: Yes

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/18/2024 H - DP - House Land, Agriculture & Rural Affairs

03/14/2024 H - House 2nd Read

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, House Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, House Floor

03/13/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/12/2024 H - Hearing Scheduled - 03/18/2024 - House LARA, HHR 3

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Senate Floor

03/07/2024 S - DPA - Senate Committee of the Whole

03/07/2024 S - Senate Majority Caucus - Y

03/07/2024 S - Senate Minority Caucus - Y

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Committee of the Whole, Senate Floor

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Caucus, Senate Floor

03/04/2024 S - Senate Consent Calendar - Object: Yes

03/04/2024 S - PFC - Senate Rules

03/04/2024 S - Hearing Scheduled - 03/04/2024 - Consent, Senate Floor

03/01/2024 S - Hearing Scheduled - 03/04/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/14/2024 S - DP - Senate Military Affairs, Public Safety and Border Security

02/08/2024 S - Hearing Scheduled - 02/14/2024, 1:30 PM - Senate MAPS, SHR 2

01/31/2024 S - Senate 2nd Read

01/31/2024 S - Hearing Scheduled - 01/31/2024 - Second Reading, Senate Floor

01/30/2024 S - Senate 1st Read

01/30/2024 S - Referred to Committee - Military Affairs, Public Safety and Border Security - Senate Military Affairs, Public Safety and Border Security

01/30/2024 S - Referred to Committee - Rules - Senate Rules

01/30/2024 S - Hearing Scheduled - 01/30/2024 - First Reading, Senate Floor

01/25/2024 S - Introduced

SB1567 - Off-highway vehicles; education requirement

Sponsor

Sen. Sine Kerr (R)

Summary

Defines “motor vehicle” as any self-propelled vehicle and adds any vehicle operated on water to exclusions. Lists prohibitions for a minor under 12 years of age, between 12 and 16 years of age and someone under 18 operating an “off-highway vehicle” (defined) and prescribes penalties for doing so, including for the parents or guardians who allows those individuals to do so. Creates exclusions if the minor is a passenger and certain criteria are met. Requires a valid license to operate an off-highway vehicle per this legislation and prescribes penalties for violations. Requires the Arizona Department of Game and Fish (ADGF) to certify an off-highway vehicle safety education course that includes verification of completion. Requires that on January 1, 2025, proof of completion of that course is required before the Arizona Department of Transportation or ADGF may issue a resident or nonresident off-highway vehicle indicia per state law. Requires sharing of data between the two pertaining to the indices. Requires the ADGF to develop a report summarizing the program, class, implementation, public response and recommendations for legislation to the Governor and legislature by December 1, 2026. Self-repeals on June 1, 2027. AS PASSED SENATE.

Actions

04/10/2024 H - DP - House Committee of the Whole

04/09/2024 H - Hearing Scheduled - 04/10/2024 - Committee of the Whole, House Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: Yes

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DP - House Transportation & Infrastructure

03/14/2024 H - House 2nd Read

03/14/2024 H - Hearing Scheduled - 03/20/2024, 2:00 PM - House TI, HHR 3

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, House Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, House Floor

03/13/2024 H - Referred to Committee - Transportation & Infrastructure - House Transportation & Infrastructure

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Senate Floor

03/06/2024 S - DPA - Senate Committee of the Whole

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Senate Floor

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Senate Floor

03/05/2024 S - Senate Minority Caucus - Y

03/05/2024 S - Senate Majority Caucus - Y

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Caucus, Senate Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Transportation, Technology and Missing Children

02/12/2024 S - HELD - Senate Transportation, Technology and Missing Children

02/09/2024 S - Hearing Scheduled - 02/15/2024, 1:30 PM - Senate TTMC, SHR 2

02/06/2024 S - Senate 2nd Read

02/06/2024 S - Hearing Scheduled - 02/12/2024, 2:00 PM - Senate TTMC, SHR 2

02/06/2024 S - Hearing Scheduled - 02/06/2024 - Second Reading, Senate Floor

02/05/2024 S - Senate 1st Read

02/05/2024 S - Referred to Committee - Transportation, Technology and Missing Children - Senate Transportation, Technology and Missing Children

02/05/2024 S - Referred to Committee - Rules - Senate Rules

02/05/2024 S - Hearing Scheduled - 02/05/2024 - First Reading, Senate Floor

01/29/2024 S - Introduced



The Senate convened on Tuesday with plans to vote on a controversial ballot measure on border enforcement, but the schedule was derailed by one Republican's absence and another's opposition to the proposal.

Senator Ken Bennett's (R-Prescott) concerns include a provision that would affect the Deferred Action for Childhood Arrivals (DACA) program. Senator Justine Wadsack (R-Tucson) supports the ballot referral but was out of town for a family emergency.

Democrats oppose the proposal, which Governor Hobbs called a "budget-busting" policy. Senate President Warren Petersen (R-Gilbert) believes the ballot referral would make Arizona safer, but it can't pass the Senate without support from every member of his caucus.



Senators will likely have another opportunity to vote on the measure next week.

Lawmakers Approve Bills on Early Voting, Backyard Chickens

During its limited floor session this week, senators advanced bills that continue the Arizona Registrar of Contractors and other state entities for two years, but failed to pass a bill that would have altered state water laws.

The Senate Elections Committee narrowly approved a new proposal that would ask voters to enact changes to the state's election procedures and early voting options. Republicans say it will help Arizona get election results faster; Democrats assert it will cause confusion and make it harder to vote.

The House convened for one floor session and advanced 18 bills closer to the Governor's desk. House members gave bipartisan support to bills that require some municipalities to allow middle housing and accessory dwelling units on single-family residential properties, authorize legal action against someone who uses digital impersonation and deepfake recordings, bar local governments

from prohibiting chickens in backyards, alter the use of fingerprints and criminal history records, allow more sex trafficking victims to vacate prostitution convictions, and criminalize child enticement.

Republicans approved bills to expand School Tuition Organization eligibility and direct local government procedures for settlement agreements.

House members also honored former House Speaker Jim Weiers and voted to reopen future debate on a bill related to school safety.

What's Next?

The Senate plans to return to work on May 22 and the House is scheduled to reconvene on June 4. Legislative leaders continue to meet with the Governor's office for budget negotiations, but there's no sign of agreement yet, and policymakers may delay discussions on the extension of Proposition 123, which provides funding for education.

2024 Statistics

Bills Signed:	187
Bills Vetoed:	56
Ballot Referrals:	2

In the Elections

Tempe Democratic officials chose a new candidate for the 2024 elections. Several legislative seats will decide which party controls the Arizona House and Senate. It's time for debates.

In the Courts

The Arizona Supreme Court agreed to delay enforcement of the state's abortion ban for 90 days. A judge denied Republicans' challenge to the Election Procedures Manual. Legislative Republicans joined an effort to block EPA policies on clean vehicle standards and California laws on trucking fleets. The Governor isn't taking sides in an effort to remove judges.

In the News

DPS has a staffing shortage. The House Ethics Committee considered a complaint against two Democrats. AHCCCS marked one year of actions against fraudulent sober living facilities, as the state still faces administrative challenges, lawsuits, and legislative debates on the issue. Funding for School Tuition Organization (STO) tax credits decreased last year. Legislative Democrats hope to use campaign funds for child care. Governor Hobbs is part of a network of Democratic female governors.



CLARUS

Water

Enacted

Ch. 16, Laws 2024 (HB2016 - Grandfathered right; subsequent AMA; extension)

Sponsor

Rep. Gail Griffin (R)

Summary

A person claiming the right to withdraw or receive and use groundwater in the Douglas Active Management Area (AMA) under a grandfathered right is required to file an application for a certificate of grandfathered right with the Arizona Department of Water Resources no later than 21 months after the date of the designation of the AMA. Contains an Emergency Clause. Retroactive to March 1, 2024. AS SIGNED BY GOVERNOR.

Last Action

03/25/2024 G - Signed

Ch. 62, Laws 2024 (HB2055 - Underground water storage; permitting)

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Increases the number of days that the Arizona Department of Water Resources has to review applications for water storage at an underground storage facility to 180 days. Requires ADWR to issue a decision on the application within 100 days after notice of the application is given.. AS SIGNED BY GOVERNOR.

Last Action

04/02/2024 G - Signed

Ch. 118, Laws 2024 (HB2160 - Domestic water improvement districts; reviews)

Sponsor

Rep. Selina Bliss (R)

Summary

Excludes a Domestic Water Improvement District that serves a population of less than 10,000 residents, from annual and budget reporting and auditing requirement exemptions. AS SIGNED BY GOVERNOR.

Actions

04/09/2024 G - Signed

Ch. 137, Laws 2024 (HB2195 - On-site wastewater treatment facilities; permitting)

Sponsor

Rep. Laurin Hendrix (R)

Summary

Allows an on-site wastewater treatment facility to discharge under a general permit if the operation complies with existing permit rules, is operated by a technology manufacturer certified service provider, and has a design flow of 3,000 gallons or more per day but less than 75,000 gallons per day. Requires the Arizona Department of Environmental Quality (ADEQ) to require maintenance, monitoring, records keeping and reporting. Allows ADEQ to require adequate financial assurance for design flow that exceeds 50,000 gallons per day, or a site that has multiple on-site wastewater treatment facilities with a collective design flow of 50,000 gallons or more per day. Requires ADEQ to establish fees and deposit fees in the Water Quality Fee Fund. Requires ADEQ to transition a permittee's facility with 180 days after revised rules that are proposed after December 31, 2024, are effective. AS SIGNED BY GOVERNOR.

Actions

04/10/2024 G - Signed

Ch. 93, Laws 2024 (HB2369 - Dredge; fill; permits; clean up)

Sponsor

Rep. Gail Griffin (R)

Summary

Removes references to the Arizona Pollutant Discharge Elimination System Program as it pertains to the Arizona Game and Fish Department (AGFD) In-Lieu Fee Program Restoration Endowment Trust Fund. Removes the Arizona Department of Environmental Quality (ADEQ) as a partner as it pertains to projects funded by the AGFD In-Lieu Fee Program Restoration Endowment Trust Fund. Exempts state agencies from paying fees associated with covering costs of permits and inspections and removes the ability of the AGFD to formulate a permit program for the discharge of dredged or fill material into Waters of the United States (WOTUS.) AS SIGNED BY GOVERNOR

Actions

04/08/2024 G - Signed

Ch. 150, Laws 2024 (HB2628 - Department of environmental quality; omnibus)

Sponsor

Rep. Gail Griffin (R)

Summary

Makes various changes to statutes relating to the Arizona Department of Environmental Quality (ADEQ,) including the disposal of waste tires and associated regulations, permissions and processes, origin of the small drinking systems fund and cost control of the fund, the adoption of rules to establish criteria for a public water system to opt out of the monitoring assistance program, the criteria for determining which vehicles need to comply with minimum emissions standards and functional tests, the clarification of a closed solid waste facility. AS SIGNED BY GOVERNOR.

Actions

04/10/2024 G - Signed

Vetoed

HB2013 - Water improvements program; nonprofit corporations

Sponsor

Rep. Gail Griffin (R)

Summary

Nonprofit corporations are authorized to establish a water improvements program where persons may make donations for the purpose of providing financial assistance to owners of residential real property to make improvements to an existing drinking water well or to provide a water delivery system for the residence. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill does nothing to "move the needle" on groundwater management or to provide reforms rural communities need to address depletion of aquifers, and that she looks forward to working with the Arizona House and Senate to craft proposals that address water policy challenges in a holistic manner.

Last Action

04/02/2024 G - Vetoed

HB2019 - Groundwater model; public inspection; challenge

Sponsor

Rep. Gail Griffin (R)

Summary

The Arizona Department of Water Resources (ADWR) shall make available at no cost for public inspection any hydraulic modeling that the department uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply, including the hydraulic model's findings, conclusions, methods and assumptions. Requires the ADWR to post on the department's website any assumptions anticipated to be included in the modeling and shall invite public comment. on the expiration of the posting period, and to hold a public meeting to receive additional comments on the assumptions and shall post on the department's website all comments received and responses from the department. The ADWR shall include a statement with each comment that indicates if the comments resulted in an addition, modification, revision or deletion of the assumption, not less than ninety days before the department uses a new groundwater model for any purpose within an active management area. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill will create unnecessary bureaucratic processes that would delay further updates and release of information pertaining to hydrologic models and related information to the public, and that she looks forward to working with the House and Senate to craft a package of proposals that addresses the water-related challenges Arizona faces.

Last Action

04/02/2024 G - Vetoed

HB2027 - Subsequent AMAs; assured water supply

Sponsor

Rep. Gail Griffin (R)

Summary

Proposed subdivisions within a subsequent active management area located in a municipality or county that adopts an adequate water supply ordinance are not subject to the local adequate water supply ordinance. Any subdivision within a subsequent active water management area per state law, that has been issued an adequate water report by the Director of the Arizona Department of Water Resources before the effective date of a subsequent active management area, is exempt from the requirement of securing a Certificate of Assured Water Supply. Exempts counties from voting requirements by the Board of Supervisors pertaining to subdivided lands located outside of an Active Management Area if the county has adopted certain water supply ordinances and prescribes that an ordinance that references an Adequate Water Supply be treated as an Assured Water Supply as defined by state law. Contains an Emergency Clause. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that the legislation unnecessarily codifies a process that the Arizona

Department of Water Resources is undertaking in the Douglas Active Management Area and in any subsequent Active Management Areas, and that she looks forward to working with the House and Senate to craft a package that addresses Active Management Area policy challenges in a holistic manner.

Last Action

04/02/2024 G - Vetoed

HB2123 - Wells; water measuring devices; prohibition

Sponsor

Rep. Austin Smith (R)

Summary

Prohibits the state or a political subdivision from requiring a water measuring device for any well located in a basin or subbasin that contains a river system or source that is subject to general adjudication of water rights and the basin or subbasin is located outside of an Initial Active Management Area or outside an area where groundwater may be withdrawn and transferred pursuant to Arizona law. Stipulates that that the water measuring device requirement does not impede or impair the terms and conditions of a valid contract or settlement agreement, or the authority, actions and remedies available to a court of competent jurisdiction or Special Master in a general stream adjudication. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill sends a message that Arizona is uninterested in sound management of groundwater supplies, and contains technical, legal, and practical issues that would preclude the requirement for measuring devices in certain Irrigation Non-Expansion Areas, and may prevent cities, towns, or irrigation districts from requiring measuring devices on water withdrawn from their own lands and jurisdictions.

Last Action

04/02/2024 G - Vetoed

HB2184 - Brackish groundwater pilot program

Sponsor

Rep. Austin Smith (R)

Summary

Stipulates that brackish groundwater desalination demonstration program funds, matching funds and associated activities apply to the entire state. Directs the pilot program's location be determined by the Department of Water Resources. Directs that the central Arizona project receive matching funds contingent to the amount it contributes to Brackish Groundwater Desalination projects within Active Management Areas. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill would alter the 2024 General Appropriations Act and should be considered in the full context of budget discussions, not as a stand-alone bill.

Last Action

04/02/2024 G - Vetoed

SB1343 - Agency review; rules; automatic expiration

Sponsor

Sen. Warren Petersen (R)

Summary

Requires the use of actual impacts and costs from the last five years, rather than only using estimated impacts and costs, as the basis for any calculation made by an agency to prepare its report analyzing the effectiveness of its rules. Requires automatic expiration of any rule regarding occupational licensure at the conclusion of the five-year review unless the agency performs the required review and readopts the code chapter, publishes an evaluation of the burdens on similar occupational licenses in states that border Arizona, justifies any instance where Arizona imposes a greater burden, and publishes a report on the agency's website with analyses and responses to public comments. Automatic expiration does not apply to rules that are required to comply with federal law or to receive federal monies. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that the rulemaking process that state agencies follow is rigorous, transparent, and essential to allowing the state government to function and serve Arizonans.

Last Action

04/02/2024 G - Vetoed

HB2063 - Exempt wells; certificate; groundwater use

Sponsor

Rep. Gail Griffin (R)

Summary

Limits an exempt well registered with the Department of Water Resources to withdraw no more than 35 gallons per minute and requires the Director of the department to issue each groundwater user that registers an exempt well a certificate of water rights. Stipulates that a groundwater user may not appropriate sub flow or surface water and that withdrawn water is not exempt from a general stream adjudication and that decreed or appropriative rights, surface water, water subject to appropriation, and general adjudication of water rights as defined per state law. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill serves no water management purpose and would divert meaningful functions of this critical agency to unnecessary paperwork.

Actions

04/30/2024 G - Vetoed

HB2124 - Agricultural operations; water; protection; definition

Sponsor

Rep. Austin Smith (R)

Summary

Adds water use by an owner, lessee, agent, independent contractor, and supplier on any facility used for the production of crops, livestock, poultry, livestock and poultry products for the purposes of agritourism to the definition of "Agricultural Operations" (defined.) Allows a court to award reasonable costs and legal fees in a lawsuit deemed to be a nuisance action if the action was filed to take or reduce the water use by the other party. Adds a definition of "public nuisance" (defined) and strikes the option of the Arizona Attorney General to bring an action to superior court to abate, enjoin or prevent a public nuisance activity as defined by state law. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that water policy needs to be addressed in a holistic manner that provides real solutions for the challenges the state faces.

Actions

04/30/2024 G - Vetoed

SB1153 - Regulatory costs; rulemaking; legislative ratification

Sponsor

Sen. Anthony Kern (R)

Summary

Requires an agency to submit a proposed rule that will increase regulatory costs in the state by more than \$100,000 within five years of its implementation to the Arizona Office of Economic Opportunity (AOEO) for review. Requires the AOEO to submit the proposed rule to the Administrative Rules Oversight Committee no later than 30 days before the next regular legislative session and the Committee to submit the proposed rule to the legislature as soon as is practicable. Permits any member of the legislature to introduce the rule and exempts the rule from provisions covered under time and manner of rulemaking laws. Prohibits an agency from filing a final rule with the Secretary of State before obtaining legislative approval and if the legislature does not ratify the proposed rule in that legislative session, the agency is required to terminate the proposed rule by publishing a Notice of Termination in the register. Permits a person regulated by an Agency proposing a rule, or any state legislator, to request review by the AOEO. Exempts emergency rules and the Corporation Commission. All rules that fall into this classification of rules are determined upon the effective date of this bill to be void and unenforceable without legislative ratification. . AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill would create an unnecessary burden on state agencies that would inhibit their ability to carry out their mission in a timely manner.

Actions

04/16/2024 G - Vetoed

SB1289 - DWR; hydrology reports

Sponsor

Sen. Jake Hoffman (R)

Summary

Requires that 30 days before issuing a report on the hydrologic conditions of an Active Management Area, or a related report, the Governor and the Arizona Department of Water Resources are to submit

a copy of the report to the members of the Natural Resources, Energy and Water Committees of the legislature, or their successor committees. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that this bill needlessly creates unnecessary paperwork and bureaucracy that will interfere with the core mission of the Arizona Department of Water Resources, and she further stressed that water policy needs to be addressed in a holistic manner that addresses challenges Arizona faces.

Actions

04/16/2024 G - Vetoed

Bills in Progress

HB2006 - Real estate; acting in concert

Sponsor

Rep. Gail Griffin (R)

Summary

A well share agreement, road maintenance agreement, or use of the same licensed contractor or registered technical professional for a county of less than 500,000 people alone are not sufficient to constitute unlawful acting in concert for the purpose of avoiding land division regulations. AS PASSED HOUSE.

Actions

04/17/2024 S - DPA - Senate Additional Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Additional Committee of the Whole, Senate Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Additional Committee of the Whole, Senate Floor

03/28/2024 S - PASSED - Senate Motion to Reconsider Third

03/27/2024 H - PASSED - House Miscellaneous Motion

03/26/2024 S - PASSED - Senate Miscellaneous Motion

03/25/2024 H - Transmit to House

03/25/2024 S - PASSED - Senate Third Reading

03/22/2024 S - Hearing Scheduled - 03/25/2024 - Third Reading, Senate Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: No

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Senate 2nd Read

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Second Reading, Senate Floor

02/26/2024 S - Senate 1st Read

02/26/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/26/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Hearing Scheduled - 02/26/2024 - First Reading, Senate Floor

02/20/2024 S - Transmit to Senate

02/20/2024 H - PASSED - House Third Reading

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, House Floor

02/12/2024 H - DPA - House Additional Committee of the Whole

02/12/2024 H - PASSED - House Motion to Ad COW

02/12/2024 H - PASSED - House Additional Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Additional Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: No

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, House Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2007 - Subdivided lands; civil penalties

Sponsor

Rep. Gail Griffin (R)

Summary

The civil penalty for a subdivider or real estate agent who violates regulations on subdivided land is up to \$2,000 for each lot where a violation occurs, instead of up to \$2,000 for “each infraction” where a single infraction could concern more than one lot in a subdivision. AS PASSED HOUSE.

Actions

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Senate Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Senate Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/15/2024 S - Transmit to Senate

02/15/2024 H - PASSED - House Third Reading

02/14/2024 H - Hearing Scheduled - 02/15/2024 - Third Reading, House Floor

02/12/2024 H - DP - House Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, House Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2008 - Commercial; industrial; conservation requirements; rules

Sponsor

Rep. Gail Griffin (R)

Summary

By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to modify the fourth and fifth management plans adopted pursuant to state law, including conservation requirements for industrial uses that are within and outside the service area of a designated service provider and that meet stated criteria. Prohibits any requirement that a person who uses water for an industrial use must obtain a certificate of assured water supply, enroll as a member land in a multi-county water conservation district or otherwise meet replenishment

obligations. Stipulates that conservation requirements adopted pursuant to this legislation must include on-site water reuse, recycling and efficiency requirements. AS PASSED HOUSE.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/13/2024 H - RET ON CAL - House Committee of the Whole

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2009 - Real estate; subdivisions; employment agreements (Subdivisions; acting in concert)

Sponsor

Rep. Gail Griffin (R)

Summary

It is unlawful for a person or group of persons acting in concert to attempt to avoid subdivision laws by acting in concert to divide a parcel of land into six or more lots by using a series of owners or conveyances within a 10-year period, instead of over any time period. AS PASSED HOUSE.

Actions

05/08/2024 S - FAILED - Senate Miscellaneous Motion

05/08/2024 S - DPA - Senate Committee of the Whole

05/07/2024 S - Hearing Scheduled - 05/08/2024 - Committee of the Whole, Floor

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Senate Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Senate Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Senate Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/14/2024 S - Transmit to Senate

02/14/2024 H - PASSED - House Third Reading

02/13/2024 H - Hearing Scheduled - 02/14/2024 - Third Reading, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: No

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, House Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, House Floor

11/20/2023 H - Introduced

HB2014 - Water infrastructure; bonds (Wells; intention to drill; appropriation)

Sponsor

Rep. Gail Griffin (R)

Summary

Adds refunding "other" Arizona Water Infrastructure Finance Authority (Authority) obligations in addition to long-term water augmentation bonds as reason for the Authority to issue long-term water augmentation bonds. Adds a bond trustee to the list of individuals the Authority may authorize to hold pledged, assigned or in trust funds for various purposes related to the administration of any long-term water augmentation bonds. AS PASSED SENATE.

