

REFERENCE TITLE: publicity pamphlet; analysis; filing

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2128

Introduced by
Representative Adams

AN ACT

AMENDING SECTION 19-124, ARIZONA REVISED STATUTES; RELATING TO INITIATIVE AND REFERENDUM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 19-124, Arizona Revised Statutes, is amended to
3 read:

4 19-124. Arguments and analyses on measures; cost; submission at
5 special election

6 A. The person filing an initiative petition may at the same time file
7 with the secretary of state an argument advocating the measure or
8 constitutional amendment proposed in the petition. Not later than sixty days
9 preceding the regular primary election a person may file with the secretary
10 of state an argument advocating or opposing the measure or constitutional
11 amendment proposed in the petition. Not later than sixty days preceding the
12 regular primary election a person may file with the secretary of state an
13 argument advocating or opposing any measure with respect to which the
14 referendum has been invoked, or any measure or constitutional amendment
15 referred by the legislature. Each argument filed shall contain the original
16 signature of each person sponsoring it. If the argument is sponsored by an
17 organization, it shall be signed by two executive officers thereof or if
18 sponsored by a political committee it shall be signed by the committee's
19 chairman or treasurer. Payment of the deposit required by subsection D or
20 reimbursement of the payor constitutes sponsorship of the argument for
21 purposes of this subsection. The person or persons signing the argument
22 shall identify themselves by giving their residence or post office address
23 and a telephone number, which information shall not appear in the publicity
24 pamphlet. Each argument filed pursuant to this subsection shall not exceed
25 three hundred words in length.

26 B. Not later than ~~sixty~~ FORTY-FIVE days preceding the regular primary
27 election the legislative council, after providing reasonable opportunity for
28 comments by all legislators, shall prepare and file with the secretary of
29 state an impartial analysis of the provisions of each ballot proposal of a
30 measure or proposed amendment. The analysis shall include a description of
31 the measure and shall be written in clear and concise terms avoiding
32 technical terms wherever possible. The analysis may contain background
33 information, including the effect of the measure on existing law, or any
34 legislative enactment suspended by referendum, if the measure or referendum
35 is approved or rejected.

36 C. The analyses and arguments shall be included in the publicity
37 pamphlet immediately following the measure or amendment to which they
38 refer. Arguments in the affirmative shall be placed first in order, and
39 first among the affirmative or negative arguments shall be placed the
40 arguments filed by the person filing the initiative petition or the person
41 who introduced the measure or constitutional amendment referred. The
42 remaining affirmative and negative arguments shall be placed in the order in
43 which they were filed with the secretary of state.

44 D. The person filing an argument shall deposit with the secretary of
45 state, at the time of filing, an amount of money as prescribed by the

1 secretary of state for the purpose of offsetting a portion of the
2 proportionate cost of the PURCHASE OF THE paper and THE printing of the
3 argument. If the person filing an argument requests that the argument appear
4 in connection with more than one proposition, a deposit shall be made for
5 each placement requested. No such deposit or payment shall be required for
6 the analyses prepared and filed by the legislative council. Any proportional
7 balance remaining of the deposit, after paying the cost, shall be returned to
8 the depositor.

9 E. When a measure is submitted at a special election, and time will
10 not permit full compliance with the provisions of this article, the charter
11 provision or ordinance providing for the special election shall make
12 provision for printing and distribution of the publicity pamphlet.

13 F. In the case of referendum petitions that are not required to be
14 filed until after the primary election or at a time so close to the primary
15 election that a referendum cannot be certified for the ballot before the
16 deadline for filing ballot arguments pursuant to subsection A, the secretary
17 of state may establish a separate deadline for filing the referendum ballot
18 arguments pursuant to rules adopted by the secretary of state.