Actions

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Third Reading, Senate Floor

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Senate Floor

04/03/2024 S - DPA - Senate Committee of the Whole

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Senate Floor

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, House Floor

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, House Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/07/2024 H - DPA - House Appropriations

02/01/2024 H - Hearing Scheduled - 02/07/2024, 2:00 PM - House APPROP, HHR 1

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Appropriations - House Appropriations

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/21/2023 H - Introduced

HB2017 - Assured water supply; commingling

Sponsor

Rep. Gail Griffin (R)

Summary

For the purposes of determining sufficient groundwater, surface water or effluent of adequate quality will be continuously available to satisfy the water need of the proposed use, the Director of the Arizona Department of Water Resources shall consider any type of water or sources of water or sources of the supply dedicated to the proposed use regardless of whether the water is distributed through a water delivery system that is commingled with other sources or water supply. Prevents the director from requiring a subdivider that applies for a certificate of assured water supply or a commitment of water service from a water provider designated as having an assured water supply to procure or dedicate a source of supply that exceeds one hundred percent of the water needed to meet the subdivider's proposed use. AS PASSED HOUSE

Actions

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Senate Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/29/2024 S - DP - Senate Natural Resources, Energy and Water

02/23/2024 S - Hearing Scheduled - 02/29/2024, 1:00 PM - Senate NREW, SHR 2

02/20/2024 S - Senate 2nd Read

02/20/2024 S - Hearing Scheduled - 02/20/2024 - Second Reading, Senate Floor

02/19/2024 S - Senate 1st Read

02/19/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/19/2024 S - Referred to Committee - Rules - Senate Rules

02/19/2024 S - Hearing Scheduled - 02/19/2024 - First Reading, Senate Floor

01/29/2024 S - Transmit to Senate

01/29/2024 H - PASSED - House Third Reading

01/26/2024 H - Hearing Scheduled - 01/29/2024 - Third Reading, House Floor

01/25/2024 H - DPA - House Committee of the Whole

01/24/2024 H - Hearing Scheduled - 01/25/2024 - Committee of the Whole, House Floor

01/23/2024 H - House Minority Caucus - Y

01/23/2024 H - House Majority Caucus - Y

01/23/2024 H - Hearing Scheduled - 01/23/2024 - Minority Caucus, House Floor

01/22/2024 H - C&P - House Rules

01/22/2024 H - Hearing Scheduled - 01/23/2024 - Caucus, House Floor

01/19/2024 H - Hearing Scheduled - 01/22/2024, 1:00 PM - House RULES, HHR 4

01/16/2024 H - DPA - House Natural Resources, Energy & Water

01/10/2024 H - Hearing Scheduled - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2020 - Long-term storage; stormwater; rainwater; rules

Sponsor

Rep. Gail Griffin (R)

Summary

A person that develops or plans to develop infrastructure in an active management area that results in increased natural, incidental or artificial recharge to the groundwater basin is entitled to earn and hold long-term storage credits in an amount not to exceed the level of increased recharge or projected

increased recharge of a groundwater basin. On or before January 1, 2025, the director shall adopt rules that promote new construction of facilities that are eligible to earn long-term storage credits. Contains criteria and rules for long-term storage credit eligibility. A person that applies for long-term storage credits under this law is exempt from certain permitting requirements. AS PASSED HOUSE.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, House Floor

02/12/2024 H - House Consent Calendar - Object: No

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Third Reading, House Floor

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, House Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2022 - Conservation easements; maintenance; weeds

Sponsor

Rep. Gail Griffin (R)

Summary

The holder of a conservation easement is required to keep the conservation easement property free of “noxious weeds,” Russian thistles and “blowing dust that creates a threat to health or safety.” AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2023 - Land divisions; disclosure affidavit; recording

Sponsor

Rep. Gail Griffin (R)

Summary

Makes a series of changes to the affidavit required to by law to be filled out and recorded with the deed to the property impacted by the sale. The changes include requiring the disclosure of the water hauling company name, phone number and water supply that services the property if applicable; removes the disclosure noting that the buyer is responsible for verifying the proper replacement and disposal of any applicable solar energy devices; adds a section requiring disclosure of any battery energy storage devices and, if applicable, the company leasing the storage devices; adds a note that it is unlawful for a person or group to attempt to avoid subdivision laws by attempting to divide a property parcel into six or more lots and notes investigation and enforcement responsibility; requires disclosure of whether the seller is a trustee in a trustee's sale, a person conducting an execution sale or mortgage foreclosure or a personal representative of an estate and information is unknown to the seller. Requires the seller, if they are a trustee of a subdivision trust, to provide a disclosure affidavit as required by this section of law. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

02/27/2024 S - Senate 2nd Read

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Second Reading, Senate Floor

02/26/2024 S - Senate 1st Read

02/26/2024 S - Referred to Committee - Government - Senate Government

02/26/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Hearing Scheduled - 02/26/2024 - First Reading, Senate Floor

02/22/2024 S - Transmit to Senate

02/21/2024 H - PASSED - House Third Reading

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DPA - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, House Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2024 - Lottery; on-farm irrigation efficiency fund

Sponsor

Rep. Gail Griffin (R)

Summary

After appropriations and deposits have been made, \$50,000,000 of the funds left in the Arizona State Lottery Fund in FYs 2024-2025 and 2025-2026 will be deposited into the On-Farm Irrigation Efficiency Fund. AS PASSED HOUSE.

Actions

03/26/2024 S - DP - Senate Appropriations

03/20/2024 S - Hearing Scheduled - 03/26/2024, 2:00 PM - Senate APPROP, SHR 109

03/07/2024 S - DP - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - Senate 2nd Read

02/29/2024 S - Hearing Scheduled - 02/29/2024 - Second Reading, Senate Floor

02/28/2024 S - Senate 1st Read

02/28/2024 S - Referred to Committee - Appropriations - Senate Appropriations

02/28/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/28/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Hearing Scheduled - 02/28/2024 - First Reading, Senate Floor

02/22/2024 S - Transmit to Senate

02/22/2024 H - PASSED - House Third Reading

02/21/2024 H - DP - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, House Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Consent Calendar - Object: Yes

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/19/2024 H - DP - House Appropriations

02/15/2024 H - Hearing Scheduled - 02/19/2024, 1:30 PM - House APPROP, HHR 1

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Appropriations - House Appropriations

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

11/30/2023 H - Introduced

HB2030 - Cities; towns; water service; audit

Sponsor

Rep. Gail Griffin (R)

Summary

Municipalities with a population of more than 240,000 that has a designation of assured water supply and is located within an initial active water management area are required to hire an independent auditor to conduct a full rate audit and cost-of-service study of the municipalities water and sewer service if the city meets the requirements outlined in the bill. Requirements include having entered into a contract or subcontract with the Central Arizona Project; participated in an intentional created surplus program; received federal monies for voluntary conservation measures for the Colorado River; sold long-term storage credits using effluent generated within the municipalities water service area. Outlines the requirements of the audit and cost-of-service study. Requires the municipalities to submit a copy of their auditor's reports to the governor, legislature and secretary of state. This section will expire on January 1, 2027. AS PASSED HOUSE.

Actions

04/17/2024 S - PASSED - Senate Motion to Reconsider Third

04/10/2024 S - FAILED - Senate Third Reading

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Senate Floor

04/03/2024 S - DP - Senate Committee of the Whole

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Senate Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

12/06/2023 H - Introduced

HB2060 - Irrigation non-expansion area; substitution; acres

Sponsor

Rep. Gail Griffin (R)

Summary

Allows an owner of acreage in an irrigation non-expansion area to permanently retire acreage that may legally be irrigated and substitute that acreage's associated water for any end use, provided the owner demonstrates that the use of that water does not result in a net increase of groundwater withdrawal in the non-expansion area. The Director of the Arizona Department of Water Resources may not require a net groundwater usage reduction as a requirement of approval of an application to make the substitution of acreage. AS PASSED HOUSE.

Actions

03/19/2024 S - Senate Majority Caucus - Y

03/19/2024 S - Senate Minority Caucus - Y

03/18/2024 S - Hearing Scheduled - 03/19/2024 - Caucus, Senate Floor

03/18/2024 S - PFC - Senate Rules

03/15/2024 S - Hearing Scheduled - 03/18/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 2nd Read

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Second Reading, Senate Floor

03/06/2024 S - Senate 1st Read

03/06/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/06/2024 S - Referred to Committee - Rules - Senate Rules

03/06/2024 S - Hearing Scheduled - 03/06/2024 - First Reading, Senate Floor

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, House Floor

02/12/2024 H - House Consent Calendar - Object: No

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Third Reading, House Floor

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, House Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

12/19/2023 H - Introduced

HB2062 - Assured water supply; certificate; model

Sponsor

Rep. Gail Griffin (R)

Summary

Requires the Department of Water Resources to review assured water supply applications and issue a written determination of action within 15 days of receipt of an application for an assured water supply upon request of the applicant, if the application is for the Phoenix active management area, was submitted between January 26, 2021 and May 31, 2023, and the applicant has not received a certificate of assured water supply or had an application denied. Requires the Department of Water Usage to use the 2006-2009 Salt River valley regional model, or the 2006 Lower Hassayampa Sub-Basin groundwater flow model, and financial information submitted by the applicant, and notify all eligible applicants of the ability to have determinations of assured water supply reviewed within five days of the bill being enacted. Imposes a 90-day window from enactment of the bill for applicants to request a review and stipulates that the section is repealed effective January 1, 2025. Contains an Emergency Clause. AS PASSED HOUSE.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DPA - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

12/19/2023 H - Introduced

HB2097 - Gray water; definition; residential standards

Sponsor

Rep. Barbara Parker (R)

Summary

Stipulates that zoning requirements may not extend beyond existing provisions governing the use of gray water and the users of gray water, provided each is in compliance with existing law. Prohibits any ordinance that prevents, restricts or regulates the use or occupation of land, including improvements, related to gray water that is in compliance with existing gray water rules, regulations and statutes. Amends permitting exclusions to include gray water system development, repairs and improvements not exceeding \$500 in cost. Defines “composting toilets” and gray water. Excludes wastewater from a kitchen sink that has a garbage disposal, flush toilets or wastewater contaminated by soiled diapers and redefines “on-site wastewater treatment facility” (more) AS PASSED HOUSE.

Actions

04/17/2024 S - DPA - Senate Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Committee of the Whole, Senate Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Senate Floor

04/02/2024 S - RETAINED - Senate Committee of the Whole

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Committee of the Whole, Senate Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/07/2024 S - DPA - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - HELD - Senate Natural Resources, Energy and Water

02/23/2024 S - Hearing Scheduled - 02/29/2024, 1:00 PM - Senate NREW, SHR 2

02/20/2024 S - Senate 2nd Read

02/20/2024 S - Hearing Scheduled - 02/20/2024 - Second Reading, Senate Floor

02/19/2024 S - Senate 1st Read

02/19/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/19/2024 S - Referred to Committee - Rules - Senate Rules

02/19/2024 S - Hearing Scheduled - 02/19/2024 - First Reading, Senate Floor

02/13/2024 S - Transmit to Senate

02/13/2024 H - PASSED - House Third Reading

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Third Reading, House Floor

01/30/2024 H - House Majority Caucus - Y

01/30/2024 H - House Minority Caucus - Y

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Minority Caucus, House Floor

01/29/2024 H - House Consent Calendar - Object: No

01/29/2024 H - C&P - House Rules

01/29/2024 H - Hearing Scheduled - 01/29/2024 - Third Reading, House Floor

01/29/2024 H - Hearing Scheduled - 01/30/2024 - Caucus, House Floor

01/26/2024 H - Hearing Scheduled - 01/29/2024, 1:00 PM - House RULES, HHR 4

01/23/2024 H - DP - House Natural Resources, Energy & Water

01/17/2024 H - Hearing Scheduled - 01/23/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, House Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, House Floor

12/27/2023 H - Introduced

HB2101 - Land division; applicant submissions; review

Sponsor

Rep. Gail Griffin (R)

Summary

Requires at the time of applying for a permit for new construction of a residential, single-family home, the applicant must identify ownership interest in the property that is the subject of the permit. Allows a county to enforce an applicable ordinance or code provision that affects public health or safety in the event of a person constructing a building or addition to a building without obtaining a building permit and then selling that property to a subsequent owner. Stipulates that an application for division of land shall be approved if an owner answers two new questions pertaining to land ownership and ownership interests, and sales of said land over the last 10 years. AS PASSED HOUSE.

Actions

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Senate Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Senate Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Senate Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Senate Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Senate Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/15/2024 S - Transmit to Senate

02/15/2024 H - PASSED - House Third Reading

02/14/2024 H - Hearing Scheduled - 02/15/2024 - Third Reading, House Floor

02/12/2024 H - DPA - House Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Consent COW, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DPA - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, House Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, House Floor

01/02/2024 H - Introduced

HB2127 - Assured water supply certificate; effluent

Sponsor

Rep. Gail Griffin (R)

Summary

Permits an applicant for a Certificate of Assured Water Supply for a proposed subdivision in the Tucson, Phoenix, Prescott or Santa Cruz Active Management Area to use effluent projected to be produced by the subdivision provided the application indicates the proposed subdivision will use all effluent produced by the subdivision, the applicant may use it to demonstrate physical availability and consistency with the management plan and the Director shall deem that there is sufficient

groundwater to be consistent with the Active Management Area's management plan, and if the applicant enrolls as a member land pursuant to ARS 48-3774 and all projected effluent produced by the subdivision will be recharged in the same subbasin where the subdivision is located, the Director shall grant a Certificate of Assured Water Supply.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, House Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, House Floor

01/04/2024 H - Introduced

HB2201 - Groundwater; credit; transportation; turf; designation (Harquahala non-expansion area; groundwater transportation)

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Permits the transportation of groundwater withdrawn in Harquahala Irrigation Non-Expansion Area to an Initial Active Management Area if the groundwater is withdrawn by a public service corporation and the cost of the withdrawal and transport are covered by the customers of the corporation where the groundwater is used, the eligible entity has performed a hydrological study, has installed water measuring devices, and the eligible entity has submitted a monthly report to the Arizona Department of Water Resources (DWP) covering the amount of water withdrawn and transported and the destination of the transported groundwater. Enables the State, subdivision of the State and public service corporation regulated by a corporation commission that possesses a Certificate of Conveyance and Necessity for water service in the Initial Active Management Area. Directs the DWP to adopt rules to govern withdrawal and transportation and reporting procedures for groundwater withdrawn. Enables Initial Active Management Area entities, the Arizona Water Baking Authority, or any location in La Paz County to withdrawal and transport water from the Harquahala Irrigation Non-Expansion Area. Exempts the DWP from rule making requirements for one year after the effective date and defines required reports by the DWP. AS PASSED HOUSE.

Actions

05/14/2024 S - PASSED - Senate Motion to Reconsider Third

05/14/2024 S - FAILED - Senate Third Reading

05/14/2024 S - FAILED - Senate Miscellaneous Motion

05/14/2024 S - DPA - Senate Additional Committee of the Whole

05/14/2024 S - Hearing Scheduled - 05/14/2024 - Third Reading, Floor

05/13/2024 S - Hearing Scheduled - 05/14/2024 - Additional Committee of the Whole, Floor

04/02/2024 S - DPA - Senate Committee of the Whole

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Committee of the Whole, Senate Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/18/2024 S - PFC - Senate Rules

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Transmit to Senate

02/26/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, House Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, House Floor

01/09/2024 H - Introduced

HB2368 - Transportation; groundwater; Douglas AMA

Sponsor

Rep. Gail Griffin (R)

Summary

Permits an owner of a well located in the upper San Pedro groundwater basin, or a private water company a certificate of convenience and necessity issues by the Arizona Corporation Commission (ACC) to provide water services for a municipal purpose within the Douglas Active Management Area as of the effective date of this legislation to annually withdrawal groundwater from the Upper San Pedro Groundwater Basin for transportation to the Douglas Active Management Area. Requires, 30 days after the effective date of this legislation or 30 days before the groundwater withdrawal, the well owner to submit to the Department of Water Resources (ADWR) proof of withdrawal and transport, or plans to do both, purpose for transport with evidence, proof of a certificate of convenience and necessity if needed and the total amount withdrawn. Requires that the total amount of groundwater a private water company can transport from the upper San Pedro Groundwater Basin to the Douglas Active Management Area may not exceed the annual amount of ground order that the private water company transported before December 1, 2022. AS PASSED HOUSE.

Actions

04/24/2024 S - DP - Senate Committee of the Whole

04/23/2024 S - Hearing Scheduled - 04/24/2024 - Committee of the Whole, Senate Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Senate Floor

03/25/2024 S - PFC - Senate Rules

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Senate Floor

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/18/2024 S - PFC - Senate Rules

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, House Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, House Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, House Floor

01/10/2024 H - Introduced

HB2471 - Rulemaking; legislative approval

Sponsor

Rep. Cory McGarr (R)

Summary

Permits the legislature to reject a Governor's Regulatory Review Council approved rule by concurrent resolution and if that happens, the rule is void. AS PASSED HOUSE.

Actions

03/21/2024 S - DPA/SE - Senate Government

03/21/2024 S - DPA - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

03/11/2024 S - Senate 2nd Read

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Second Reading, Senate Floor

03/07/2024 S - Senate 1st Read

03/07/2024 S - Referred to Committee - Government - Senate Government

03/07/2024 S - Referred to Committee - Rules - Senate Rules

03/07/2024 S - Hearing Scheduled - 03/07/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - DPA - House Committee of the Whole

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/31/2024 H - DP ON RECON - House Regulatory Affairs

01/31/2024 H - DP - House Regulatory Affairs

01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House RA, HHR 5

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, House Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, House Floor

01/11/2024 H - Introduced

HB2589 - Assured water supply; analysis; availability

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Requires the Arizona Department of Water Resources (ADWR) to accept an “analysis” (defined) as a valid demonstration of physical availability for the volume of groundwater stated in the analysis after reducing the volume of groundwater by all certifications of assured water supply if the ADWR issues the analysis before May 31, 2023, the analysis has not expired and the analysis includes a determination of physical availability of groundwater. Requires the ADWR to issue certificates of assured water supply that is reliant on an analysis pursuant to this legislation to use the water demand assumption in use when the application was submitted and when the certificate is issued, the analysis be reduced by the volume of groundwater using the same demand assumption used when the analysis was issued, and for that analysis and results to be available for further subdivision development. AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/22/2024 H - DPA - House Additional Committee of the Whole

02/22/2024 H - PASSED - House Motion to Ad COW

02/21/2024 H - DPA - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Additional Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, House Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, House Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DPA - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, House Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, House Floor

01/11/2024 H - Introduced

HB2647 - Physical availability credits; water supply.

Sponsor

Rep. Austin Smith (R)

Summary

Permits a person with a grandfathered right to legally irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit and outlines where and how that credit may be used per state law. Defines the calculation that must be used to determine the amount of groundwater that may be withdrawn or received. Defines the process of determining whether to issue a Certificate of Assured Water Supply to designate or redesignate a municipal provider as having an assured water supply, and the criteria the Arizona Department of Water Resources (ADWR) may use to make such a determination. Delineates the parts of the ARS that govern administrative proceedings, re-hearings, reviews and judicial reviews of final decisions per the ADWR. Removes the date deadline for the rules providing for a reduction in water demand for an application for a designation of assured water supply or a certificate for the same. Requires the ADWR to find that for an assured water supply designation, the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with any applicable management goals set forth in the ADWR rules or state law. AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Senate Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 2nd Read

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Second Reading, Senate Floor

03/06/2024 S - Senate 1st Read

03/06/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/06/2024 S - Referred to Committee - Rules - Senate Rules

03/06/2024 S - Hearing Scheduled - 03/06/2024 - First Reading, Senate Floor

03/04/2024 S - Transmit to Senate

03/04/2024 H - PASSED - House Third Reading

03/04/2024 H - DPA - House Committee of the Whole

03/01/2024 H - Hearing Scheduled - 03/04/2024 - Committee of the Whole, House Floor

03/01/2024 H - Hearing Scheduled - 03/04/2024 - Third Reading, House Floor

02/29/2024 H - RET ON CAL - House Committee of the Whole

02/28/2024 H - Hearing Scheduled - 02/29/2024 - Committee of the Whole, House Floor

02/27/2024 H - RET ON CAL - House Committee of the Whole

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Committee of the Whole, House Floor

02/22/2024 H - RET ON CAL - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Committee of the Whole, House Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: Yes

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/31/2024 H - Removed from Hearing Agenda - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - House 2nd Read

01/24/2024 H - Hearing Scheduled - 01/24/2024 - Second Reading, House Floor

01/23/2024 H - House 1st Read

01/23/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/23/2024 H - Referred to Committee - Rules - House Rules

01/23/2024 H - Hearing Scheduled - 01/23/2024 - First Reading, House Floor

01/18/2024 H - Introduced

HCR2040 - Public monies; prohibited expenditures

Sponsor

Rep. Austin Smith (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution. AS PASSED HOUSE.

Actions

03/14/2024 S - DP - Senate Judiciary

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate JUD, SHR 1

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Judiciary - Senate Judiciary

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/14/2024 H - DPA - House Municipal Oversight & Elections

02/08/2024 H - Hearing Scheduled - 02/14/2024, 2:00 PM - House MOE, HHR 4

02/01/2024 H - Removed from Hearing Agenda - 02/07/2024, 2:00 PM - House MOE, HHR 4

02/01/2024 H - Hearing Scheduled - 02/07/2024, 2:00 PM - House MOE, HHR 4

01/30/2024 H - House 2nd Read

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Second Reading, House Floor

01/29/2024 H - House 1st Read

01/29/2024 H - Referred to Committee - Municipal Oversight & Elections - House Municipal Oversight & Elections

01/29/2024 H - Referred to Committee - Rules - House Rules

01/29/2024 H - Hearing Scheduled - 01/29/2024 - First Reading, House Floor

01/22/2024 H - Introduced

HCR2051 - Rural communities; groundwater; tools

Sponsor

Rep. Gail Griffin (R)

Summary

Directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Senate Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Senate Floor

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, House Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, House Floor

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, House Floor

02/01/2024 H - Introduced

HCR2052 - Rulemaking; legislative authority (Rulemaking; legislative approval)

Sponsor

Rep. Cory McGarr (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend Arizona Revised Statutes to allow the legislature to reject by concurrent resolution any rule approved by the Governor's Regulatory and if a rule is rejected, it is void. AS PASSED HOUSE.

Actions

03/13/2024 S - DP - Senate Government

03/07/2024 S - Hearing Scheduled - 03/13/2024, 9:00 AM - Senate GOV, SHR 1

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Senate Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Government - Senate Government

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Senate Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, House Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, House Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/14/2024 H - DPA/SE - House Regulatory Affairs

02/08/2024 H - House 2nd Read

02/08/2024 H - Hearing Scheduled - 02/14/2024 - House RA, HHR 5

02/08/2024 H - Hearing Scheduled - 02/08/2024 - Second Reading, House Floor

02/06/2024 H - House 1st Read

02/06/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

02/06/2024 H - Referred to Committee - Rules - House Rules

02/06/2024 H - Hearing Scheduled - 02/06/2024 - First Reading, House Floor

02/01/2024 H - Introduced

SB1041 - Groundwater savings certificate; assured water

Sponsor

Sen. Jake Hoffman (R)

Summary

Requires a Groundwater Savings Certificate (defined) issued by the Arizona Department of Water Resources (ADWR) for anyone proposing to offer subdivided lands for sale or lease before presenting the subdivision plan for approval. Requires the certificate be obtained before any filings with the Arizona State Real Estate Commissioner of a notice to offer the subdivision for sale or lease. Requires a city, town or county to only prove a subdivision if the Groundwater Savings Certificate is present, or the applicant has secured a written commitment for water service for the subdivision from a city, town or private water company designated as having an assured water supply. Requires ADWR to designate private water companies in Active Management Areas that have an assured water supply or a Groundwater Savings Certificate. Requires rules to be drafted for an application for a Groundwater Savings Certificate if a gray water system will be installed and meets all gray water environmental requirements. Adds to the meaning of "groundwater savings certificate" that the projected groundwater use is consistent with the management plan and achievement of the management goal for the active management area, the projected groundwater will be of adequate quality to satisfy the proposed water needs, and the applicant or a groundwater replenishment district has demonstrated sufficient financial capability to deliver the necessary water of adequate quality. AS PASSED BY SENATE.

Actions

04/03/2024 H - RET ON CAL - House Committee of the Whole

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA - House Natural Resources, Energy & Water

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 2nd Read

03/12/2024 H - HELD - House Natural Resources, Energy & Water

03/06/2024 H - Hearing Scheduled - 03/12/2024, 2:00 PM - House NREW, HHR 1

03/04/2024 H - House 1st Read

03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/04/2024 H - Referred to Committee - Rules - House Rules

03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, House Floor

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Senate Floor

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - RETAINED - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Senate Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Senate Floor

02/20/2024 S - Senate Majority Caucus - Y

02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Senate Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/10/2024 S - Senate 2nd Read

01/10/2024 S - Hearing Scheduled - 01/10/2024 - Second Reading, Senate Floor

01/09/2024 S - Senate 1st Read

01/09/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/09/2024 S - Referred to Committee - Rules - Senate Rules

01/09/2024 S - Hearing Scheduled - 01/09/2024 - First Reading, Senate Floor

01/04/2024 S - Introduced

SB1056 - Groundwater replenishment; areas; member lands (Municipalities; counties; fee increases; vote)

Sponsor

Sen. Warren Petersen (R)

Summary

Prohibits a common council of a municipality from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the common council of the municipality. Prohibits the Board of Supervisors of a County from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the Board of Supervisors of the county.

Actions

05/01/2024 H - DPA - House Committee of the Whole

05/01/2024 H - Hearing Scheduled - 05/01/2024 - Committee of the Whole, Floor

04/30/2024 H - Hearing Scheduled - 05/01/2024 - Committee of the Whole, House Floor

04/02/2024 H - RET ON CAL - House Committee of the Whole

04/01/2024 H - Hearing Scheduled - 04/02/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DPA/SE - House Judiciary

03/14/2024 H - Hearing Scheduled - 03/20/2024, 8:30 AM - House JUD, HHR 4

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Judiciary - House Judiciary

03/12/2024 H - Referred to Committee - Rules - House Rules

03/07/2024 H - Removed from Hearing Agenda - 03/13/2024, 10:00 AM - House GOV, HHR 3

03/07/2024 H - Hearing Scheduled - 03/13/2024, 10:00 AM - House GOV, HHR 3

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Senate Floor

02/15/2024 S - PASSED - Senate Motion to Reconsider Third

02/15/2024 S - FAILED - Senate Third Reading

02/15/2024 S - DPA - Senate Committee of the Whole

02/15/2024 S - Hearing Scheduled - 02/15/2024 - Third Reading, Senate Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Senate Floor

01/30/2024 S - Senate Minority Caucus - Y

01/30/2024 S - Senate Majority Caucus - Y

01/29/2024 S - Senate Consent Calendar - Object: Yes

01/29/2024 S - Hearing Scheduled - 01/30/2024 - Caucus, Senate Floor

01/29/2024 S - Hearing Scheduled - 01/29/2024 - Consent, Senate Floor

01/29/2024 S - PFC - Senate Rules

01/26/2024 S - Hearing Scheduled - 01/29/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/24/2024 S - DP - Senate Government

01/18/2024 S - Hearing Scheduled - 01/24/2024, 9:00 AM - Senate GOV, SHR 1

01/16/2024 S - Senate 2nd Read

01/16/2024 S - Hearing Scheduled - 01/16/2024 - Second Reading, Senate Floor

01/10/2024 S - Senate 1st Read

01/10/2024 S - Referred to Committee - Government - Senate Government

01/10/2024 S - Referred to Committee - Rules - Senate Rules

01/10/2024 S - Hearing Scheduled - 01/10/2024 - First Reading, Senate Floor

01/09/2024 S - Introduced

SB1081 - Exemption area; assured water supply

Sponsor

Sen. Sine Kerr (R)

Summary

Requires the Arizona Department of Water Resources (ADWR), if requested to designate a portion of a city or town that is located both in the area delineated for exemption and in the Phoenix Active Management Area (AMA) as having an assured water supply if the portion of the city or town seeking the water supply designation is located entirely within an irrigation and water conservation district. Requires the same if the city or town has contracted with the irrigation and water conservation district for a term of 100 years or more, under which the city or town will receive water that the landowners in the district have the right to use on their lands and will treat and deliver the water for exclusive use on irrigation and conservation district lands for municipal use, there is sufficient surface water or effluent of an adequate quality that will be continuously available to satisfy the portion of the city's or town's proposed water needs for not less than 100 years, and that the city or town demonstrate the financial capability to construct necessary water facilities per state law. Permits the ADWR to review the determination that a portion of a city or town has an assured water supply and if the evidence shows, determine that a city or town does not. AS PASSED SENATE.

Actions

05/14/2024 H - Hearing Scheduled - 05/15/2024 - Additional Committee of the Whole, Floor

04/16/2024 H - Hearing Scheduled - 04/17/2024 - Third Reading, House Floor

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, House Floor

03/26/2024 H - Hearing Scheduled - 03/27/2024 - Third Reading, House Floor

03/12/2024 H - House Majority Caucus - Y

03/12/2024 H - House Minority Caucus - Y

03/11/2024 H - House Consent Calendar - Object: No

03/11/2024 H - C&P - House Rules

03/11/2024 H - Hearing Scheduled - 03/12/2024 - Minority Caucus, House Floor

03/11/2024 H - Hearing Scheduled - 03/11/2024 - Third Reading, House Floor

03/11/2024 H - Hearing Scheduled - 03/12/2024 - Caucus, House Floor

03/08/2024 H - Hearing Scheduled - 03/11/2024, 1:00 PM - House RULES, HHR 4

03/05/2024 H - DP - House Natural Resources, Energy & Water

02/28/2024 H - Hearing Scheduled - 03/05/2024, 1:00 PM - House NREW, HHR 1

02/22/2024 H - House 2nd Read

02/22/2024 H - Hearing Scheduled - 02/22/2024 - Second Reading, House Floor

02/21/2024 H - House 1st Read

02/21/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/21/2024 H - Referred to Committee - Rules - House Rules

02/21/2024 H - Hearing Scheduled - 02/21/2024 - First Reading, House Floor

02/21/2024 H - Hearing Scheduled - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - DPA - Senate Committee of the Whole

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Senate Floor

02/16/2024 S - Hearing Scheduled - 02/19/2024 - Committee of the Whole, Senate Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Senate Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Senate Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Senate Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/25/2024 S - DP - Senate Natural Resources, Energy and Water

01/19/2024 S - Hearing Scheduled - 01/25/2024, 9:00 AM - Senate NREW, SHR 2

01/17/2024 S - Senate 2nd Read

01/17/2024 S - Hearing Scheduled - 01/17/2024 - Second Reading, Senate Floor

01/16/2024 S - Senate 1st Read

01/16/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/16/2024 S - Referred to Committee - Rules - Senate Rules

01/16/2024 S - Hearing Scheduled - 01/16/2024 - First Reading, Senate Floor

01/12/2024 S - Introduced

SB1172 - Physical availability credits; water supply

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

Permits a person with a grandfathered right to irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit. Permits a physical availability credit to be used to withdraw or receive the amount of water calculated for a non-irrigation use under listed conditions. Defines the calculation to determine the amount of groundwater that may be withdrawn or received. Requires the physical availability credit to be used in the original irrigation acreage unless the amount needed is less than the credit. Defines the process and criteria for determining whether to issue a Certificate of Assured Water Supply. Delineates the parts of the Arizona Revised Statutes that govern the Arizona Department of Water Resources (ADWR). Removes the deadline regarding rules providing for a reduction in water demand for a designation of assured water supply. Requires ADWR, when making an assured water supply designation, to find that the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with applicable management goals. AS PASSED SENATE.

Actions

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA - House Natural Resources, Energy & Water

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 2nd Read

03/04/2024 H - House 1st Read

03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/04/2024 H - Referred to Committee - Rules - House Rules

03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, House Floor

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - DP - Senate Committee of the Whole

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Senate Floor

02/27/2024 S - Hearing Scheduled - 02/28/2024 - Committee of the Whole, Senate Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Senate Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Senate Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/01/2024 S - DP - Senate Natural Resources, Energy and Water

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/23/2024 S - Senate 2nd Read

01/23/2024 S - Hearing Scheduled - 01/23/2024 - Second Reading, Senate Floor

01/22/2024 S - Senate 1st Read

01/22/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/22/2024 S - Referred to Committee - Rules - Senate Rules

01/22/2024 S - Hearing Scheduled - 01/22/2024 - First Reading, Senate Floor

01/18/2024 S - Introduced

SB1181 - Groundwater replenishment; member lands; areas

Sponsor

Sen. Warren Petersen (R)

Summary

Stipulates that excepting to maintain compliance with this legislation, a parcel of member land that is included in the service area of a municipal provider and that has been designated as having an assured water supply pursuant to Arizona Department of Water Resources (ADWR) rules, has no further parcel replenishment obligation. Allows, upon the effective date of this legislation, a municipal provider that submits an application for a new designation of assured water supply in the Phoenix Management Area that relies on a member service area agreement, to elect for all parcels of member land to retain a replenishment obligation. For parcels that retain the obligation, the district is required to replenish groundwater in an amount equal to the obligation applicable to that parcel of land. Outlines notification requirements for a municipal provider seeking to become designated as having an assured water supply regarding whether it assumes replenishment obligations under the designation and member service area agreement. Stipulates that that adding member lands to the service area after the designation is not automatically authorized under state law. Sets the replenishment and assumption requirements for a municipal provider that opts to allows parcels to

regain replenishment obligations. Outlines how groundwater allowances or extinguishment credits in compliance may be used, required reports as well as penalties for required reporting noncompliance, how processes for annual replenishment assessments for land under a member service agreement work and public media notification requirements for a municipal provider that elects to have parcels retain replenishment obligations. Requires ADWR to develop or amend rules for extinguishment credits and groundwater associated with member lands in a designation of assured water supply. (More) AS PASSED SENATE.

Actions

03/19/2024 H - House Majority Caucus - Y

03/19/2024 H - House Minority Caucus - Y

03/19/2024 H - Hearing Scheduled - 03/19/2024 - Minority Caucus, House Floor

03/18/2024 H - C&P - House Rules

03/18/2024 H - Hearing Scheduled - 03/19/2024 - Caucus, House Floor

03/15/2024 H - Hearing Scheduled - 03/18/2024, 1:00 PM - House RULES, HHR 4

03/13/2024 H - House 2nd Read

03/12/2024 H - DPA - House Natural Resources, Energy & Water

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/12/2024 H - Referred to Committee - Rules - House Rules

03/06/2024 H - Hearing Scheduled - 03/12/2024, 2:00 PM - House NREW, HHR 1

03/04/2024 H - Transmit to House

03/04/2024 S - PASSED - Senate Third Reading

03/01/2024 S - Hearing Scheduled - 03/04/2024 - Third Reading, Senate Floor

02/29/2024 S - DPA - Senate Committee of the Whole

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Committee of the Whole, Senate Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Senate Floor

02/12/2024 S - PFCA - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/08/2024 S - DPA - Senate Natural Resources, Energy and Water

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Senate Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Senate Floor

01/19/2024 S - Introduced

SB1195 - Public monies; prohibited uses

Sponsor

Sen. Anthony Kern (R)

Summary

Prohibits a “public entity” (defined) from expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership with shared or rented goods to promote a circular economy, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel. Allows the Arizona Department of Transportation to use cameras to monitor motor vehicle travel on state and interstate highways. Stipulates that any qualified elector of the state has standing to bring a suit in court of law against any public entity that violates this law, to remedy the violation via jury or bench trial, and if successful, the court shall permanently enjoin the actions found to violate this legislation and shall award reasonable costs and attorney fees to the plaintiff. AS PASSED BY SENATE.

Actions

03/13/2024 H - House 2nd Read

03/13/2024 H - DP - House Government

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Government - House Government

03/12/2024 H - Referred to Committee - Judiciary - House Judiciary

03/12/2024 H - Referred to Committee - Rules - House Rules

03/07/2024 H - Hearing Scheduled - 03/13/2024, 10:00 AM - House GOV, HHR 3

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Senate Floor

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Senate Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Senate Floor

02/21/2024 S - RETAINED - Senate Committee of the Whole

02/20/2024 S - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Senate Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - PFC - Senate Rules

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Senate Floor

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/07/2024 S - DPA - Senate Government

02/01/2024 S - Hearing Scheduled - 02/07/2024, 9:00 AM - Senate GOV, SHR 1

01/25/2024 S - Senate 2nd Read

01/25/2024 S - Hearing Scheduled - 01/25/2024 - Second Reading, Senate Floor

01/24/2024 S - Senate 1st Read

01/24/2024 S - Referred to Committee - Government - Senate Government

01/24/2024 S - Referred to Committee - Rules - Senate Rules

01/24/2024 S - Hearing Scheduled - 01/24/2024 - First Reading, Senate Floor

01/22/2024 S - Introduced

SB1221 - Basin management areas; appropriation

Sponsor

Sen. Sine Kerr (R)

Summary

Appropriates \$40,000,000 from monies allocated to Arizona from the American Rescue Plan Act of 2021 in FY2024-25 to the Arizona Department of Water Resources (ADWR) to fund water conservation measures in a basin management area established pursuant to statute (Basin Area). Requires ADWR to use monies appropriated in the statewide water resources planning line item only to fund water conservation measures in a Basin Area. Allows a water user in a Basin Area to apply for a grant. Requires ADWR to award monies equitably. Exempt from lapsing. Allows the designation of a Basin Area to be initiated by petition. Requires ADWR to transmit the petition to the county board of supervisors (Board). Requires a unanimous, affirmative vote of all members of the Board for approval. Requires public meetings as specified. Requires ADWR to grant certificates within 15 months. Prohibits ADWR from requiring a user to meter any wells in the Basin Area or to report usage beyond statutory requirements. Lists requirement for annual reporting of usage and specifies the information is not public record. Provides for a certificate of water conservation. Lists rights of certificate holders and responsibilities of ADWR. Prohibits the designation of a Basin Area as an active management area or irrigation non-expansion area. Allows the designation of an Active Basin Management Area (Active Area) and the creation of an Active Basin Management Council (Council) and provides rules, procedures, responsibilities and goals. Prohibits the designation of an active area from infringing on a water user's certificated water rights with listed exceptions. Requires annual review by ADWR. Revises criteria for designation of a basin management area so that each index well must show an accelerated decline of five (previously ten) feet or more annually. Allows ADWR to refer listed areas for designation as a basin management area. Specifies that if ADWR makes the referral, it is not subject to petition requirements but is subject to meeting and vote procedures. AS PASSED HOUSE.

Actions

04/17/2024 H - House Majority Caucus - Y

04/16/2024 H - Hearing Scheduled - 04/17/2024 - Caucus, House Floor

03/26/2024 H - House Majority Caucus - N

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA - House Natural Resources, Energy & Water

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 2nd Read

03/04/2024 H - House 1st Read

03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/04/2024 H - Referred to Committee - Rules - House Rules

03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, House Floor

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - DPA - Senate Committee of the Whole

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Senate Floor

02/27/2024 S - Hearing Scheduled - 02/28/2024 - Committee of the Whole, Senate Floor

02/20/2024 S - Senate Majority Caucus - Y

02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Senate Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/13/2024 S - DPA - Senate Appropriations

02/08/2024 S - DPA - Senate Natural Resources, Energy and Water

02/07/2024 S - Hearing Scheduled - 02/13/2024, 2:00 PM - Senate APPROP, SHR 109

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Senate Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Appropriations - Senate Appropriations

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Senate Floor

01/23/2024 S - Introduced

SB1242 - Water conservation grant fund; purpose (ADWR; application; review; time frames)

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

Permits monies in the water conservation project to be used for administration costs and increasing public awareness activities and developers as defined by state law to apply for and accept grants from the fund to install gray water systems. AS PASSED HOUSE.

Actions

04/03/2024 H - DPA - House Committee of the Whole

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA/SE - House Natural Resources, Energy & Water

03/18/2024 H - House 2nd Read

03/14/2024 H - House 1st Read

03/14/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/14/2024 H - Referred to Committee - Rules - House Rules

03/14/2024 H - Hearing Scheduled - 03/14/2024 - First Reading, House Floor

03/14/2024 H - Hearing Scheduled - 03/18/2024 - Second Reading, House Floor

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

02/21/2024 H - Removed from Hearing Agenda - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/21/2024 H - Hearing Scheduled - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - DP - Senate Committee of the Whole

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Senate Floor

02/16/2024 S - Hearing Scheduled - 02/19/2024 - Committee of the Whole, Senate Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Senate Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Senate Consent Calendar - Object: Yes

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Senate Floor

02/12/2024 S - Hearing Scheduled - 02/12/2024 - Consent, Senate Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/08/2024 S - DP - Senate Natural Resources, Energy and Water

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Senate Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Senate Floor

01/23/2024 S - Introduced

SB1243 - Groundwater sales; online exchange.

Sponsor

Sen. Justine Wadsack (R)

Summary

Allows someone with a grandfathered right to groundwater in the Phoenix, Tucson or Pinal Active Management Area to sell, lease or otherwise convey any portion of that right to pump groundwater or the groundwater itself to any other person in the areas mentioned. Prohibits the right to pump groundwater from one subbasin to transport and use in another subbasin. Establishes permissible uses of grandfathered water rights in the same subbasin as well as information required to be submitted to the Arizona Department of Water Resources (ADWS) when a transfer of rights is occurring. Permits the ADWS to create a form for appropriate notice requirements and the purchaser to access 65% of the total amount of groundwater given by the grandfathered party. Stipulates that all calculations must first consider the remaining 35% of the total amount of groundwater grandfathered as off limits from withdrawal, defines contractual requirements and groundwater forgone by a seller or lessor, per state law. Authorizes and directs the ADWS to create, maintain and host on its website a water exchange for groundwater and groundwater rights to be transferred, sold, leased or otherwise conveyed to another party. Lists specific ADWS and political subdivision actions not authorized pertaining to restricting existing grandfathered rights. The online water exchange shall be publicly accessible and shall include for each transaction the information submitted in the notices prescribed by Section 45-641 (more). AS PASSED HOUSE.

Actions

04/04/2024 H - DPA - House Additional Committee of the Whole

04/04/2024 H - PASSED - House Motion to Ad COW

04/03/2024 H - Hearing Scheduled - 04/04/2024 - Additional Committee of the Whole, House Floor

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, House Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: No

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, House Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, House Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, House Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DP - House Natural Resources, Energy & Water

03/13/2024 H - House 2nd Read

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, House Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, House Floor

03/12/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/12/2024 H - Referred to Committee - Rules - House Rules

03/06/2024 H - Transmit to House

03/06/2024 S - PASSED - Senate Third Reading

03/05/2024 S - DPA - Senate Committee of the Whole

03/05/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Senate Floor

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Committee of the Whole, Senate Floor

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Committee of the Whole, Senate Floor

02/27/2024 S - Senate Minority Caucus - Y

02/27/2024 S - Senate Majority Caucus - Y

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Caucus, Senate Floor

02/19/2024 S - Senate Consent Calendar - Object: Yes

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Consent, Senate Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DP - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Senate Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Senate Floor

01/23/2024 S - Introduced

SCR1012 - Rulemaking; legislative ratification; regulatory costs

Sponsor

Sen. Anthony Kern (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to require that any proposed rule that increases regulatory costs by more than \$100,000 within five years of implementation may not be implemented or adopted without the legislature ratifying the rule and if the legislature does not ratify the rule, the rule is to be terminated via a Notice of Termination in the register. Requires the Office of Economic Opportunity to submit the rule to the Administrative Rules Oversight Committee no later than 30 days before the next legislative session, or as soon as is practicable. Permits any person regulated by the applicable agency or any legislator to request a review of a proposed rule. AS PASSED SENATE.

Actions

03/13/2024 H - DP - House Regulatory Affairs

03/05/2024 H - Hearing Scheduled - 03/13/2024, 2:00 PM - House RA, HHR 5

02/29/2024 H - House 2nd Read

02/29/2024 H - Hearing Scheduled - 02/29/2024 - Second Reading, House Floor

02/28/2024 H - House 1st Read

02/28/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

02/28/2024 H - Referred to Committee - Rules - House Rules

02/28/2024 H - Hearing Scheduled - 02/28/2024 - First Reading, House Floor

02/22/2024 H - Transmit to House

02/22/2024 S - PASSED - Senate Third Reading

02/22/2024 S - Hearing Scheduled - 02/22/2024 - Third Reading, Senate Floor

02/15/2024 S - DPA - Senate Committee of the Whole

02/15/2024 S - Hearing Scheduled - 02/15/2024 - Third Reading, Senate Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Senate Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Senate Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Senate Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/31/2024 S - DP - Senate Government

01/25/2024 S - Hearing Scheduled - 01/31/2024, 9:00 AM - Senate GOV, SHR 1

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Senate Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Government - Senate Government

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Senate Floor

01/17/2024 S - Introduced

SCR1015 - Public monies; prohibited expenditures.

Sponsor

Sen. Anthony Kern (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution.

Actions

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Senate Floor

02/27/2024 S - FAILED - Senate COW Motion to Amend

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Senate Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Senate Floor

02/21/2024 S - RETAINED - Senate Committee of the Whole

02/20/2024 S - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Senate Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Senate Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/07/2024 S - DPA - Senate Government

02/01/2024 S - Hearing Scheduled - 02/07/2024, 9:00 AM - Senate GOV, SHR 1

01/25/2024 S - Senate 2nd Read

01/25/2024 S - Hearing Scheduled - 01/25/2024 - Second Reading, Senate Floor

01/24/2024 S - Senate 1st Read

01/24/2024 S - Referred to Committee - Government - Senate Government

01/24/2024 S - Referred to Committee - Rules - Senate Rules

01/24/2024 S - Hearing Scheduled - 01/24/2024 - First Reading, Senate Floor

01/22/2024 S - Introduced

From: james.claruscompanies.com
To: [Jason Whiting](#); [Pascal Berlioux - Eastern Arizona Counties](#)
Cc: [Richard Lunt](#); [Woody Cline](#); [Paul R. David](#); [Nelson Davis](#); [Peggy Judd](#); [Cheryl Sluyter](#); [Derek Rapier](#); [Diana Morgan](#); [Dustin Welker](#); [Steve Sanders](#); [James Menlove](#); [Liz Castillo](#); [Richard Karwaczka](#); [Ryan Patterson](#); [Steve Christensen](#); [Cathy Melvin](#)
Subject: Update and Tracking Lists
Date: Friday, May 10, 2024 2:21:21 PM
Attachments: [May 10, 2024 Legislative Update.pdf](#)
[2024 Primary Election Candidates - Updated May 10, 2024.pdf](#)
[EACO 5-10-24.pdf](#)
[Water 5-10-24.pdf](#)

Caution: This email originated from outside of Navajo County.

Good Afternoon,

The Senate had some fireworks this week holding a joint House and Senate hearing on Speaker Toma's border bill, HCR2060. There was a lot of passionate speeches on the pros and cons of the bill, but it is headed for a floor vote in the senate next week. The House didn't meet for floor action, but will resume on Wednesday. It is my understanding that the Gov's office and Senate/House leadership staff are meeting on the budget, and that is hopeful. I have also attached a new version of the primary election candidates for you to have and review. Please let me know if you have any questions or concerns. I hope you have a great weekend, and Happy Mother's Day to all the Mom's out there!

James

James Candland
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2024 Candidates | Arizona Legislature

Legislative District	Arizona Senate	Arizona House of Representatives
District 1 Prescott, Chino Valley, Sedona	<u>Ken Bennett</u> ** – R <u>Mark Finchem</u> – R <u>Mike S. Fogel</u> – D \$ <u>Steve Zipperman</u> – R	<u>Selena Bliss</u> ** – R <u>Quang Nguyen</u> ** – R <u>Jay Ruby</u> – D \$ <u>Marcia Smith</u> – D \$ <u>Shawn Dell Wildman</u> – R
Republican: 51% Independent: 29% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		
District 2 North Phoenix	<u>Josh Barnett</u> – R \$ <u>Shawna Bolick</u> ** – R Dennis Pugsley – G <u>Judy Schwiebert</u> – D (currently serving in the House)	<u>Ari Daniel Bradshaw</u> – R <u>Stephanie Simacek</u> – D <u>Tom Simes</u> – I <u>Justin Wilmeth</u> ** – R
Republican: 36% Independent: 35% Democrat: 27% Libertarian: 1% No Labels: <1% Green: <1%		
District 3 Scottsdale, Phoenix, Anthem, Fountain Hills	<u>John Kavanagh</u> ** – R	<u>Joseph Chaplik</u> ** – R <u>Richard Corles</u> – D \$ <u>Alexander Kolodin</u> ** – R
Republican: 48% Independent: 31% Democrat: 20% Libertarian: <1% No Labels: <1% Green: <1%		
District 4 Paradise Valley, Scottsdale, Phoenix	<u>Kenneth R. Bowers, Jr</u> – R <u>Carine Werner</u> – R <u>Christine Marsh</u> ** – D	<u>Kelli Butler</u> – D <u>Pamela Carter</u> – R <u>Karen Gresham</u> – D <u>Matt Gress</u> ** – R
Republican: 40% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District		Arizona Senate	Arizona House of Representatives
District 5 Phoenix	<u>Lela Alston</u> ** – D Joshua Ortega – R		<u>Sarah Liguori</u> ** – D <u>Charles Lucking</u> ** – D <u>Aaron Márquez</u> – D Juan Schoville – R (write-in candidate) <u>Dorri Thyden</u> – D
<i>Democrat: 43% Independent: 33% Republican: 22% Libertarian: <1% No Labels: <1% Green: <1%</i>			
District 6 Flagstaff, Window Rock, Page	<u>Theresa Hatathlie</u> ** – D		<u>Lloyd Johnson</u> – R \$ <u>Rich King</u> – R Angela Maloney – D <u>Mae Peshlakai</u> ** – D <u>Myron Tsosie</u> ** – D
<i>Democrat: 49% Independent: 30% Republican: 20% Libertarian: <1% No Labels: <1% Green: <1%</i>			
District 7 Flagstaff, Payson, Show Low	<u>Haley Creighton</u> – D \$ <u>David Cook</u> – R (currently serving in the House) <u>Roberto Apodaca Reveles</u> – D <u>Wendy Rogers</u> ** – R		<u>Walter "Walt" Blackman</u> – R <u>Kevin Chiquete</u> – D <u>Andrew Costanzo</u> – R <u>John Fillmore</u> – R <u>Nancy Hartl</u> – D <u>Barby Ingle</u> – R <u>David Marshall, Sr.</u> ** – R <u>Steven Slaton</u> – R
<i>Republican: 47% Independent: 30% Democrat: 21% Libertarian: <1% No Labels: <1% Green: <1%</i>			

Legislative District	Arizona Senate	Arizona House of Representatives
District 8 Tempe, Mesa, Phoenix, Scottsdale	<u>Roxana Holzapfel</u> – R <u>Lauren Kuby</u> – D (write-in candidate) Ivan Pemberton – D (write-in candidate)	<u>Janeen Connolly</u> – D <u>Caden Darrow</u> – R <u>Brian Garcia</u> – D <u>Juan Mendez</u> – D (currently serving in the Senate)
<i>Independent: 37% Democrat: 35% Republican: 26% No Labels: 1% Libertarian: 1% Green: <1%</i>		
District 9 Mesa, Tempe	<u>Eva Burch</u> ** – D <u>Robert Scantlebury</u> – R <u>Christopher Stapley</u> – R	<u>Lorena Austin</u> ** – D <u>Kylie Barber</u> – R <u>Seth Blattman</u> ** – D <u>Mary Ann Mendoza</u> – R
<i>Independent: 36% Republican: 32% Democrat: 30% Libertarian: 1% No Labels: <1% Green: <1%</i>		
District 10 Mesa, Apache Junction	<u>Robert Doyle</u> – D \$ <u>David Farnsworth</u> ** – R	<u>Ralph Heap</u> – R <u>Matt Greer</u> – R <u>Helen Hunter</u> – D \$ <u>Justin Olson</u> – R
<i>Republican: 44% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%</i>		
District 11 Phoenix, Guadalupe	Joshua Ayala – R \$ <u>Catherine Miranda</u> ** – D	Cesar Ivan Aleman – R <u>Junelle Caverio</u> ** – D <u>Joseph Charles Dailey</u> – R \$ <u>Oscar De Los Santos</u> ** – D <u>Isaak Ruiz</u> – D
<i>Democrat: 46% Independent: 38% Republican: 14% No Labels: <1% Libertarian: <1% Green: <1%</i>		

Legislative District	Arizona Senate	Arizona House of Representatives
District 12 Chandler, Tempe, Phoenix	<u>Mitzi Epstein</u> ** – D <u>Cara Vicini</u> – R	<u>Patty Contreras</u> ** – D <u>Lawrence Hudson</u> – R \$ <u>Anastasia "Stacey" Travers</u> ** – D
Independent: 34% Democrat: 33% Republican: 31% Libertarian: <1% No Labels: <1% Green: <1%		
District 13 Chandler, Gilbert	<u>J.D. Mesnard</u> ** – R <u>Sharon Lee Winters</u> – D	<u>Nicholas Gonzales</u> – D <u>Cody Hannah</u> – G (write-in candidate) <u>Brandy Reese</u> – D <u>Jeff Weninger</u> – R <u>Julie Willoughby</u> ** – R
Independent: 35% Republican: 36% Democrat: 28% Libertarian: <1% No Labels: <1% Green: <1%		
District 14 Gilbert, Chandler	<u>Elizabeth Brown</u> – D <u>Warren Petersen</u> ** – R	<u>Kristin Clark</u> – D (write-in candidate) <u>Joel Coen</u> – R <u>Laurin Hendrix</u> ** – R <u>Lulani Hunsaker</u> – R <u>Andrew Jackson</u> – R <u>Khyl Powell</u> – R
Republican: 43% Independent: 33% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		
District 15 Mesa, Queen Creek	<u>Jake Hoffman</u> ** – R <u>Evan Olson</u> – I <u>Alan Smith</u> – D	<u>Peter Anello</u> – R <u>Barbara Beneitone</u> – D \$ <u>Neal Carter</u> ** – R <u>Alex Stovall</u> – R <u>Michael Way</u> – R
Republican: 45% Independent: 34% Democrat: 19% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 16 Casa Grande, Eloy, Coolidge	<u>Judy Nganga</u> – R (write-in candidate) <u>Stacey Seaman</u> – D <u>T.J. Shope</u> ** – R	<u>Rob Hudelson</u> – R <u>Chris Lopez</u> – R <u>Teresa Martinez</u> ** – R <u>Gabriela “Gabby” Saucedo Mercer</u> – R <u>Keith Seaman</u> ** – D
Independent: 37% Republican: 33% Democrat: 29% No Labels: <1% Libertarian: <1% Green: <1%		
District 17 Marana, Oro Valley, Tucson	<u>Vince Leach</u> – R <u>John McLean</u> – D <u>Justine Wadsack</u> ** – R	<u>Rachel Jones</u> ** – R <u>Cory McGarr</u> ** – R <u>Anna Orth</u> – R <u>Kevin Volk</u> – D
Republican: 38% Independent: 32% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%		
District 18 Tucson, Catalina Foothills	<u>Priya Sundareshan</u> ** – D	<u>Nancy Gutierrez</u> ** – D <u>Chris Mathis</u> ** – D <u>Leonard “Len” Rosenblum</u> – R
Democrat: 40% Independent: 31% Republican: 27% Libertarian: <1% No Labels: <1% Green: <1%		
District 19 Sierra Vista, Safford	<u>David Gowan</u> ** – R <u>Bob Karp</u> – D \$	<u>Gregg Frostrom, Jr</u> – D \$ <u>Lupe Diaz</u> ** – R <u>Gail Griffin</u> ** – R
Republican: 42% Independent: 33% Democrat: 24% Libertarian: <1% No Labels: <1% Green: <1%		
District 20 Tucson	<u>Sally Ann Gonzales</u> ** – D	<u>Alma Hernandez</u> ** – D <u>Betty Villegas</u> ** – D
Democrat: 49% Independent: 35% Republican: 15% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 21 Tucson, Sahuarita, Nogales	<u>Rosanna Gabaldón</u> ** – D	Christopher Kibbey – R <u>Consuelo Hernandez</u> ** – D Briana “Breezy” Ortega – D <u>Stephanie Stahl Hamilton</u> ** – D
Democrat: 41% Independent: 36% Republican: 21% Libertarian: <1% No Labels: <1% Green: <1%		
District 22 Phoenix, Avondale, Glendale	<u>Eva Diaz</u> ** – D <u>Steve Robinson</u> – R \$ <u>Leezah Sun</u> – D \$	<u>Lupe Chavira Contreras</u> ** – D Blaine “BJ” Griffin – R \$ <u>Diana Jones</u> – R \$ <u>Elda Luna-Nájera</u> ** – D <u>Betsy Munoz</u> – D Jen Wynne – D \$
Independent: 41% Democrat: 39% Republican: 18% No Labels: 1% Libertarian: <1% Green: <1%		
District 23 Yuma, San Luis	<u>Michelle Altherr</u> – R \$ <u>Brian Fernandez</u> ** – D <u>Jesus Arnulfo Lugo, Jr</u> – D	<u>James “Jimmy” Holmes</u> – D <u>Michele Peña</u> ** – R <u>Matias Rosales</u> – D <u>Mariana Sandoval</u> ** – D
Independent: 39% Democrat: 35% Republican: 24% No Labels: <1% Libertarian: <1% Green: <1%		
District 24 Glendale, Phoenix	<u>Mario Garcia</u> – D <u>Analise Ortiz</u> – D (currently serving in the House)	<u>Anna Abeytia</u> – D \$ <u>Lydia Hernandez</u> ** – D <u>Hector Jaramillo</u> – D \$
Independent: 40% Democrat: 39% Republican: 19% No Labels: <1% Libertarian: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 25 Buckeye, Yuma	<u>Tim Dunn</u> – R (currently serving in the House)	<u>Michael Carbone</u> ** – R <u>Nickolas “Nick” Kupper</u> – R <u>Steve Markegard</u> – R \$ <u>William “Bill” Peter Olear</u> – D <u>Gary Garcia Snyder</u> – R
Republican: 41% Independent: 36% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%		
District 26 Phoenix, Glendale	<u>Flavio Bravo</u> ** – D <u>Vic Harris</u> – R \$	<u>Cesar Aguilar</u> ** – D <u>Quantá Crews</u> ** – D <u>Skyla Edwards</u> – R \$ <u>Frank Roberts</u> – R \$
Democrat: 41% Independent: 39% Republican: 18% No Labels: <1% Libertarian: <1% Green: <1%		
District 27 Peoria, Phoenix	<u>Joshua Abbott</u> – D <u>Kevin Payne</u> – R (currently serving in the House)	<u>Linda Busam</u> – R <u>Lisa Fink</u> – R \$ <u>Deborah Howard</u> – D <u>Brian Morris</u> – R <u>Tony Rivero</u> – R
Republican: 37% Independent: 34% Democrat: 27% Libertarian: <1% No Labels <1% Green: <1%		
District 28 Sun City, Peoria, Phoenix	<u>Frank Carroll</u> ** – R	<u>Susan Black</u> – R <u>Barbara Jean Fike</u> – D \$ <u>David Livingston</u> ** – R <u>Beverly Pingerelli</u> ** – R
Republican: 48% Independent: 29% Democrat: 22% Libertarian: <1% No Labels: <1% Green: <1%		

Legislative District	Arizona Senate	Arizona House of Representatives
District 29 Goodyear, El Mirage, Litchfield Park	<u>Janae Shamp</u> ** – R <u>Eric Stafford</u> – D \$	<u>Steve Montenegro</u> ** – R <u>Tanairi Ochoa-Martinez</u> – D \$ <u>James Taylor</u> – R (write-in candidate) <u>Tom Tzitzura</u> – D \$
Republican: 40% Independent: 35% Democrat: 24% No Labels: <1% Libertarian: <1% Green: <1%		
District 30 Bullhead City, Kingman, Wickenburg	<u>Hildy Angius</u> – R <u>Ashley Gerich</u> – R <u>J'aime Morgaine</u> – D \$ <u>Kimberly Zanon</u> – R	<u>Leo Biasiucci</u> ** – R <u>John Gillette</u> ** – R <u>Monica Timberlake</u> – D \$
Republican: 54% Independent: 31% Democrat: 13% Libertarian: <1% No Labels: <1% Green: <1%		

Corporation Commission

Ylenia Aguilar – D \$

Lea Márquez-Petersen** – R \$

Jonathon Hill – D \$

Joshua Polacheck – D

Rene Lopez – R \$

Rachel Walden – R \$

U.S. Senate

Ruben Gallego – D (currently serves in the U.S. House)

Michael Norton – G

Arturo Hernandez – G

Eduardo Quintana – G (write-in candidate)

Kari Lake – R

Elizabeth Jean Reye – R

Mark Lamb – R

Dustin Williams – R (write-in candidate)

Republican: 35% Independent: 34% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 1

Robert Backie – R

Kurt Kroemer – D

Andrei Cherny – D

Conor O'Callaghan – D

Marene Galán-Woods – D

David Schweikert** – R

Kim George – R

Amish Shah – D

Andrew Horne – D

Republican: 39% Independent: 32% Democrat: 27% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 2

Elijah Crane** – R

Jonathan Nez – D

Jack Smith – R

Republican: 39% Independent: 31% Democrat: 29% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 8

Patrick "Pat" Briody – R

Blake Masters – R

Trent Franks – R

Ben Toma – R

Abraham Hamadeh – R

Gregory Whitten – D

Anthony Kern – R

Republican: 41% Independent: 32% Democrat: 25% Libertarian: <1% No Labels: <1% Green: <1%

Congressional District 9

Paul Gosar** – R

Quacy Smith – D

Republican: 44% Independent: 34% Democrat: 21% No Labels: <1% Libertarian: <1% Green: <1%



CLARUS

EACO

Enacted

Ch. 61, Laws 2024 (HB2012 - Department of forestry; continuation)

Sponsor

Rep. Gail Griffin (R)

Summary

The statutory life of the Arizona Department of Forestry and Fire Management is extended eight years to July 1, 2032. Retroactive to July 1, 2024. AS PASSED SENATE. Requires the state forester to provide a written report to each listed legislative committee, the Governor and Secretary of State and lists the information to be included in the written report. AS PASSED HOUSE.

Actions

04/02/2024 G - Signed

Ch. 29, Laws 2024 (HB2191 - Property; criminal damage)

Sponsor

Rep. David L. Cook (R)

Summary

Replaces "parking any vehicle" with "obstructing a passageway" for the purpose of assigning a criminal damage charge for blocking a passageway in such a way as to deprive livestock of access to the only reasonably available water.

Actions

03/29/2024 G - Signed

Ch. 121, Laws 2024 (HB2367 - Solid waste; fees; rules)

Sponsor

Rep. Gail Griffin (R)

Summary

Stipulates that authorized total fees or associated percentages that formulate fees for the sale of new vehicles tires as determined by the Department of Environmental Quality (DEQ) are applicable until the effective date of this bill. Requires an owner or operator of a waste tire collection site register with DEQ. Removes the public notice and comment requirement and statutory authorization mandate on DEQ to increase fees associated with waste tire collection sites, transporting human excreta from privies, septic tanks, cesspools and other waste treatment processes, general permits, solid waste landfills, the storage, processing, treatment and disposal of solid waste, and biohazardous medical waste. Removes criteria for determining fees on various activities, operations and sites by DEQ and authorizes DEQ to charge fees for processing applications for facilities, sites and applications for the disposal of waste mentioned in this bill. Directs the DEQ to register collection and recycling facilities that accept lead acid batteries, solid waste and biohazardous medical waste facilities, handlers or used oil, and to charge an initial registration fee to those facilities that is deposited into the Solid Waste Fee Fund. Requires DEQ to establish fees as part of the rule making process for solid waste, biohazardous medical waste, and biosolid processing that are to be deposited into the Solid Waste Fee Fund. Requires used oil transporters, marketers, processors and re-refiners to submit to DEQ an annual report within 30 days of the end of the year that contains all required tracking information. Requires DEQ to charge an annual fee to facilities that generate, transport or receive special waste and exempts facilities that pay fees associated with this bill from paying the annual fee. Adds lead acid battery collection and recycling fees to the Solid Waste Fee Fund. Contains a legislative intent and emergency clause. AS PASSED HOUSE.

Actions

04/09/2024 G - Signed

Ch. 179, Laws 2024 (HB2637 - State lake improvement fund; drones)

Sponsor

Rep. Leo Biasiucci (R)

Summary

Requires Arizona State Parks Board (ASPB) to fund the purchase of drones to clean plastic, algae, biomass and other floating trash from lakes and waterways that are equipped with time stamped GPS locating data sensors and collision avoidance and to aid law enforcement and fire service agencies for search, rescue and recovery operations, and training in the use and operations of drones. Lists the bodies within the ASPB that are part of the management process of this program. Stipulates that fund monies may be used on projects if matching funds are made available. AS PASSED HOUSE.

Actions

04/23/2024 G - Signed

Ch. 187, Laws 2024 (HB2685 - Mine inspector; geological survey; authority)

Sponsor

Rep. Selina Bliss (R)

Summary

Requires the Arizona Geological Survey (AGS) to establish a map and inventory of all known areas that contain aggregate resources and all existing aggregate mining facilities in Arizona. Adds criteria that must be included in an aggregate mining unit reclamation plan. Requires the Arizona State Geologist, on request of the Arizona State Mine Inspector (ASMI), to update the maps and inventories of the aggregate resources of Arizona and include areas of aggregate resources discovered since the previous publication. Requires that a proposed reclamation plan include the distance and the direction from the closest existing occupied residential structures and aggregate mining facility exterior and a statement that the owner or operator has provided a notice of the plan to each residential property owner with property located within a one-half mile radius of the aggregate mining operation as shown on the current property tax roll. Specifies how the distance must be measured in the proposed reclamation plan. Specifies that the notice must be sent not less than 15 days before submitting the proposed reclamation plan and include a statement that the residential property owner can request a copy of the plan from ASMI. Allows ASMI to consider comments from the Arizona State Geologist or any elected official when evaluating a reclamation plan. AS PASSED SENATE.

Actions

05/06/2024 G - Signed

HCM2004 - Federal land acquisition; acreage return

Sponsor

Rep. Austin Smith (R)

Summary

Urges the United States Congress pass and the President sign legislation that requires the federal government to give an acre of land of equal or greater size and value for every acre of land acquired or reserved by the United States federal government, as determined by the applicable county or state, or, in the absence of land of equal or greater size and value land of a size and value as proximate as possible to the size and value of the land acquired, reserved or withdrawn, as determined by the applicable county or state, or, in lieu of land, payments to the applicable county or the state for the value of the difference, as determined by the applicable county or state. Requires the Secretary of State of Arizona to transmit copies of the memorial to the President of the United States and the United States Congress, and each member of the Arizona delegation to the United States Congress. AS PASSED HOUSE

Actions

04/02/2024 G - Transmit to Secretary of State

HCM2005 - Federal lands; transfer to states

Sponsor

Rep. Austin Smith (R)

Summary

Urges Congress to pass legislation that gives 30% of all federally owned Western lands to their respective states by 2030 and urges Congress to engage in good faith cooperation with Western States regarding the immediate disposal of the public lands directly to the states. Directs the Arizona Secretary of State to transmit the memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Congress from the state of Arizona. AS PASSED HOUSE.

Actions

04/02/2024 G - Transmit to Secretary of State

Ch. 111, Laws 2024 (SB1561 - Wildland fire prevention special plates)

Sponsor

Sen. Ken Bennett (R)

Summary

Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Wildland Fire Prevention Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Wildland Fire Prevention Special Plate Fund (Fund). Establishes that ADOT shall administer the Fund, that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to a non-profit entity that meets listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. AS PASSED SENATE Removes requirement that a person be a member or spouse of a member of the National Guard to request a National Guard special plate. Extends authority for ADOT to issue a Pascua Yagi Tribe special plate through 2025 (from 2023). Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Neurodiversity Services and Research Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Neurodiversity Services and Research Special Plate Fund. Establishes the Neurodiversity Services and Research Special Plate Fund (Fund) and requires ADOT to administer the Fund. Requires that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to two non-profit entities that meet listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. Requires the Arizona Department of Transportation (ADOT) to authorize the development and production of Wildland Fire Prevention Special Plates, provided a contributor donates \$32,000 to ADOT, and permits contributor to create the design for the plate. Permits personalization subject to additional fees. Establishes fees. Requires that fees be deposited in the State Highway Fund and donations to the Wildland Fire Prevention Special Plate Fund. Establishes the Wildland Fire Prevention Special Plate Fund (Fund) and requires ADOT

to administer the Fund. Requires that the first \$32,000 shall be reimbursed to the person who paid the implementation fee, and that no more than 10% of the Fund shall be used for the cost of administration. Establishes that monies in the Fund are continuously appropriated and requires ADOT to annually allocate monies to a non-profit entity that meets listed criteria. Requires the Arizona State Treasurer to invest and divest monies in the Fund. Retroactive to January 1, 2024. AS PASSED HOUSE.

Actions

04/08/2024 G - Signed

Vetoed

HB2002 - Power plants; transmission lines; definition

Sponsor

Rep. Gail Griffin (R)

Summary

For the purpose of the requiring approval from the Power Plant and Transmission Line Siting Committee, "transmission line" does not include a substation or switchyard to which the line connects.

Actions

04/23/2024 G - Vetoed

Bills in Progress

HB2003 - Replacement lines; structures; commission hearings

Sponsor

Rep. Gail Griffin (R)

Summary

Utilities are authorized to replace a cable or wire on a transmission line and to replace an existing structure without receiving a new certificate of environmental compatibility and without holding a hearing with the Power Plant and Transmission Line Siting Committee if the replacement is within a sit that has previously received a certificate.

Actions

04/17/2024 S - DP - Senate Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Committee of the Whole, Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Floor

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

01/30/2024 H - House Majority Caucus - Y

01/30/2024 H - House Minority Caucus - Y

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Minority Caucus, Floor

01/29/2024 H - C&P - House Rules

01/29/2024 H - Hearing Scheduled - 01/30/2024 - Caucus, Floor

01/26/2024 H - Hearing Scheduled - 01/29/2024, 1:00 PM - House RULES, HHR 4

01/23/2024 H - DPA - House Natural Resources, Energy & Water

01/17/2024 H - Hearing Scheduled - 01/23/2024, 2:00 PM - House NREW, HHR 1

01/10/2024 H - Removed from Hearing Agenda - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/10/2024 H - Hearing Scheduled - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2008 - Commercial; industrial; conservation requirements; rules

Sponsor

Rep. Gail Griffin (R)

Summary

By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to adopt rules for commercial and industrial water users within and outside the service area of a designated service provider that provide for greater water efficiency, conservation, and recycling.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/13/2024 H - RET ON CAL - House Committee of the Whole

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2022 - Conservation easements; maintenance; weeds

Sponsor

Rep. Gail Griffin (R)

Summary

The holder of a conservation easement is required to keep the conservation easement property free of "noxious weeds," Russian thistles and "blowing dust that creates a threat to health or safety." AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2102 - Appropriation; Arizona geological survey

Sponsor

Rep. Gail Griffin (R)

Summary

Appropriates \$750,000 from the general fund in FY 2024-25 to the University of Arizona for the Arizona Geological Survey to increase the survey's technical capacity, allow federal grant monies to be leveraged and meet the requirements prescribed in Arizona law. This funding is intended to be ongoing in future years. AS PASSED HOUSE.

Actions

03/19/2024 S - DP - Senate Appropriations

03/13/2024 S - Hearing Scheduled - 03/19/2024, 2:00 PM - Senate APPROP, SHR 109

03/07/2024 S - DP - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - Senate 2nd Read

02/29/2024 S - Hearing Scheduled - 02/29/2024 - Second Reading, Floor

02/28/2024 S - Senate 1st Read

02/28/2024 S - Referred to Committee - Appropriations - Senate Appropriations

02/28/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/28/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Hearing Scheduled - 02/28/2024 - First Reading, Floor

02/23/2024 S - Transmit to Senate

02/22/2024 H - PASSED - House Third Reading

02/21/2024 H - DP - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Consent Calendar - Object: Yes

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/02/2024 H - Introduced

HB2131 - Arizona utility consumer office; businesses (Residential utility consumer office; businesses)

Sponsor

Rep. Gail Griffin (R)

Summary

Expands the responsibilities and oversight of the Residential Utility Consumer Office to include small commercial utility consumers.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - N

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, Floor

01/04/2024 H - Introduced

HB2376 - Federal government; land acquisition; consent

Sponsor

Rep. Lupe Diaz (R)

Summary

Requires the Arizona Auditor General (AAG) to conduct and complete a cost and revenue study of the annual price to manage federal lands in this state, excluding land that is under the control of the United States Department of Defense, United States Bureau of Indian Affairs or the United States Bureau of Reclamation, and all revenue generated by this property. Requires the AAG to assume for this study that all federal land, not excluded is given to this state at no cost to the state. Requires the Arizona Game and Fish Department, State Parks Board, Department of Administration, Law, Environmental Quality, and Water Resources, State Forester and State Land Department to cooperate with the AAG and provide all requested and necessary data. Permits the AAG to coordinate with applicable federal agencies and departments as well as affected local, county and state government departments and agencies. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/26/2024 H - DPA - House Additional Committee of the Whole

02/26/2024 H - PASSED - House Motion to Ad COW

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Additional Committee of the Whole, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, Floor

01/10/2024 H - Introduced

HB2377 - Federal lands; state management costs

Sponsor

Rep. Lupe Diaz (R)

Summary

Requires the Arizona Auditor General (AAG) to conduct and complete a cost and revenue study of the annual price to manage federal lands in this state, excluding land that is under the control of the United States Department of Defense, United States Bureau of Indian Affairs or the United States Bureau of Reclamation, and all revenue generated by this property. Requires the AAG to assume for this study that all federal land, not excluded is given to this state at no cost to the state. Requires the Arizona Game and Fish Department, State Parks Board, Department of Administration, Law, Environmental Quality, and Water Resources, State Forester and State Land Department to cooperate with the AAG and provide all requested and necessary data. Permits the AAG to coordinate with applicable federal agencies and departments as well as affected local, county and state government departments and agencies. AS PASSED HOUSE.

Actions

04/24/2024 S - DPA - Senate Committee of the Whole

04/23/2024 S - Hearing Scheduled - 04/24/2024 - Committee of the Whole, Floor

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DPA - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, Floor

01/10/2024 H - Introduced

HB2751 - Interstate compact; fire management; aid

Sponsor

Rep. David L. Cook (R)

Summary

Allows the Governor to enter into the Great Plains Interstate Fire Compact (Compact) on behalf of Arizona with any other state. Specifies that the Compact is operative immediately if two or more member states ratify it. Allows, in each state, the State Forester, or the equivalent, to act as Compact administrator for that state, consult with like officials of the other member states, and implement cooperation between the states in forest fire prevention and control. Allows, if a member state's forest fire control agency requests aid from any other member state in combating, controlling or preventing forest fires, the state forest fire control agency of that state to render all possible aid to the requesting agency, consonant with maintaining protection at home. Exempts a member state and its officers and employees rendering outside aid from liability for any act or omission or maintaining or using any equipment in connection with rendering outside aid. Allows the Compact administrators to formulate procedures for claims and reimbursement in accordance with the laws of the member states. States that ratification of this Compact does not authorize or permit any member state to diminish its forest firefighting forces, services or facilities. States that the compact does not affect any existing or future cooperative relationship between the U.S. Forest Service and a member state. States the provisions relating to reciprocal aid in combating forest fires are operative as between any state party to the Compact if the Legislature of the other state has given its assent to the mutual aid provisions of this compact. Requires the Compact to continue in force and remain binding in each state ratifying it until the Legislature or Governor of the state takes action to withdraw from the compact. (More). AS PASSED HOUSE.

Actions

05/01/2024 H - Transmit to House

05/01/2024 S - PASSED - Senate Third Reading

05/01/2024 S - Hearing Scheduled - 05/01/2024 - Third Reading, Floor

04/30/2024 S - Hearing Scheduled - 05/01/2024 - Third Reading, Senate Floor

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Third Reading, Floor

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Floor

04/03/2024 S - DP - Senate Committee of the Whole

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Government - Senate Government

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Transmit to Senate

02/26/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: Yes

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, Floor

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, Floor

HB2865 - Natural resource conservation districts; board

Sponsor

Rep. Gail Griffin (R)

Summary

Renames the statute, "Division of Natural Resource Conservation." Establishes an 8-member State Natural Resource Conservation Board (Board) and outlines Board membership requirements. Members serve three-year staggered terms. Outlines the Board's duties and purposes. Requires the Board to include in the annual budget request a sum of no more than \$40,000 for each natural resource conservation district and soil and water conservation district, and \$60,000 for each natural resource conservation district that operates an education center. Establishes the Natural Resource Conservation District Fund (Fund) that consists of legislative appropriations, grants, federal monies and other contributions administered by the Board. Specifies Board's responsibilities in investing, divesting and deploying monies from the Fund and procedures upon dissolution of a district. Specifies rules for election and appointment of District Board members. States that one of the responsibilities of a district is to educate landowners on matters pertaining to the district and the landowner. Allows the district to receive and spend monies from the Water Infrastructure Finance Authority of Arizona. Defines the transition from the State Land Commissioner's jurisdiction to the jurisdiction of the State Natural Resources Conservation Board. Appropriates \$150,000 and 2 FTE positions from the state General Fund (GF) in FY 2025 to the Board. Appropriates \$1,000,000 from the GF in FY 2026 to the Fund. Exempts the appropriations from lapsing. (More) AS PASSED BY HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/19/2024 S - W/D - Senate Appropriations

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/11/2024 S - Senate 2nd Read

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Second Reading, Floor

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 1st Read

03/07/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/07/2024 S - Referred to Committee - Appropriations - Senate Appropriations

03/07/2024 S - Referred to Committee - Rules - Senate Rules

03/07/2024 S - Hearing Scheduled - 03/07/2024 - First Reading, Floor

02/29/2024 S - Transmit to Senate

02/29/2024 H - PASSED - House Third Reading

02/29/2024 H - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

02/28/2024 H - DPA - House Additional Committee of the Whole

02/28/2024 H - PASSED - House Motion to Ad COW

02/28/2024 H - Hearing Scheduled - 02/28/2024 - Additional Committee of the Whole, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Additional Committee of the Whole, Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/12/2024 H - House 2nd Read

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Second Reading, Floor

02/08/2024 H - House 1st Read

02/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

02/08/2024 H - Referred to Committee - Rules - House Rules

02/08/2024 H - Hearing Scheduled - 02/08/2024 - First Reading, Floor

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

02/05/2024 H - Introduced

HCR2051 - Rural communities; groundwater; tools

Sponsor

Rep. Gail Griffin (R)

Summary

Directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, Floor

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, Floor

02/01/2024 H - Introduced

SB1052 - All-terrain vehicles; definition

Sponsor

Sen. Frank Carroll (R)

Summary

Increases the maximum weight from 2,500 pounds to 3,500 pounds in the definition of “off-road vehicles” (defined). AS PASSED SENATE.

Actions

04/10/2024 H - DPA - House Committee of the Whole

04/09/2024 H - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DPA - House Transportation & Infrastructure

03/14/2024 H - House 2nd Read

03/14/2024 H - Hearing Scheduled - 03/20/2024, 2:00 PM - House TI, HHR 3

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, Floor

03/13/2024 H - Referred to Committee - Transportation & Infrastructure - House Transportation & Infrastructure

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Floor

03/06/2024 S - DP - Senate Committee of the Whole

03/06/2024 S - RETAINED - Senate Committee of the Whole

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Floor

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Floor

03/05/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Floor

01/30/2024 S - Senate Minority Caucus - Y

01/30/2024 S - Senate Majority Caucus - Y

01/29/2024 S - Senate Consent Calendar - Object: Yes

01/29/2024 S - Hearing Scheduled - 01/30/2024 - Caucus, Floor

01/29/2024 S - Hearing Scheduled - 01/29/2024 - Consent, Floor

01/29/2024 S - PFC - Senate Rules

01/26/2024 S - Hearing Scheduled - 01/29/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/22/2024 S - DP - Senate Transportation, Technology and Missing Children

01/16/2024 S - Senate 2nd Read

01/16/2024 S - Hearing Scheduled - 01/22/2024, 2:00 PM - Senate TTMC, SHR 2

01/16/2024 S - Hearing Scheduled - 01/16/2024 - Second Reading, Floor

01/10/2024 S - Senate 1st Read

01/10/2024 S - Referred to Committee - Rules - Senate Rules

01/10/2024 S - Referred to Committee - Transportation, Technology and Missing Children - Senate
Transportation, Technology and Missing Children

01/10/2024 S - Hearing Scheduled - 01/10/2024 - First Reading, Floor

01/09/2024 S - Introduced

SB1079 - State land auctions; electronic means

Sponsor

Sen. Sine Kerr (R)

Summary

Allows the Arizona State Land Department (ASLD) to accept bids offered electronically during a public auction. Stipulates that, if ASLD accepts bids offered through electronic means, ASLD is not liable for the failure of the electronic means that prevents a person from participating. Prohibits a person adversely affected by a termination of a sale from appealing the decision because of an electronic means failure. Requires ASLD to include a link or other instructions in the notice of auction to access electronic means of bidding, if offered. Permits ASLD to prescribe the procedure, method and means for the sale of state lands, rather than requiring ASLD to fulfill prescribed attendance and procedural requirements to facilitate the bidding process. Requires ASLD to post a written report of the sale on its website. AS PASSED SENATE.

Actions

04/24/2024 H - DPA - House Additional Committee of the Whole

04/24/2024 H - PASSED - House Motion to Ad COW

04/23/2024 H - Hearing Scheduled - 04/24/2024 - Additional Committee of the Whole, Floor

04/01/2024 H - House Majority Caucus - Y

04/01/2024 H - House Minority Caucus - Y

04/01/2024 H - House Consent Calendar - Object: No

04/01/2024 H - C&P - House Rules

04/01/2024 H - Hearing Scheduled - 04/01/2024 - Third Reading, Floor

04/01/2024 H - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 H - Hearing Scheduled - 04/01/2024 - Minority Caucus, Floor

03/28/2024 H - Hearing Scheduled - 04/01/2024, 1:00 PM - House RULES, HHR 4

03/18/2024 H - DP - House Land, Agriculture & Rural Affairs

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/18/2024 - House LARA, HHR 3

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/12/2024 H - Referred to Committee - Rules - House Rules

03/05/2024 H - Transmit to House

03/05/2024 S - PASSED - Senate Third Reading

03/04/2024 S - DPA - Senate Committee of the Whole

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Third Reading, Floor

03/01/2024 S - Hearing Scheduled - 03/04/2024 - Committee of the Whole, Floor

02/20/2024 S - Senate Majority Caucus - Y

02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/19/2024 S - PFCA - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/25/2024 S - HELD - Senate Natural Resources, Energy and Water

01/19/2024 S - Hearing Scheduled - 01/25/2024, 9:00 AM - Senate NREW, SHR 2

01/17/2024 S - Senate 2nd Read

01/17/2024 S - Hearing Scheduled - 01/17/2024 - Second Reading, Floor

01/16/2024 S - Senate 1st Read

01/16/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/16/2024 S - Referred to Committee - Rules - Senate Rules

01/16/2024 S - Hearing Scheduled - 01/16/2024 - First Reading, Floor

01/12/2024 S - Introduced

SB1176 - Appropriation; Arizona trail fund

Sponsor

Sen. David Gowan (R)

Summary

Appropriates \$250,000 from the general fund in FY2024-25 to the to the Arizona Trail Fund for the Arizona Trail. Exempt from lapsing. AS PASSED SENATE.

Actions

03/25/2024 H - DPA/SE - House Appropriations

03/21/2024 H - Hearing Scheduled - 03/25/2024, 1:30 PM - House APPROP, HHR 1

03/20/2024 H - W/D - House Land, Agriculture & Rural Affairs

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/12/2024 H - Referred to Committee - Appropriations - House Appropriations

03/12/2024 H - Referred to Committee - Rules - House Rules

03/05/2024 H - Transmit to House

03/05/2024 S - PASSED - Senate Third Reading

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Third Reading, Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Senate Consent Calendar - Object: No

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/12/2024 S - Hearing Scheduled - 02/12/2024 - Consent, Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/06/2024 S - DP - Senate Appropriations

02/01/2024 S - DP - Senate Natural Resources, Energy and Water

01/31/2024 S - Hearing Scheduled - 02/06/2024, 2:00 PM - Senate APPROP, SHR 109

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Appropriations - Senate Appropriations

01/23/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Floor

01/18/2024 S - Introduced

SB1403 - Designated countries; land ownership; prohibition

Sponsor

Sen. Janae Shamp (R)

Summary

Prohibits a “foreign principal” (defined) from a “designated country” (defined) from, directly or indirectly, purchasing, owning, acquiring by grant or device, or having any other interest in real property in Arizona with listed exceptions regarding size, location, zoning, documentation, and status as a natural born person. Requires enforcement by the Arizona Attorney General. Requires the Superior Court, upon ascertaining that this legislation has been violated, to divest the person’s interest in the property. Exempts from liability under this Act a title insurer, title agent, escrow agent, or real estate licensee. Stipulates that this Act may not be the basis for a title insurance claim. AS PASSED SENATE.

Actions

04/24/2024 H - FAILED - House Third Reading

04/23/2024 H - Hearing Scheduled - 04/24/2024 - Third Reading, Floor

04/17/2024 H - DPA - House Committee of the Whole

04/16/2024 H - Hearing Scheduled - 04/17/2024 - Committee of the Whole, Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: Yes

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/18/2024 H - DP - House Land, Agriculture & Rural Affairs

03/14/2024 H - House 2nd Read

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, Floor

03/13/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/12/2024 H - Hearing Scheduled - 03/18/2024 - House LARA, HHR 3

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Floor

03/07/2024 S - DPA - Senate Committee of the Whole

03/07/2024 S - Senate Majority Caucus - Y

03/07/2024 S - Senate Minority Caucus - Y

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Committee of the Whole, Floor

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Caucus, Floor

03/04/2024 S - Senate Consent Calendar - Object: Yes

03/04/2024 S - PFC - Senate Rules

03/04/2024 S - Hearing Scheduled - 03/04/2024 - Consent, Floor

03/01/2024 S - Hearing Scheduled - 03/04/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/14/2024 S - DP - Senate Military Affairs, Public Safety and Border Security

02/08/2024 S - Hearing Scheduled - 02/14/2024, 1:30 PM - Senate MAPS, SHR 2

01/31/2024 S - Senate 2nd Read

01/31/2024 S - Hearing Scheduled - 01/31/2024 - Second Reading, Floor

01/30/2024 S - Senate 1st Read

01/30/2024 S - Referred to Committee - Military Affairs, Public Safety and Border Security - Senate
Military Affairs, Public Safety and Border Security

01/30/2024 S - Referred to Committee - Rules - Senate Rules

01/30/2024 S - Hearing Scheduled - 01/30/2024 - First Reading, Floor

01/25/2024 S - Introduced

SB1567 - Off-highway vehicles; education requirement

Sponsor

Sen. Sine Kerr (R)

Summary

Defines “motor vehicle” as any self-propelled vehicle and adds any vehicle operated on water to exclusions. Lists prohibitions for a minor under 12 years of age, between 12 and 16 years of age and someone under 18 operating an “off-highway vehicle” (defined) and prescribes penalties for doing so, including for the parents or guardians who allows those individuals to do so. Creates exclusions if the minor is a passenger and certain criteria are met. Requires a valid license to operate an off-highway vehicle per this legislation and prescribes penalties for violations. Requires the Arizona Department of Game and Fish (ADGF) to certify an off-highway vehicle safety education course that includes verification of completion. Requires that on January 1, 2025, proof of completion of that course is required before the Arizona Department of Transportation or ADGF may issue a resident or nonresident off-highway vehicle indicia per state law. Requires sharing of data between the two pertaining to the indices. Requires the ADGF to develop a report summarizing the program, class, implementation, public response and recommendations for legislation to the Governor and legislature by December 1, 2026. Self-repeals on June 1, 2027. AS PASSED SENATE.

Actions

04/10/2024 H - DP - House Committee of the Whole

04/09/2024 H - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Floor

03/28/2024 H - RET ON CAL - House Committee of the Whole

03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: Yes

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DP - House Transportation & Infrastructure

03/14/2024 H - House 2nd Read

03/14/2024 H - Hearing Scheduled - 03/20/2024, 2:00 PM - House TI, HHR 3

03/13/2024 H - House 1st Read

03/13/2024 H - Hearing Scheduled - 03/14/2024 - Second Reading, Floor

03/13/2024 H - Hearing Scheduled - 03/13/2024 - First Reading, Floor

03/13/2024 H - Referred to Committee - Transportation & Infrastructure - House Transportation & Infrastructure

03/13/2024 H - Referred to Committee - Rules - House Rules

03/12/2024 H - Transmit to House

03/11/2024 S - PASSED - Senate Third Reading

03/08/2024 S - Hearing Scheduled - 03/11/2024 - Third Reading, Floor

03/06/2024 S - DPA - Senate Committee of the Whole

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Floor

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Committee of the Whole, Floor

03/05/2024 S - Senate Minority Caucus - Y

03/05/2024 S - Senate Majority Caucus - Y

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Caucus, Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Transportation, Technology and Missing Children

02/12/2024 S - HELD - Senate Transportation, Technology and Missing Children

02/09/2024 S - Hearing Scheduled - 02/15/2024, 1:30 PM - Senate TTMC, SHR 2

02/06/2024 S - Senate 2nd Read

02/06/2024 S - Hearing Scheduled - 02/12/2024, 2:00 PM - Senate TTMC, SHR 2

02/06/2024 S - Hearing Scheduled - 02/06/2024 - Second Reading, Floor

02/05/2024 S - Senate 1st Read

02/05/2024 S - Referred to Committee - Transportation, Technology and Missing Children - Senate Transportation, Technology and Missing Children

02/05/2024 S - Referred to Committee - Rules - Senate Rules

02/05/2024 S - Hearing Scheduled - 02/05/2024 - First Reading, Floor

01/29/2024 S - Introduced



CLARUS



It was another divisive week at the Arizona Capitol as the focus shifted to a debate on border security.

The Senate advanced a new proposal that would ask voters to enact changes to border enforcement and immigration processes. Republicans, frustrated by the Governor's veto of similar legislation earlier this year, said the proposal is necessary to give voters a chance to address challenges at the U.S.-Mexico border and stem the inflow of fentanyl into Arizona; Democrats decried it as an expensive and hurtful effort, reminiscent of the state's controversial SB 1070. Governor Hobbs condemned the measure, saying it would harm jobs and wouldn't fix challenges at the border.

Both the House and Senate are expected to vote on the proposal next week.

Senate Passes, Fails Bills on Housing

Senators considered several long-negotiated housing policies this week, reigniting the debate about affordability and local government's role in housing decisions. Senators gave bipartisan support to bills that require some municipalities to allow middle housing and accessory dwelling units on single-family residential properties. Opponents expressed concerns that some of the policy changes could increase the number of short-term rentals; supporters said the changes are necessary to address rising housing costs.

The Senate gave unanimous consent to a bill that alters the process for challenging a final administrative decision and advanced an amendment that would alter how homebuyers work with real estate agents, but failed to pass a bill that would prohibit municipal policies limiting the use of building materials and regulation of design aesthetics for single-family homes.

Governor Signs, Vetoes More Bills

This week, Governor Hobbs signed bills to alter consent requirements and procedures for mental health evaluations, allow cross-certification of peace officers, expand restrictions on vehicle loads, limit local government regulation of hoophouses, map aggregate mining resources, and allow health insurers to set up savings incentive programs.

The Governor vetoed a bill that would have penalized state agencies for missing financial reporting deadlines.

2024 Statistics

Bills Signed:	187
Bills Vetoed:	56
Ballot Referrals:	2

What's Next?

The Senate returns to work on May 14 and the House reconvenes on May 15; neither chamber has published a schedule of which bills it will consider. Negotiations on a budget and other remaining policy priorities will continue behind closed doors.

In the Elections

Tempe Democratic officials will meet this weekend to name a candidate to replace Representative Melody Hernandez, who withdrew from the race, on the Primary Election ballot. No Labels voters will get a blank ballot because their party doesn't have any candidates this year. The country is watching Arizona's U.S. Senate race. Arizona election workers are preparing to recognize deepfake misinformation. Some attorneys are defending judicial election processes. All Arizonans can track their ballots in upcoming elections.

In the Courts

A new lawsuit wants the Arizona Supreme Court to make its ruling on the abortion ban immediately enforceable. An appeals court is considering challenges to Arizona's campaign finance laws. Arizona courts are increasing efforts to prevent and respond to missing or murdered Indigenous people.

In the News

Legislators got a pay cut this week, as the session stretched past 120 days. Senator Anthony Kern (R-Glendale) can't use the Senate media room anymore. There's new data in the debate about teacher pay. State law prohibits public entities from using investment policies that boycott Israel. A new report criticizes Arizona's mental health care system. The Arizona Department of Education is giving schools anti-overdose drugs. AHCCCS restructured and the Department of Health Services has a new Suicide Prevention Action Plan. There's still tension between Senate Republicans. The debate continues about dual-language education programs. The Personalized Admissions Project aims to facilitate university admission for Arizona high school students. Arizonans spent more than \$637 million on sports betting in February.



CLARUS

Water

Enacted

Ch. 118, Laws 2024 (HB2160 - Domestic water improvement districts; reviews)

Sponsor

Rep. Selina Bliss (R)

Summary

Excludes a Domestic Water Improvement District from annual and budget reporting and auditing requirement exemptions. AS PASSED HOUSE.

Actions

04/09/2024 G - Signed

Ch. 137, Laws 2024 (HB2195 - On-site wastewater treatment facilities; permitting)

Sponsor

Rep. Laurin Hendrix (R)

Summary

Allows an on-site wastewater treatment facility to discharge under a general permit if the operation complies with existing permit rules, is operated by a technology manufacturer certified service provider, and has a design flow of 3,000 gallons or more per day but less than 75,000 gallons per day. Requires the Arizona Department of Environmental Quality (ADEQ) to require maintenance, monitoring, records keeping and reporting. Allows ADEQ to require adequate financial assurance for design flow that exceeds 50,000 gallons per day, or a site that has multiple on-site wastewater treatment facilities with a collective design flow of 50,000 gallons or more per day. Requires ADEQ to establish fees and deposit fees in the Water Quality Fee Fund. Requires ADEQ to transition a permittee's facility with 180 days after revised rules that are proposed after December 31, 2024, are effective. AS PASSED SENATE.

Actions

04/10/2024 G - Signed

Ch. 93, Laws 2024 (HB2369 - Dredge; fill; permits; clean up)

Sponsor

Rep. Gail Griffin (R)

Summary

Removes references to the Arizona Pollutant Discharge Elimination System Program as it pertains to the Arizona Game and Fish Department (AGFD) In-Lieu Fee Program Restoration Endowment Trust Fund. Removes the Arizona Department of Environmental Quality (ADEQ) as a partner as it pertains to projects funded by the AGFD In-Lieu Fee Program Restoration Endowment Trust Fund. Exempts state agencies from paying fees associated with covering costs of permits and inspections and removes the ability of the AGFD to formulate a permit program for the discharge of dredged or fill material into Waters of the United States (WOTUS.) AS PASSED HOUSE.

Actions

04/08/2024 G - Signed

Ch. 150, Laws 2024 (HB2628 - Department of environmental quality; omnibus)

Sponsor

Rep. Gail Griffin (R)

Summary

Makes various changes to statutes relating to the Arizona Department of Environmental Quality (ADEQ,) including the disposal of waste tires and associated regulations, permissions and processes, origin of the small drinking systems fund and cost control of the fund, the adoption of rules to establish criteria for a public water system to opt out of the monitoring assistance program, the criteria for determining which vehicles need to comply with minimum emissions standards and functional tests, the clarification of a closed solid waste facility. AS PASSED SENATE.

Actions

04/10/2024 G - Signed

Vetoed

HB2063 - Exempt wells; certificate; groundwater use

Sponsor

Rep. Gail Griffin (R)

Summary

Limits an exempt well registered with the Department of Water Resources to withdraw no more than 35 gallons per minute and requires the Director of the department to issue each groundwater user that registers an exempt well a certificate of water rights. Stipulates that a groundwater user may not appropriate sub flow or surface water and that withdrawn water is not exempt from a general stream adjudication. AS PASSED HOUSE.

Actions

04/30/2024 G - Vetoed

HB2124 - Agricultural operations; water; protection; definition

Sponsor

Rep. Austin Smith (R)

Summary

Adds water use by an owner, lessee, agent, independent contractor, and supplier on any facility used for the production of crops, livestock, poultry, livestock and poultry products for the purposes of agritourism to the definition of "Agricultural Operations" (defined.) Allows a court to award reasonable costs and legal fees in a lawsuit deemed to be a nuisance action if the action was filed to take or reduce the water use by the other party. Adds a definition of "public nuisance" (defined) and strikes the option of the Arizona Attorney General to bring an action to superior court to abate, enjoin or prevent a public nuisance activity as defined by state law. AS PASSED SENATE.

Actions

04/30/2024 G - Vetoed

SB1153 - Regulatory costs; rulemaking; legislative ratification

Sponsor

Sen. Anthony Kern (R)

Summary

Requires an agency to submit a proposed rule that will increase regulatory costs in the state by more than \$100,000 within five years of its implementation to the Arizona Office of Economic Opportunity (AOEO) for review. Requires the AOEO to submit the proposed rule to the Administrative Rules Oversight Committee no later than 30 days before the next regular legislative session and the Committee to submit the proposed rule to the legislature as soon as is practicable. Permits any member of the legislature to introduce the rule and exempts the rule from provisions covered under time and manner of rulemaking laws. Prohibits an agency from filing a final rule with the Secretary of State before obtaining legislative approval and if the legislature does not ratify the proposed rule in that legislative session, the agency is required to terminate the proposed rule by publishing a Notice of Termination in the register. Permits a person regulated by an Agency proposing a rule, or any state legislator, to request review by the AOEO. Exempts emergency rules and the Corporation Commission. All rules that fall into this classification of rules are determined upon the effective date of this bill to be void and unenforceable without legislative ratification. AS PASSED SENATE.

Actions

04/16/2024 G - Vetoed

SB1289 - DWR; hydrology reports

Sponsor

Sen. Jake Hoffman (R)

Summary

Requires that 30 days before issuing a report on the hydrologic conditions of an Active Management Area, or a related report, the Governor and the Arizona Department of Water Resources are to submit a copy of the report to the members of the Natural Resources, Energy and Water Committees of the legislature, or their successor committees. AS PASSED SENATE.

Actions

04/16/2024 G - Vetoed

Bills in Progress

HB2006 - Real estate; acting in concert

Sponsor

Rep. Gail Griffin (R)

Summary

A well share agreement, road maintenance agreement, or use of the same licensed contractor or registered technical professional for a county of less than 500,000 people alone are not sufficient to constitute unlawful acting in concert for the purpose of avoiding land division regulations. AS PASSED HOUSE.

Actions

04/17/2024 S - DPA - Senate Additional Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Additional Committee of the Whole, Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Additional Committee of the Whole, Floor

03/28/2024 S - PASSED - Senate Motion to Reconsider Third

03/27/2024 H - PASSED - House Miscellaneous Motion

03/26/2024 S - PASSED - Senate Miscellaneous Motion

03/25/2024 H - Transmit to House

03/25/2024 S - PASSED - Senate Third Reading

03/22/2024 S - Hearing Scheduled - 03/25/2024 - Third Reading, Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: No

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Senate 2nd Read

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Second Reading, Floor

02/26/2024 S - Senate 1st Read

02/26/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/26/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Hearing Scheduled - 02/26/2024 - First Reading, Floor

02/20/2024 S - Transmit to Senate

02/20/2024 H - PASSED - House Third Reading

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, Floor

02/12/2024 H - DPA - House Additional Committee of the Whole

02/12/2024 H - PASSED - House Motion to Ad COW

02/12/2024 H - PASSED - House Additional Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Additional Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: No

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2007 - Subdivided lands; civil penalties

Sponsor

Rep. Gail Griffin (R)

Summary

The civil penalty for a subdivider or real estate agent who violates regulations on subdivided land is up to \$2,000 for each lot where a violation occurs, instead of up to \$2,000 for “each infraction” where a single infraction could concern more than one lot in a subdivision. AS PASSED HOUSE.

Actions

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/15/2024 S - Transmit to Senate

02/15/2024 H - PASSED - House Third Reading

02/14/2024 H - Hearing Scheduled - 02/15/2024 - Third Reading, Floor

02/12/2024 H - DP - House Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2008 - Commercial; industrial; conservation requirements; rules

Sponsor

Rep. Gail Griffin (R)

Summary

By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to adopt rules for commercial and industrial water users within and outside the service area of a designated service provider that provide for greater water efficiency, conservation, and recycling.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/13/2024 H - RET ON CAL - House Committee of the Whole

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2009 - Subdivisions; acting in concert

Sponsor

Rep. Gail Griffin (R)

Summary

It is unlawful for a person or group of persons acting in concert to attempt to avoid subdivision laws by acting in concert to divide a parcel of land into six or more lots by using a series of owners or conveyances within a 10-year period, instead of over any time period. AS PASSED HOUSE.

Actions

05/08/2024 S - FAILED - Senate Miscellaneous Motion

05/08/2024 S - DPA - Senate Committee of the Whole

05/07/2024 S - Hearing Scheduled - 05/08/2024 - Committee of the Whole, Floor

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/14/2024 S - Transmit to Senate

02/14/2024 H - PASSED - House Third Reading

02/13/2024 H - Hearing Scheduled - 02/14/2024 - Third Reading, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: No

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DP - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, Floor

11/20/2023 H - Introduced

HB2014 - Water infrastructure; bonds (Wells; intention to drill; appropriation)

Sponsor

Rep. Gail Griffin (R)

Summary

The Arizona Department of Water Resources (ADWR) is required to conduct an audit of all notices of intention to drill to determine if each notice resulted in the person drilling a new well or deepening an existing well. ADWR is required to submit a report of its findings to the Governor and the Legislature by January 1, 2026. Appropriates an unspecified amount (blank in original) from the general fund in FY2024-25 to ADWR for the audit.

Actions

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Third Reading, Floor

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Floor

04/03/2024 S - DPA - Senate Committee of the Whole

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, Floor

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/07/2024 H - DPA - House Appropriations

02/01/2024 H - Hearing Scheduled - 02/07/2024, 2:00 PM - House APPROP, HHR 1

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Appropriations - House Appropriations

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/21/2023 H - Introduced

HB2017 - Assured water supply; commingling

Sponsor

Rep. Gail Griffin (R)

Summary

For the purposes of determining sufficient groundwater, surface water or effluent of adequate quality will be continuously available to satisfy the water need of the proposed use, the Director of the Arizona Department of Water Resources shall consider any type of water or sources of water or sources of the supply dedicated to the proposed use regardless of whether the water is distributed through a water delivery system that is commingled with other sources or water supply. Prevents the director from requiring a subdivider that applies for a certificate of assured water supply or a commitment of water service from a water provider designated as having an assured water supply to procure or dedicate a source of supply that exceeds one hundred percent of the water needed to meet the subdivider's proposed use. AS PASSED HOUSE

Actions

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/29/2024 S - DP - Senate Natural Resources, Energy and Water

02/23/2024 S - Hearing Scheduled - 02/29/2024, 1:00 PM - Senate NREW, SHR 2

02/20/2024 S - Senate 2nd Read

02/20/2024 S - Hearing Scheduled - 02/20/2024 - Second Reading, Floor

02/19/2024 S - Senate 1st Read

02/19/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/19/2024 S - Referred to Committee - Rules - Senate Rules

02/19/2024 S - Hearing Scheduled - 02/19/2024 - First Reading, Floor

01/29/2024 S - Transmit to Senate

01/29/2024 H - PASSED - House Third Reading

01/26/2024 H - Hearing Scheduled - 01/29/2024 - Third Reading, Floor

01/25/2024 H - DPA - House Committee of the Whole

01/24/2024 H - Hearing Scheduled - 01/25/2024 - Committee of the Whole, Floor

01/23/2024 H - House Minority Caucus - Y

01/23/2024 H - House Majority Caucus - Y

01/23/2024 H - Hearing Scheduled - 01/23/2024 - Minority Caucus, Floor

01/22/2024 H - C&P - House Rules

01/22/2024 H - Hearing Scheduled - 01/23/2024 - Caucus, Floor

01/19/2024 H - Hearing Scheduled - 01/22/2024, 1:00 PM - House RULES, HHR 4

01/16/2024 H - DPA - House Natural Resources, Energy & Water

01/10/2024 H - Hearing Scheduled - 01/16/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2020 - Long-term storage; stormwater; rainwater; rules

Sponsor

Rep. Gail Griffin (R)

Summary

A person that develops or plans to develop infrastructure in an active management area that results in increased natural, incidental or artificial recharge to the groundwater basin is entitled to earn and hold long-term storage credits in an amount not to exceed the level of increased recharge or projected increased recharge of a groundwater basin. On or before January 1, 2025, the director shall adopt rules that promote new construction of facilities that are eligible to earn long-term storage credits. Contains criteria and rules for long-term storage credit eligibility. A person that applies for long-term storage credits under this law is exempt from certain permitting requirements.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, Floor

02/12/2024 H - House Consent Calendar - Object: No

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Third Reading, Floor

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2022 - Conservation easements; maintenance; weeds

Sponsor

Rep. Gail Griffin (R)

Summary

The holder of a conservation easement is required to keep the conservation easement property free of "noxious weeds," Russian thistles and "blowing dust that creates a threat to health or safety." AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DPA/SE - Senate Natural Resources, Energy and Water

03/21/2024 S - DPA - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/14/2024 S - HELD - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/12/2024 H - DP - House Land, Agriculture & Rural Affairs

02/06/2024 H - Hearing Scheduled - 02/12/2024, 2:00 PM - House LARA, HHR 3

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2023 - Land divisions; disclosure affidavit; recording

Sponsor

Rep. Gail Griffin (R)

Summary

Makes a series of changes to the affidavit required to be filled out and recorded with the deed to the property impacted by the sale. The changes include requiring the disclosure of the water hauling company name, phone number and water supply that services the property if applicable; removes the disclosure noting that the buyer is responsible for verifying the proper replacement and disposal of any applicable solar energy devices; adds a section requiring disclosure of any battery energy storage devices and, if applicable, the company leasing the storage devices; adds a note that it is unlawful for a person or group to attempt to avoid subdivision laws by attempting to divide a property parcel into six or more lots and notes investigation and enforcement responsibility; requires disclosure of whether the seller is a trustee in a trustee's sale, a person conducting an execution sale or mortgage foreclosure or a personal representative of an estate and information is unknown to the seller. Requires the seller, if they are a trustee of a subdivision trust, to provide a disclosure affidavit as required by this section of law. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

02/27/2024 S - Senate 2nd Read

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Second Reading, Floor

02/26/2024 S - Senate 1st Read

02/26/2024 S - Referred to Committee - Government - Senate Government

02/26/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Hearing Scheduled - 02/26/2024 - First Reading, Floor

02/22/2024 S - Transmit to Senate

02/21/2024 H - PASSED - House Third Reading

02/20/2024 H - DPA - House Committee of the Whole

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DPA - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2024 - Lottery; on-farm irrigation efficiency fund

Sponsor

Rep. Gail Griffin (R)

Summary

After appropriations and deposits have been made, \$50,000,000 of the funds left in the Arizona State Lottery Fund in FYs 2024-2025 and 2025-2026 will be deposited into the On-Farm Irrigation Efficiency Fund. AS PASSED HOUSE.

Actions

03/26/2024 S - DP - Senate Appropriations

03/20/2024 S - Hearing Scheduled - 03/26/2024, 2:00 PM - Senate APPROP, SHR 109

03/07/2024 S - DP - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - Senate 2nd Read

02/29/2024 S - Hearing Scheduled - 02/29/2024 - Second Reading, Floor

02/28/2024 S - Senate 1st Read

02/28/2024 S - Referred to Committee - Appropriations - Senate Appropriations

02/28/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/28/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Hearing Scheduled - 02/28/2024 - First Reading, Floor

02/22/2024 S - Transmit to Senate

02/22/2024 H - PASSED - House Third Reading

02/21/2024 H - DP - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Consent Calendar - Object: Yes

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Third Reading, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/19/2024 H - DP - House Appropriations

02/15/2024 H - Hearing Scheduled - 02/19/2024, 1:30 PM - House APPROP, HHR 1

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Appropriations - House Appropriations

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

11/30/2023 H - Introduced

HB2030 - Cities; towns; water service; audit

Sponsor

Rep. Gail Griffin (R)

Summary

Municipalities with a population of more than 240,000 that has a designation of assured water supply and is located within an initial active water management area are required to hire an independent auditor to conduct a full rate audit and cost-of-service study of the municipalities water and sewer service if the city meets the requirements outlined in the bill. Requirements include having entered into a contract or subcontract with the Central Arizona Project; participated in an intentional created surplus program; received federal monies for voluntary conservation measures for the Colorado River; sold long-term storage credits using effluent generated within the municipalities water service area. Outlines the requirements of the audit and cost-of-service study. Requires the municipalities to submit a copy of their auditor's reports to the governor, legislature and secretary of state. This section will expire on January 1, 2027. AS PASSED HOUSE.

Actions

04/17/2024 S - PASSED - Senate Motion to Reconsider Third

04/10/2024 S - FAILED - Senate Third Reading

04/09/2024 S - Hearing Scheduled - 04/10/2024 - Third Reading, Floor

04/03/2024 S - DP - Senate Committee of the Whole

04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

12/06/2023 H - Introduced

HB2060 - Irrigation non-expansion area; substitution; acres

Sponsor

Rep. Gail Griffin (R)

Summary

Allows an owner of acreage in an irrigation non-expansion area to permanently retire acreage that may legally be irrigated and substitute that acreage's associated water for any end use, provided the owner demonstrates that the use of that water does not result in a net increase of groundwater withdrawal in the non-expansion area. The Director of the Arizona Department of Water Resources may not require a net groundwater usage reduction as a requirement of approval of an application to make the substitution of acreage.

Actions

03/19/2024 S - Senate Majority Caucus - Y

03/19/2024 S - Senate Minority Caucus - Y

03/18/2024 S - Hearing Scheduled - 03/19/2024 - Caucus, Floor

03/18/2024 S - PFC - Senate Rules

03/15/2024 S - Hearing Scheduled - 03/18/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 2nd Read

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Second Reading, Floor

03/06/2024 S - Senate 1st Read

03/06/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/06/2024 S - Referred to Committee - Rules - Senate Rules

03/06/2024 S - Hearing Scheduled - 03/06/2024 - First Reading, Floor

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/13/2024 H - House Majority Caucus - Y

02/13/2024 H - House Minority Caucus - Y

02/13/2024 H - Hearing Scheduled - 02/13/2024 - Minority Caucus, Floor

02/12/2024 H - House Consent Calendar - Object: No

02/12/2024 H - C&P - House Rules

02/12/2024 H - Hearing Scheduled - 02/12/2024 - Third Reading, Floor

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/09/2024 H - Hearing Scheduled - 02/12/2024, 1:00 PM - House RULES, HHR 4

02/06/2024 H - DP - House Natural Resources, Energy & Water

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

12/19/2023 H - Introduced

HB2062 - Assured water supply; certificate; model

Sponsor

Rep. Gail Griffin (R)

Summary

Requires the Department of Water Resources to review assured water supply applications and issue a written determination of action within 15 days of receipt of an application for an assured water supply upon request of the applicant, if the application is for the Phoenix active management area, was submitted between January 26, 2021 and May 31, 2023, and the applicant has not received a certificate of assured water supply or had an application denied. Requires the Department of Water Usage to use the 2006-2009 Salt River valley regional model, or the 2006 Lower Hassayampa Sub-

Basin groundwater flow model, and financial information submitted by the applicant, and notify all eligible applicants of the ability to have determinations of assured water supply reviewed within five days of the bill being enacted. Imposes a 90-day window from enactment of the bill for applicants to request a review and stipulates that the section is repealed effective January 1, 2025. Contains an Emergency Clause. AS PASSED HOUSE.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DPA - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

12/19/2023 H - Introduced

HB2097 - Gray water; definition; residential standards

Sponsor

Rep. Barbara Parker (R)

Summary

Stipulates that zoning requirements may not extend beyond existing provisions governing the use of gray water and the users of gray water, provided each is in compliance with existing law. Prohibits any ordinance that prevents, restricts or regulates the use or occupation of land, including improvements, related to gray water that is in compliance with existing gray water rules, regulations and statutes. Amends permitting exclusions to include gray water system development, repairs and improvements not exceeding \$500 in cost. Defines “composting toilets” and gray water. Excludes wastewater from a kitchen sink that has a garbage disposal, flush toilets or wastewater contaminated by soiled diapers and redefines “on-site wastewater treatment facility” (more) AS PASSED HOUSE.

Actions

04/17/2024 S - DPA - Senate Committee of the Whole

04/16/2024 S - Hearing Scheduled - 04/17/2024 - Committee of the Whole, Floor

04/08/2024 S - Hearing Scheduled - 04/10/2024 - Committee of the Whole, Floor

04/02/2024 S - RETAINED - Senate Committee of the Whole

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Committee of the Whole, Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/07/2024 S - DPA - Senate Natural Resources, Energy and Water

03/01/2024 S - Hearing Scheduled - 03/07/2024, 9:00 AM - Senate NREW, SHR 2

02/29/2024 S - HELD - Senate Natural Resources, Energy and Water

02/23/2024 S - Hearing Scheduled - 02/29/2024, 1:00 PM - Senate NREW, SHR 2

02/20/2024 S - Senate 2nd Read

02/20/2024 S - Hearing Scheduled - 02/20/2024 - Second Reading, Floor

02/19/2024 S - Senate 1st Read

02/19/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

02/19/2024 S - Referred to Committee - Rules - Senate Rules

02/19/2024 S - Hearing Scheduled - 02/19/2024 - First Reading, Floor

02/13/2024 S - Transmit to Senate

02/13/2024 H - PASSED - House Third Reading

02/12/2024 H - Hearing Scheduled - 02/13/2024 - Third Reading, Floor

01/30/2024 H - House Majority Caucus - Y

01/30/2024 H - House Minority Caucus - Y

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Minority Caucus, Floor

01/29/2024 H - House Consent Calendar - Object: No

01/29/2024 H - C&P - House Rules

01/29/2024 H - Hearing Scheduled - 01/29/2024 - Third Reading, Floor

01/29/2024 H - Hearing Scheduled - 01/30/2024 - Caucus, Floor

01/26/2024 H - Hearing Scheduled - 01/29/2024, 1:00 PM - House RULES, HHR 4

01/23/2024 H - DP - House Natural Resources, Energy & Water

01/17/2024 H - Hearing Scheduled - 01/23/2024, 2:00 PM - House NREW, HHR 1

01/09/2024 H - House 2nd Read

01/09/2024 H - Hearing Scheduled - 01/09/2024 - Second Reading, Floor

01/08/2024 H - House 1st Read

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

01/08/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/08/2024 H - Referred to Committee - Rules - House Rules

01/08/2024 H - Hearing Scheduled - 01/08/2024 - First Reading, Floor

12/27/2023 H - Introduced

HB2101 - Land division; applicant submissions; review

Sponsor

Rep. Gail Griffin (R)

Summary

Requires at the time of applying for a permit for new construction of a residential, single-family home, the applicant must identify ownership interest in the property that is the subject of the permit. Allows a county to enforce an applicable ordinance or code provision that affects public health or safety in the event of a person constructing a building or addition to a building without obtaining a building permit and then selling that property to a subsequent owner. Stipulates that an application for division of land shall be approved if an owner answers two new questions pertaining to land ownership and ownership interests, and sales of said land over the last 10 years. AS PASSED HOUSE.

Actions

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor

03/12/2024 S - Senate Minority Caucus - Y

03/12/2024 S - Senate Majority Caucus - Y

03/11/2024 S - Senate Consent Calendar - Object: Yes

03/11/2024 S - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Consent, Floor

03/11/2024 S - PFC - Senate Rules

03/08/2024 S - Hearing Scheduled - 03/11/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/04/2024 S - DP - Senate Finance and Commerce

02/27/2024 S - Hearing Scheduled - 03/04/2024, 2:00 PM - Senate FICO, SHR 109

02/21/2024 S - Senate 2nd Read

02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Floor

02/20/2024 S - Senate 1st Read

02/20/2024 S - Referred to Committee - Finance and Commerce - Senate Finance and Commerce

02/20/2024 S - Hearing Scheduled - 02/20/2024 - First Reading, Floor

02/20/2024 S - Referred to Committee - Rules - Senate Rules

02/15/2024 S - Transmit to Senate

02/15/2024 H - PASSED - House Third Reading

02/14/2024 H - Hearing Scheduled - 02/15/2024 - Third Reading, Floor

02/12/2024 H - DPA - House Committee of the Whole

02/09/2024 H - Hearing Scheduled - 02/12/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Consent COW, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/29/2024 H - DPA - House Land, Agriculture & Rural Affairs

01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House LARA, HHR 3

01/10/2024 H - House 2nd Read

01/10/2024 H - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 H - House 1st Read

01/09/2024 H - Referred to Committee - Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

01/09/2024 H - Referred to Committee - Rules - House Rules

01/09/2024 H - Hearing Scheduled - 01/09/2024 - First Reading, Floor

01/02/2024 H - Introduced

HB2127 - Assured water supply certificate; effluent

Sponsor

Rep. Gail Griffin (R)

Summary

Permits an applicant for a Certificate of Assured Water Supply for a proposed subdivision in the Tucson, Phoenix, Prescott or Santa Cruz Active Management Area to use effluent projected to be produced by the subdivision provided the application indicates the proposed subdivision will use all effluent produced by the subdivision, the applicant may use it to demonstrate physical availability and consistency with the management plan and the Director shall deem that there is sufficient groundwater to be consistent with the Active Management Area's management plan, and if the applicant enrolls as a member land pursuant to ARS 48-3774 and all projected effluent produced by the subdivision will be recharged in the same subbasin where the subdivision is located, the Director shall grant a Certificate of Assured Water Supply.

Actions

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/27/2024 S - Transmit to Senate

02/27/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, Floor

01/04/2024 H - Introduced

HB2201 - Harquahala non-expansion area; groundwater transportation

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Permits the transportation of groundwater withdrawn in Harquahala Irrigation Non-Expansion Area to an Initial Active Management Area if the groundwater is withdrawn by a public service corporation and the cost of the withdrawal and transport are covered by the customers of the corporation where the groundwater is used, the eligible entity has performed a hydrological study, has installed water measuring devices, and the eligible entity has submitted a monthly report to the Arizona Department of Water Resources (DWP) covering the amount of water withdrawn and transported and the destination of the transported groundwater. Enables the State, subdivision of the State and public service corporation regulated by a corporation commission that possesses a Certificate of Conveyance and Necessity for water service in the Initial Active Management Area. Directs the DWP to adopt rules to govern withdrawal and transportation and reporting procedures for groundwater withdrawn. Enables Initial Active Management Area entities, the Arizona Water Baking Authority, or any location in La Paz County to withdrawal and transport water from the Harquahala Irrigation Non-Expansion Area. Exempts the DWP from rule making requirements for one year after the effective date and defines required reports by the DWP. AS PASSED HOUSE.

Actions

04/02/2024 S - DPA - Senate Committee of the Whole

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Committee of the Whole, Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - PFC - Senate Rules

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/18/2024 S - PFC - Senate Rules

03/14/2024 S - DPA - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/26/2024 S - Transmit to Senate

02/26/2024 H - PASSED - House Third Reading

02/26/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/23/2024 H - Hearing Scheduled - 02/26/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DPA - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/16/2024 H - House 2nd Read

01/16/2024 H - Hearing Scheduled - 01/16/2024 - Second Reading, Floor

01/10/2024 H - House 1st Read

01/10/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/10/2024 H - Referred to Committee - Rules - House Rules

01/10/2024 H - Hearing Scheduled - 01/10/2024 - First Reading, Floor

01/09/2024 H - Introduced

HB2368 - Transportation; groundwater; Douglas AMA

Sponsor

Rep. Gail Griffin (R)

Summary

Permits an owner of a well located in the upper San Pedro groundwater basin, or a private water company a certificate of convenience and necessity issues by the Arizona Corporation Commission (ACC) to provide water services for a municipal purpose within the Douglas Active Management Area as of the effective date of this legislation to annually withdrawal groundwater from the Upper San Pedro Groundwater Basin for transportation to the Douglas Active Management Area. Requires, 30 days after the effective date of this legislation or 30 days before the groundwater withdrawal, the well owner to submit to the Department of Water Resources (ADWR) proof of withdrawal and transport, or plans to do both, purpose for transport with evidence, proof of a certificate of convenience and necessity if needed and the total amount withdrawn. Requires that the total amount of groundwater a private water company can transport from the upper San Pedro Groundwater Basin to the Douglas Active Management Area may not exceed the annual amount of ground order that the private water company transported before December 1, 2022. AS PASSED HOUSE.

Actions

04/24/2024 S - DP - Senate Committee of the Whole

04/23/2024 S - Hearing Scheduled - 04/24/2024 - Committee of the Whole, Floor

03/26/2024 S - Senate Majority Caucus - Y

03/26/2024 S - Senate Minority Caucus - Y

03/25/2024 S - Senate Consent Calendar - Object: Yes

03/25/2024 S - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/25/2024 S - PFC - Senate Rules

03/25/2024 S - Hearing Scheduled - 03/25/2024 - Consent, Floor

03/22/2024 S - Hearing Scheduled - 03/25/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/18/2024 S - PFC - Senate Rules

03/14/2024 S - DP - Senate Natural Resources, Energy and Water

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - DPA - House Committee of the Whole

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - House Consent Calendar - Object: Yes

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - Third Reading, Floor

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DP - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, Floor

01/10/2024 H - Introduced

HB2471 - Rulemaking; legislative approval

Sponsor

Rep. Cory McGarr (R)

Summary

Permits the legislature to reject a Governor's Regulatory Review Council approved rule by concurrent resolution and if that happens, the rule is void. AS PASSED HOUSE.

Actions

03/21/2024 S - DPA/SE - Senate Government

03/21/2024 S - DPA - Senate Government

03/15/2024 S - Hearing Scheduled - 03/21/2024, 1:00 PM - Senate GOV, SHR 1

03/14/2024 S - Hearing Scheduled - 03/20/2024 - Senate GOV, SHR 1

03/11/2024 S - Senate 2nd Read

03/11/2024 S - Hearing Scheduled - 03/11/2024 - Second Reading, Floor

03/07/2024 S - Senate 1st Read

03/07/2024 S - Referred to Committee - Government - Senate Government

03/07/2024 S - Referred to Committee - Rules - Senate Rules

03/07/2024 S - Hearing Scheduled - 03/07/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - DPA - House Committee of the Whole

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/31/2024 H - DP ON RECON - House Regulatory Affairs

01/31/2024 H - DP - House Regulatory Affairs

01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House RA, HHR 5

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, Floor

01/11/2024 H - Introduced

HB2589 - Assured water supply; analysis; availability

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Requires the Arizona Department of Water Resources (ADWR) to accept an “analysis” (defined) as a valid demonstration of physical availability for the volume of groundwater stated in the analysis after reducing the volume of groundwater by all certifications of assured water supply if the ADWR issues the analysis before May 31, 2023, the analysis has not expired and the analysis includes a determination of physical availability of groundwater. Requires the ADWR to issue certificates of assured water supply that is reliant on an analysis pursuant to this legislation to use the water demand assumption in use when the application was submitted and when the certificate is issued, the analysis be reduced by the volume of groundwater using the same demand assumption used when the analysis was issued, and for that analysis and results to be available for further subdivision development. AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/22/2024 H - DPA - House Additional Committee of the Whole

02/22/2024 H - PASSED - House Motion to Ad COW

02/21/2024 H - DPA - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Additional Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/06/2024 H - House Majority Caucus - Y

02/06/2024 H - House Minority Caucus - Y

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Minority Caucus, Floor

02/05/2024 H - C&P - House Rules

02/05/2024 H - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/02/2024 H - Hearing Scheduled - 02/05/2024, 1:00 PM - House RULES, HHR 4

01/30/2024 H - DPA - House Natural Resources, Energy & Water

01/24/2024 H - Hearing Scheduled - 01/30/2024, 2:00 PM - House NREW, HHR 1

01/22/2024 H - House 2nd Read

01/22/2024 H - Hearing Scheduled - 01/22/2024 - Second Reading, Floor

01/17/2024 H - House 1st Read

01/17/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/17/2024 H - Referred to Committee - Rules - House Rules

01/17/2024 H - Hearing Scheduled - 01/17/2024 - First Reading, Floor

01/11/2024 H - Introduced

HB2647 - Physical availability credits; water supply.

Sponsor

Rep. Austin Smith (R)

Summary

Permits a person with a grandfathered right to legally irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit and outlines where and how that credit may be used per state law. Defines the calculation that must be used to determine the amount of groundwater that may be withdrawn or received. Defines the process of determining whether to issue a Certificate of Assured Water Supply to designate or redesignate a municipal provider as having an assured water supply, and the criteria the Arizona Department of Water Resources (ADWR) may use to make such a determination. Delineates the parts of the ARS that govern administrative proceedings, re-hearings, reviews and judicial reviews of final decisions per the ADWR. Removes the date deadline for the rules providing for a reduction in water demand for an application for a designation of assured water supply or a certificate for the same. Requires the ADWR to find that for an assured water supply designation, the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with any applicable management goals set forth in the ADWR rules or state law. AS PASSED HOUSE.

Actions

04/02/2024 S - Senate Minority Caucus - Y

04/02/2024 S - Senate Majority Caucus - Y

04/01/2024 S - Hearing Scheduled - 04/02/2024 - Caucus, Floor

04/01/2024 S - PFC - Senate Rules

03/28/2024 S - Hearing Scheduled - 04/01/2024, 1:00 PM - Senate RULES, Caucus Room 1

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/07/2024 S - Senate 2nd Read

03/07/2024 S - Hearing Scheduled - 03/07/2024 - Second Reading, Floor

03/06/2024 S - Senate 1st Read

03/06/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/06/2024 S - Referred to Committee - Rules - Senate Rules

03/06/2024 S - Hearing Scheduled - 03/06/2024 - First Reading, Floor

03/04/2024 S - Transmit to Senate

03/04/2024 H - PASSED - House Third Reading

03/04/2024 H - DPA - House Committee of the Whole

03/01/2024 H - Hearing Scheduled - 03/04/2024 - Committee of the Whole, Floor

03/01/2024 H - Hearing Scheduled - 03/04/2024 - Third Reading, Floor

02/29/2024 H - RET ON CAL - House Committee of the Whole

02/28/2024 H - Hearing Scheduled - 02/29/2024 - Committee of the Whole, Floor

02/27/2024 H - RET ON CAL - House Committee of the Whole

02/26/2024 H - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Floor

02/22/2024 H - RET ON CAL - House Committee of the Whole

02/21/2024 H - Hearing Scheduled - 02/22/2024 - Committee of the Whole, Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: Yes

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

01/31/2024 H - Removed from Hearing Agenda - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/31/2024 H - Hearing Scheduled - 02/06/2024, 2:00 PM - House NREW, HHR 1

01/24/2024 H - House 2nd Read

01/24/2024 H - Hearing Scheduled - 01/24/2024 - Second Reading, Floor

01/23/2024 H - House 1st Read

01/23/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

01/23/2024 H - Referred to Committee - Rules - House Rules

01/23/2024 H - Hearing Scheduled - 01/23/2024 - First Reading, Floor

01/18/2024 H - Introduced

HCR2040 - Public monies; prohibited expenditures

Sponsor

Rep. Austin Smith (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution. AS PASSED HOUSE.

Actions

03/14/2024 S - DP - Senate Judiciary

03/08/2024 S - Hearing Scheduled - 03/14/2024, 9:00 AM - Senate JUD, SHR 1

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Judiciary - Senate Judiciary

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/14/2024 H - DPA - House Municipal Oversight & Elections

02/08/2024 H - Hearing Scheduled - 02/14/2024, 2:00 PM - House MOE, HHR 4

02/01/2024 H - Removed from Hearing Agenda - 02/07/2024, 2:00 PM - House MOE, HHR 4

02/01/2024 H - Hearing Scheduled - 02/07/2024, 2:00 PM - House MOE, HHR 4

01/30/2024 H - House 2nd Read

01/30/2024 H - Hearing Scheduled - 01/30/2024 - Second Reading, Floor

01/29/2024 H - House 1st Read

01/29/2024 H - Referred to Committee - Municipal Oversight & Elections - House Municipal Oversight & Elections

01/29/2024 H - Referred to Committee - Rules - House Rules

01/29/2024 H - Hearing Scheduled - 01/29/2024 - First Reading, Floor

01/22/2024 H - Introduced

HCR2051 - Rural communities; groundwater; tools

Sponsor

Rep. Gail Griffin (R)

Summary

Directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources. AS PASSED HOUSE.

Actions

05/09/2024 S - Senate Minority Caucus - Y

05/09/2024 S - Senate Majority Caucus - Y

05/09/2024 S - PFC - Senate Rules

05/09/2024 S - Hearing Scheduled - 05/09/2024 - Caucus, Floor

03/21/2024 S - DP - Senate Natural Resources, Energy and Water

03/15/2024 S - Hearing Scheduled - 03/21/2024, 9:00 AM - Senate NREW, SHR 2

03/05/2024 S - Senate 2nd Read

03/05/2024 S - Hearing Scheduled - 03/05/2024 - Second Reading, Floor

03/04/2024 S - Senate 1st Read

03/04/2024 S - Hearing Scheduled - 03/04/2024 - First Reading, Floor

03/04/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

03/04/2024 S - Referred to Committee - Rules - Senate Rules

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/19/2024 H - House Consent Calendar - Object: No

02/19/2024 H - C&P - House Rules

02/19/2024 H - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/19/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/16/2024 H - Hearing Scheduled - 02/19/2024, 1:00 PM - House RULES, HHR 4

02/13/2024 H - DP - House Natural Resources, Energy & Water

02/07/2024 H - Hearing Scheduled - 02/13/2024, 2:00 PM - House NREW, HHR 1

02/06/2024 H - House 2nd Read

02/06/2024 H - Hearing Scheduled - 02/06/2024 - Second Reading, Floor

02/05/2024 H - House 1st Read

02/05/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/05/2024 H - Referred to Committee - Rules - House Rules

02/05/2024 H - Hearing Scheduled - 02/05/2024 - First Reading, Floor

02/01/2024 H - Introduced

HCR2052 - Rulemaking; legislative authority (Rulemaking; legislative approval)

Sponsor

Rep. Cory McGarr (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend Arizona Revised Statutes to allow the legislature to reject by concurrent resolution any rule approved by the Governor's Regulatory and if a rule is rejected, it is void. AS PASSED HOUSE.

Actions

03/13/2024 S - DP - Senate Government

03/07/2024 S - Hearing Scheduled - 03/13/2024, 9:00 AM - Senate GOV, SHR 1

03/06/2024 S - Senate 2nd Read

03/06/2024 S - Hearing Scheduled - 03/06/2024 - Second Reading, Floor

03/05/2024 S - Senate 1st Read

03/05/2024 S - Referred to Committee - Government - Senate Government

03/05/2024 S - Referred to Committee - Rules - Senate Rules

03/05/2024 S - Hearing Scheduled - 03/05/2024 - First Reading, Floor

02/28/2024 S - Transmit to Senate

02/28/2024 H - PASSED - House Third Reading

02/27/2024 H - Hearing Scheduled - 02/28/2024 - Third Reading, Floor

02/21/2024 H - DPA - House Committee of the Whole

02/20/2024 H - House Majority Caucus - Y

02/20/2024 H - House Minority Caucus - Y

02/20/2024 H - C&P - House Rules

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Minority Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/20/2024 H - Hearing Scheduled - 02/20/2024, 1:00 PM - House RULES, HHR 4

02/14/2024 H - DPA/SE - House Regulatory Affairs

02/08/2024 H - House 2nd Read

02/08/2024 H - Hearing Scheduled - 02/14/2024 - House RA, HHR 5

02/08/2024 H - Hearing Scheduled - 02/08/2024 - Second Reading, Floor

02/06/2024 H - House 1st Read

02/06/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

02/06/2024 H - Referred to Committee - Rules - House Rules

02/06/2024 H - Hearing Scheduled - 02/06/2024 - First Reading, Floor

02/01/2024 H - Introduced

SB1041 - Groundwater savings certificate; assured water

Sponsor

Sen. Jake Hoffman (R)

Summary

Requires a Groundwater Savings Certificate (defined) issued by the Arizona Department of Water Resources (ADWR) for anyone proposing to offer subdivided lands for sale or lease before presenting the subdivision plan for approval. Requires the certificate be obtained before any filings with the Arizona State Real Estate Commissioner of a notice to offer the subdivision for sale or lease. Requires a city, town or county to only prove a subdivision if the Groundwater Savings Certificate is present, or the applicant has secured a written commitment for water service for the subdivision from a city, town or private water company designated as having an assured water supply. Requires ADWR to designate private water companies in Active Management Areas that have an assured water supply or a Groundwater Savings Certificate. Requires rules to be drafted for an application for a Groundwater Savings Certificate if a gray water system will be installed and meets all gray water environmental requirements. Adds to the meaning of "groundwater savings certificate" that the projected groundwater use is consistent with the management plan and achievement of the management goal for the active management area, the projected groundwater will be of adequate quality to satisfy the proposed water needs, and the applicant or a groundwater replenishment district has demonstrated sufficient financial capability to deliver the necessary water of adequate quality. AS PASSED BY SENATE.

Actions

04/03/2024 H - RET ON CAL - House Committee of the Whole

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA - House Natural Resources, Energy & Water

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 2nd Read

03/12/2024 H - HELD - House Natural Resources, Energy & Water

03/06/2024 H - Hearing Scheduled - 03/12/2024, 2:00 PM - House NREW, HHR 1

03/04/2024 H - House 1st Read

03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/04/2024 H - Referred to Committee - Rules - House Rules

03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, Floor

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - RETAINED - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Floor

02/20/2024 S - Senate Majority Caucus - Y

02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DPA - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/10/2024 S - Senate 2nd Read

01/10/2024 S - Hearing Scheduled - 01/10/2024 - Second Reading, Floor

01/09/2024 S - Senate 1st Read

01/09/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/09/2024 S - Referred to Committee - Rules - Senate Rules

01/09/2024 S - Hearing Scheduled - 01/09/2024 - First Reading, Floor

01/04/2024 S - Introduced

SB1056 - Municipalities; counties; fee increases; vote

Sponsor

Sen. Warren Petersen (R)

Summary

Prohibits a common council of a municipality from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the common council of the municipality. Prohibits the Board of Supervisors of a County from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the Board of Supervisors of the county.

Actions

05/01/2024 H - DPA - House Committee of the Whole

05/01/2024 H - Hearing Scheduled - 05/01/2024 - Committee of the Whole, Floor

04/30/2024 H - Hearing Scheduled - 05/01/2024 - Committee of the Whole, House Floor

04/02/2024 H - RET ON CAL - House Committee of the Whole

04/01/2024 H - Hearing Scheduled - 04/02/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/20/2024 H - DPA/SE - House Judiciary

03/14/2024 H - Hearing Scheduled - 03/20/2024, 8:30 AM - House JUD, HHR 4

03/13/2024 H - House 2nd Read

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Judiciary - House Judiciary

03/12/2024 H - Referred to Committee - Rules - House Rules

03/07/2024 H - Removed from Hearing Agenda - 03/13/2024, 10:00 AM - House GOV, HHR 3

03/07/2024 H - Hearing Scheduled - 03/13/2024, 10:00 AM - House GOV, HHR 3

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/15/2024 S - PASSED - Senate Motion to Reconsider Third

02/15/2024 S - FAILED - Senate Third Reading

02/15/2024 S - DPA - Senate Committee of the Whole

02/15/2024 S - Hearing Scheduled - 02/15/2024 - Third Reading, Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Floor

01/30/2024 S - Senate Minority Caucus - Y

01/30/2024 S - Senate Majority Caucus - Y

01/29/2024 S - Senate Consent Calendar - Object: Yes

01/29/2024 S - Hearing Scheduled - 01/30/2024 - Caucus, Floor

01/29/2024 S - Hearing Scheduled - 01/29/2024 - Consent, Floor

01/29/2024 S - PFC - Senate Rules

01/26/2024 S - Hearing Scheduled - 01/29/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/24/2024 S - DP - Senate Government

01/18/2024 S - Hearing Scheduled - 01/24/2024, 9:00 AM - Senate GOV, SHR 1

01/16/2024 S - Senate 2nd Read

01/16/2024 S - Hearing Scheduled - 01/16/2024 - Second Reading, Floor

01/10/2024 S - Senate 1st Read

01/10/2024 S - Referred to Committee - Government - Senate Government

01/10/2024 S - Referred to Committee - Rules - Senate Rules

01/10/2024 S - Hearing Scheduled - 01/10/2024 - First Reading, Floor

01/09/2024 S - Introduced

SB1081 - Exemption area; assured water supply

Sponsor

Sen. Sine Kerr (R)

Summary

Requires the Arizona Department of Water Resources (ADWR), if requested to designate a portion of a city or town that is located both in the area delineated for exemption and in the Phoenix Active Management Area (AMA) as having an assured water supply if the portion of the city or town seeking the water supply designation is located entirely within an irrigation and water conservation district. Requires the same if the city or town has contracted with the irrigation and water conservation district for a term of 100 years or more, under which the city or town will receive water that the landowners in the district have the right to use on their lands and will treat and deliver the water for exclusive use on irrigation and conservation district lands for municipal use, there is sufficient surface water or effluent of an adequate quality that will be continuously available to satisfy the portion of the city's or town's proposed water needs for not less than 100 years, and that the city or town demonstrate the financial capability to construct necessary water facilities per state law. Permits the ADWR to review the determination that a portion of a city or town has an assured water supply and if the evidence shows, determine that a city or town does not. AS PASSED SENATE.

Actions

04/16/2024 H - Hearing Scheduled - 04/17/2024 - Third Reading, Floor

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

03/26/2024 H - Hearing Scheduled - 03/27/2024 - Third Reading, Floor

03/12/2024 H - House Majority Caucus - Y

03/12/2024 H - House Minority Caucus - Y

03/11/2024 H - House Consent Calendar - Object: No

03/11/2024 H - C&P - House Rules

03/11/2024 H - Hearing Scheduled - 03/12/2024 - Minority Caucus, Floor

03/11/2024 H - Hearing Scheduled - 03/11/2024 - Third Reading, Floor

03/11/2024 H - Hearing Scheduled - 03/12/2024 - Caucus, Floor

03/08/2024 H - Hearing Scheduled - 03/11/2024, 1:00 PM - House RULES, HHR 4

03/05/2024 H - DP - House Natural Resources, Energy & Water

02/28/2024 H - Hearing Scheduled - 03/05/2024, 1:00 PM - House NREW, HHR 1

02/22/2024 H - House 2nd Read

02/22/2024 H - Hearing Scheduled - 02/22/2024 - Second Reading, Floor

02/21/2024 H - House 1st Read

02/21/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

02/21/2024 H - Referred to Committee - Rules - House Rules

02/21/2024 H - Hearing Scheduled - 02/21/2024 - First Reading, Floor

02/21/2024 H - Hearing Scheduled - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - DPA - Senate Committee of the Whole

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/16/2024 S - Hearing Scheduled - 02/19/2024 - Committee of the Whole, Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/25/2024 S - DP - Senate Natural Resources, Energy and Water

01/19/2024 S - Hearing Scheduled - 01/25/2024, 9:00 AM - Senate NREW, SHR 2

01/17/2024 S - Senate 2nd Read

01/17/2024 S - Hearing Scheduled - 01/17/2024 - Second Reading, Floor

01/16/2024 S - Senate 1st Read

01/16/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/16/2024 S - Referred to Committee - Rules - Senate Rules

01/16/2024 S - Hearing Scheduled - 01/16/2024 - First Reading, Floor

01/12/2024 S - Introduced

SB1172 - Physical availability credits; water supply

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

Permits a person with a grandfathered right to irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit. Permits a physical availability credit to be used to withdraw or receive the

amount of water calculated for a non-irrigation use under listed conditions. Defines the calculation to determine the amount of groundwater that may be withdrawn or received. Requires the physical availability credit to be used in the original irrigation acreage unless the amount needed is less than the credit. Defines the process and criteria for determining whether to issue a Certificate of Assured Water Supply. Delineates the parts of the Arizona Revised Statutes that govern the Arizona Department of Water Resources (ADWR). Removes the deadline regarding rules providing for a reduction in water demand for a designation of assured water supply. Requires ADWR, when making an assured water supply designation, to find that the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with applicable management goals. AS PASSED SENATE.

Actions

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA - House Natural Resources, Energy & Water

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 2nd Read

03/04/2024 H - House 1st Read

03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/04/2024 H - Referred to Committee - Rules - House Rules

03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, Floor

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - DP - Senate Committee of the Whole

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

02/27/2024 S - Hearing Scheduled - 02/28/2024 - Committee of the Whole, Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/01/2024 S - DP - Senate Natural Resources, Energy and Water

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/23/2024 S - Senate 2nd Read

01/23/2024 S - Hearing Scheduled - 01/23/2024 - Second Reading, Floor

01/22/2024 S - Senate 1st Read

01/22/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/22/2024 S - Referred to Committee - Rules - Senate Rules

01/22/2024 S - Hearing Scheduled - 01/22/2024 - First Reading, Floor

01/18/2024 S - Introduced

SB1181 - Groundwater replenishment; member lands; areas

Sponsor

Sen. Warren Petersen (R)

Summary

Stipulates that excepting to maintain compliance with this legislation, a parcel of member land that is included in the service area of a municipal provider and that has been designated as having an assured water supply pursuant to Arizona Department of Water Resources (ADWR) rules, has no further parcel replenishment obligation. Allows, upon the effective date of this legislation, a municipal provider that submits an application for a new designation of assured water supply in the Phoenix Management Area that relies on a member service area agreement, to elect for all parcels of member land to retain a replenishment obligation. For parcels that retain the obligation, the district is required to replenish groundwater in an amount equal to the obligation applicable to that parcel of land. Outlines notification requirements for a municipal provider seeking to become designated as having an assured water supply regarding whether it assumes replenishment obligations under the designation and member service area agreement. Stipulates that that adding member lands to the service area after the designation is not automatically authorized under state law. Sets the replenishment and assumption requirements for a municipal provider that opts to allow parcels to regain replenishment obligations. Outlines how groundwater allowances or extinguishment credits in compliance may be used, required reports as well as penalties for required reporting noncompliance, how processes for annual replenishment assessments for land under a member service agreement work and public media notification requirements for a municipal provider that elects to have parcels retain replenishment obligations. Requires ADWR to develop or amend rules for extinguishment credits and groundwater associated with member lands in a designation of assured water supply. (More) AS PASSED SENATE.

Actions

03/19/2024 H - House Majority Caucus - Y

03/19/2024 H - House Minority Caucus - Y

03/19/2024 H - Hearing Scheduled - 03/19/2024 - Minority Caucus, Floor

03/18/2024 H - C&P - House Rules

03/18/2024 H - Hearing Scheduled - 03/19/2024 - Caucus, Floor

03/15/2024 H - Hearing Scheduled - 03/18/2024, 1:00 PM - House RULES, HHR 4

03/13/2024 H - House 2nd Read

03/12/2024 H - DPA - House Natural Resources, Energy & Water

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/12/2024 H - Referred to Committee - Rules - House Rules

03/06/2024 H - Hearing Scheduled - 03/12/2024, 2:00 PM - House NREW, HHR 1

03/04/2024 H - Transmit to House

03/04/2024 S - PASSED - Senate Third Reading

03/01/2024 S - Hearing Scheduled - 03/04/2024 - Third Reading, Floor

02/29/2024 S - DPA - Senate Committee of the Whole

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Committee of the Whole, Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/12/2024 S - PFCA - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/08/2024 S - DPA - Senate Natural Resources, Energy and Water

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Floor

01/19/2024 S - Introduced

SB1195 - Public monies; prohibited uses

Sponsor

Sen. Anthony Kern (R)

Summary

Prohibits a “public entity” (defined) from expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership with shared or rented goods to promote a circular economy, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel. Allows the Arizona Department of Transportation to use cameras to monitor motor vehicle travel on state and interstate highways. Stipulates that any qualified elector of the state has standing to bring a suit in court of law against any public entity that violates this law, to remedy the violation via jury or bench trial, and if successful, the court shall permanently enjoin the actions found to violate this legislation and shall award reasonable costs and attorney fees to the plaintiff. AS PASSED BY SENATE.

Actions

03/13/2024 H - House 2nd Read

03/13/2024 H - DP - House Government

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Government - House Government

03/12/2024 H - Referred to Committee - Judiciary - House Judiciary

03/12/2024 H - Referred to Committee - Rules - House Rules

03/07/2024 H - Hearing Scheduled - 03/13/2024, 10:00 AM - House GOV, HHR 3

02/29/2024 H - Transmit to House

02/29/2024 S - PASSED - Senate Third Reading

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Floor

02/21/2024 S - RETAINED - Senate Committee of the Whole

02/20/2024 S - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - PFC - Senate Rules

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/07/2024 S - DPA - Senate Government

02/01/2024 S - Hearing Scheduled - 02/07/2024, 9:00 AM - Senate GOV, SHR 1

01/25/2024 S - Senate 2nd Read

01/25/2024 S - Hearing Scheduled - 01/25/2024 - Second Reading, Floor

01/24/2024 S - Senate 1st Read

01/24/2024 S - Referred to Committee - Government - Senate Government

01/24/2024 S - Referred to Committee - Rules - Senate Rules

01/24/2024 S - Hearing Scheduled - 01/24/2024 - First Reading, Floor

01/22/2024 S - Introduced

SB1221 - Basin management areas; appropriation

Sponsor

Sen. Sine Kerr (R)

Summary

Appropriates \$40,000,000 from monies allocated to Arizona from the American Rescue Plan Act of 2021 in FY2024-25 to the Arizona Department of Water Resources (ADWR) to fund water conservation measures in a basin management area established pursuant to statute (Basin Area). Requires ADWR to use monies appropriated in the statewide water resources planning line item only to fund water conservation measures in a Basin Area. Allows a water user in a Basin Area to apply for a grant. Requires ADWR to award monies equitably. Exempt from lapsing. Allows the designation of a Basin Area to be initiated by petition. Requires ADWR to transmit the petition to the county board of supervisors (Board). Requires a unanimous, affirmative vote of all members of the Board for approval.

Requires public meetings as specified. Requires ADWR to grant certificates within 15 months. Prohibits ADWR from requiring a user to meter any wells in the Basin Area or to report usage beyond statutory requirements. Lists requirement for annual reporting of usage and specifies the information is not public record. Provides for a certificate of water conservation. Lists rights of certificate holders and responsibilities of ADWR. Prohibits the designation of a Basin Area as an active management area or irrigation non-expansion area. Allows the designation of an Active Basin Management Area (Active Area) and the creation of an Active Basin Management Council (Council) and provides rules, procedures, responsibilities and goals. Prohibits the designation of an active area from infringing on a water user's certificated water rights with listed exceptions. Requires annual review by ADWR. Revises criteria for designation of a basin management area so that each index well must show an accelerated decline of five (previously ten) feet or more annually. Allows ADWR to refer listed areas for designation as a basin management area. Specifies that if ADWR makes the referral, it is not subject to petition requirements but is subject to meeting and vote procedures. AS PASSED HOUSE.

Actions

- 04/16/2024 H - Hearing Scheduled - 04/17/2024 - Caucus, Floor

- 03/26/2024 H - House Majority Caucus - N

- 03/26/2024 H - House Minority Caucus - Y

- 03/25/2024 H - C&P - House Rules

- 03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

- 03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

- 03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

- 03/19/2024 H - DPA - House Natural Resources, Energy & Water

- 03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

- 03/12/2024 H - House 2nd Read

- 03/04/2024 H - House 1st Read

- 03/04/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

- 03/04/2024 H - Referred to Committee - Rules - House Rules

- 03/04/2024 H - Hearing Scheduled - 03/04/2024 - First Reading, Floor

- 02/29/2024 H - Transmit to House

- 02/29/2024 S - PASSED - Senate Third Reading

- 02/28/2024 S - DPA - Senate Committee of the Whole

- 02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

- 02/27/2024 S - Hearing Scheduled - 02/28/2024 - Committee of the Whole, Floor

- 02/20/2024 S - Senate Majority Caucus - Y

- 02/20/2024 S - Senate Minority Caucus - Y

02/19/2024 S - Hearing Scheduled - 02/20/2024 - Caucus, Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/13/2024 S - DPA - Senate Appropriations

02/08/2024 S - DPA - Senate Natural Resources, Energy and Water

02/07/2024 S - Hearing Scheduled - 02/13/2024, 2:00 PM - Senate APPROP, SHR 109

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Appropriations - Senate Appropriations

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Floor

01/23/2024 S - Introduced

SB1242 - Water conservation grant fund; purpose (ADWR; application; review; time frames)

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

Removes an exception to appealability for license applications submitted to the Arizona Department of Water Resources (ADWR). Adds requirements that ADWR determinations be made within certain time frames: "administrative completeness" (defined) within 90 days, "substantive review" (defined) within 30 days, and "overall" (defined) within 120 days. Previously there were no time frames.

Actions

04/03/2024 H - DPA - House Committee of the Whole

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DPA/SE - House Natural Resources, Energy & Water

03/18/2024 H - House 2nd Read

03/14/2024 H - House 1st Read

03/14/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/14/2024 H - Referred to Committee - Rules - House Rules

03/14/2024 H - Hearing Scheduled - 03/14/2024 - First Reading, Floor

03/14/2024 H - Hearing Scheduled - 03/18/2024 - Second Reading, Floor

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

02/21/2024 H - Removed from Hearing Agenda - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/21/2024 H - Hearing Scheduled - 02/27/2024, 2:00 PM - House NREW, HHR 1

02/20/2024 H - Transmit to House

02/19/2024 S - PASSED - Senate Third Reading

02/19/2024 S - DP - Senate Committee of the Whole

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Third Reading, Floor

02/16/2024 S - Hearing Scheduled - 02/19/2024 - Committee of the Whole, Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Senate Consent Calendar - Object: Yes

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/12/2024 S - Hearing Scheduled - 02/12/2024 - Consent, Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/08/2024 S - DP - Senate Natural Resources, Energy and Water

02/02/2024 S - Hearing Scheduled - 02/08/2024, 9:00 AM - Senate NREW, SHR 2

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Floor

01/23/2024 S - Introduced

SB1243 - Groundwater sales; online exchange.

Sponsor

Sen. Justine Wadsack (R)

Summary

Allows someone with a grandfathered right to groundwater in the Phoenix, Tucson or Pinal Active Management Area to sell, lease or otherwise convey any portion of that right to pump groundwater or the groundwater itself to any other person in the areas mentioned. Prohibits the right to pump groundwater from one subbasin to transport and use in another subbasin. Establishes permissible uses of grandfathered water rights in the same subbasin as well as information required to be submitted to the Department of Water Resources (DWS) when a transfer of rights is occurring. Permits the DWS to create a form for appropriate notice requirements and the purchaser to access 65% of the total amount of groundwater given by the grandfathered party. Authorizes and direct the DWS to create, maintain and host on its website a water exchange for groundwater and groundwater rights to be transferred, sold, leased or otherwise conveyed to another party. The online water exchange shall be publicly accessible and shall include for each transaction the information submitted in the notices prescribed by Section 45-641 (more). AS PASSED SENATE.

Actions

04/04/2024 H - DPA - House Additional Committee of the Whole

04/04/2024 H - PASSED - House Motion to Ad COW

04/03/2024 H - Hearing Scheduled - 04/04/2024 - Additional Committee of the Whole, Floor

04/02/2024 H - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, Floor

03/26/2024 H - House Majority Caucus - Y

03/26/2024 H - House Minority Caucus - Y

03/25/2024 H - House Consent Calendar - Object: No

03/25/2024 H - C&P - House Rules

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Minority Caucus, Floor

03/25/2024 H - Hearing Scheduled - 03/25/2024 - Third Reading, Floor

03/25/2024 H - Hearing Scheduled - 03/26/2024 - Caucus, Floor

03/22/2024 H - Hearing Scheduled - 03/25/2024, 1:00 PM - House RULES, HHR 4

03/19/2024 H - DP - House Natural Resources, Energy & Water

03/13/2024 H - House 2nd Read

03/13/2024 H - Hearing Scheduled - 03/19/2024, 2:00 PM - House NREW, HHR 1

03/12/2024 H - House 1st Read

03/12/2024 H - Hearing Scheduled - 03/13/2024 - Second Reading, Floor

03/12/2024 H - Hearing Scheduled - 03/12/2024 - First Reading, Floor

03/12/2024 H - Referred to Committee - Natural Resources, Energy & Water - House Natural Resources, Energy & Water

03/12/2024 H - Referred to Committee - Rules - House Rules

03/06/2024 H - Transmit to House

03/06/2024 S - PASSED - Senate Third Reading

03/05/2024 S - DPA - Senate Committee of the Whole

03/05/2024 S - Hearing Scheduled - 03/06/2024 - Third Reading, Floor

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Committee of the Whole, Floor

03/04/2024 S - Hearing Scheduled - 03/05/2024 - Committee of the Whole, Floor

02/27/2024 S - Senate Minority Caucus - Y

02/27/2024 S - Senate Majority Caucus - Y

02/27/2024 S - Hearing Scheduled - 02/27/2024 - Caucus, Floor

02/19/2024 S - Senate Consent Calendar - Object: Yes

02/19/2024 S - Hearing Scheduled - 02/19/2024 - Consent, Floor

02/19/2024 S - PFC - Senate Rules

02/16/2024 S - Hearing Scheduled - 02/19/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/15/2024 S - DP - Senate Natural Resources, Energy and Water

02/09/2024 S - Hearing Scheduled - 02/15/2024, 9:00 AM - Senate NREW, SHR 109 (Note Room Change)

01/30/2024 S - Senate 2nd Read

01/30/2024 S - Hearing Scheduled - 01/30/2024 - Second Reading, Floor

01/29/2024 S - Senate 1st Read

01/29/2024 S - Referred to Committee - Natural Resources, Energy and Water - Senate Natural Resources, Energy and Water

01/29/2024 S - Referred to Committee - Rules - Senate Rules

01/29/2024 S - Hearing Scheduled - 01/29/2024 - First Reading, Floor

01/23/2024 S - Introduced

SCR1012 - Rulemaking; legislative ratification; regulatory costs

Sponsor

Sen. Anthony Kern (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to require that any proposed rule that increases regulatory costs by more than \$100,000 within five years of implementation may not be implemented or adopted without the legislature ratifying the rule and if the legislature does not ratify the rule, the rule is to be terminated via a Notice of Termination in the register. Requires the Office of Economic Opportunity to submit the rule to the Administrative Rules Oversight Committee no later than 30 days before the next legislative session, or as soon as is practicable. Permits any person regulated by the applicable agency or any legislator to request a review of a proposed rule. AS PASSED SENATE.

Actions

03/13/2024 H - DP - House Regulatory Affairs

03/05/2024 H - Hearing Scheduled - 03/13/2024, 2:00 PM - House RA, HHR 5

02/29/2024 H - House 2nd Read

02/29/2024 H - Hearing Scheduled - 02/29/2024 - Second Reading, Floor

02/28/2024 H - House 1st Read

02/28/2024 H - Referred to Committee - Regulatory Affairs - House Regulatory Affairs

02/28/2024 H - Referred to Committee - Rules - House Rules

02/28/2024 H - Hearing Scheduled - 02/28/2024 - First Reading, Floor

02/22/2024 H - Transmit to House

02/22/2024 S - PASSED - Senate Third Reading

02/22/2024 S - Hearing Scheduled - 02/22/2024 - Third Reading, Floor

02/15/2024 S - DPA - Senate Committee of the Whole

02/15/2024 S - Hearing Scheduled - 02/15/2024 - Third Reading, Floor

02/14/2024 S - Hearing Scheduled - 02/15/2024 - Committee of the Whole, Floor

02/06/2024 S - Senate Majority Caucus - Y

02/06/2024 S - Senate Minority Caucus - Y

02/05/2024 S - Senate Consent Calendar - Object: Yes

02/05/2024 S - Hearing Scheduled - 02/06/2024 - Caucus, Floor

02/05/2024 S - Hearing Scheduled - 02/05/2024 - Consent, Floor

02/05/2024 S - PFC - Senate Rules

02/02/2024 S - Hearing Scheduled - 02/05/2024, 1:00 PM - Senate RULES, Caucus Room 1

01/31/2024 S - DP - Senate Government

01/25/2024 S - Hearing Scheduled - 01/31/2024, 9:00 AM - Senate GOV, SHR 1

01/24/2024 S - Senate 2nd Read

01/24/2024 S - Hearing Scheduled - 01/24/2024 - Second Reading, Floor

01/23/2024 S - Senate 1st Read

01/23/2024 S - Referred to Committee - Government - Senate Government

01/23/2024 S - Referred to Committee - Rules - Senate Rules

01/23/2024 S - Hearing Scheduled - 01/23/2024 - First Reading, Floor

01/17/2024 S - Introduced

SCR1015 - Public monies; prohibited expenditures.

Sponsor

Sen. Anthony Kern (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution.

Actions

02/28/2024 S - Hearing Scheduled - 02/29/2024 - Third Reading, Floor

02/27/2024 S - FAILED - Senate COW Motion to Amend

02/27/2024 S - DPA - Senate Committee of the Whole

02/26/2024 S - Hearing Scheduled - 02/27/2024 - Committee of the Whole, Floor

02/22/2024 S - Hearing Scheduled - 02/26/2024 - Committee of the Whole, Floor

02/21/2024 S - RETAINED - Senate Committee of the Whole

02/20/2024 S - Hearing Scheduled - 02/21/2024 - Committee of the Whole, Floor

02/13/2024 S - Senate Minority Caucus - Y

02/13/2024 S - Senate Majority Caucus - Y

02/12/2024 S - Hearing Scheduled - 02/13/2024 - Caucus, Floor

02/12/2024 S - PFC - Senate Rules

02/09/2024 S - Hearing Scheduled - 02/12/2024, 1:00 PM - Senate RULES, Caucus Room 1

02/07/2024 S - DPA - Senate Government

02/01/2024 S - Hearing Scheduled - 02/07/2024, 9:00 AM - Senate GOV, SHR 1

01/25/2024 S - Senate 2nd Read

01/25/2024 S - Hearing Scheduled - 01/25/2024 - Second Reading, Floor

01/24/2024 S - Senate 1st Read

01/24/2024 S - Referred to Committee - Government - Senate Government

01/24/2024 S - Referred to Committee - Rules - Senate Rules

01/24/2024 S - Hearing Scheduled - 01/24/2024 - First Reading, Floor

01/22/2024 S - Introduced