

Arizona Proposition 133, Require Partisan Primaries and Prohibit Primaries Where Candidates Compete Regardless of Party Affiliation Amendment (2024) a legislatively referred constitutional amendment on November 5, 2024.

A "yes" vote supports this constitutional amendment to:

- require partisan primary elections for partisan offices;
- prohibit primary elections where all candidates, regardless of political party affiliation, run in the same primary election, such as top-two, top-four, and top-five primaries;
- provide that the state's *direct primary election law* supersedes local charters and ordinances that are inconsistent with that law.

A "no" vote opposes amending the Arizona Constitution to require partisan primary elections for partisan offices, maintaining the status quo of requiring partisan primaries by state statute.

Arizona Proposition 134, Signature Distribution Requirement for Initiatives Amendment (2024) a legislatively referred constitutional amendment on November 5, 2024.

A "yes" vote supports establishing a signature distribution requirement for citizen initiatives, meaning that instead of requiring 10% of votes cast for governor statewide for initiated state statutes for the ballot, and 15% of votes cast for governor statewide to qualify initiated constitutional amendments for the ballot, the initiative would:

- require signatures from 10% of votes cast for governor *in each legislative district* to qualify initiated state statutes for the ballot, and
- require signatures from 15% of votes cast for governor *in each legislative district* to qualify initiated constitutional amendments for the ballot.

A "no" vote opposes requiring signatures from each legislative district for initiated ballot measures.

Overview

How would this amendment change the initiative process in Arizona?

See also: [Text of measure](#)

The constitutional amendment would require that a percentage of signatures for initiative petitions come from *each legislative district* in Arizona. This is known as a [signature distribution requirement](#). The current signature requirement to get an initiative petition on the ballot in Arizona is equal to 10% or 15% of qualified electors in the state for state statutes and constitutional amendments, respectively.^[1]

If approved, the amendment would provide that the initiative signature requirement would be 10% of votes cast for governor in each legislative district to qualify initiated state

statutes for the ballot, and 15% of votes cast for governor in each legislative district to qualify initiated constitutional amendments for the ballot.^[1]

Arizona Proposition 135, Emergency Declarations Amendment (2024) a [legislatively referred constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports providing for the state legislature to terminate a state of emergency or alter the emergency powers granted to the governor during a state of emergency, and providing for a state of emergency to automatically terminate 30 days after it is declared unless the state legislature extends the emergency powers granted to the governor, except in cases for a state of war emergency or an emergency arising from a flood or a fire.

A "no" vote opposes providing for the state legislature to terminate a state of emergency or alter the emergency powers granted to the governor during a state of emergency and providing for a state of emergency to automatically terminate 30 days after it is declared unless the state legislature extends the emergency powers granted to the governor, except in cases for a state of war emergency or an emergency arising from a flood or a fire.

Overview

How would this amendment change the governor's state of emergency powers?

This amendment would provide for the legislature to terminate a state of emergency or alter the emergency powers of the governor during the state of emergency. The legislature would need to provide a petition containing the signatures of at least one third of the members of each house to the governor in order to request a special session to terminate or alter the powers of the governor during a state of emergency. Under this measure, the governor would have to call the special session on the date specified.^[1]

The amendment would also provide for any emergency powers granted to the governor to automatically terminate 30 days after the state of emergency is proclaimed, unless the state legislature extends the emergency powers granted to the governor, except in cases for a state of war emergency or an emergency arising from a flood or a fire. Under this measure, the governor would not be able to proclaim a new state of emergency arising from the same conditions by which the state of emergency was proclaimed. The measure would also provide that if the state legislature does extend the state of emergency, they may also alter the governor's powers granted during the state of emergency.^[1]

What is the emergency declaration process in Arizona?

In Arizona, the governor has the authority to declare a state of emergency. A city, town, county, tribe, or other state agency would pass a resolution requesting assistance from the state if an emergency occurs within their jurisdiction. The Recovery Branch of the Arizona Department of Emergency & Military Affairs (DEMA) would collaborate with the jurisdiction to conduct joint Preliminary Damage Assessments (PDA). Following the completion of the PDA, the Recovery Branch would review the findings and collaborate with the Director of Emergency Management. The director of Emergency Management would then request the director of DEMA to make a recommendation to the Governor regarding the declaration of a state of emergency.

Arizona Proposition 136, Legal Challenges to Constitutionality of Initiatives Amendment (2024) a [legislatively referred constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports providing for challenges to an initiative measure or constitutional amendment after the filing of the measure with the secretary of state.

A "no" vote opposes providing for challenges to an initiative measure or constitutional amendment after the filing of the measure with the secretary of state.

Overview

What would the amendment do regarding legal challenges to the constitutionality of ballot measures?

This measure would amend the state constitution to introduce new provisions regarding challenges to the constitutionality of proposed constitutional amendments or initiative measures. The amendment would allow any person to file a legal challenge in the superior court regarding the constitutionality of a proposed constitutional amendment or initiative measure at least one hundred days before the date of the election where the measure or amendment is scheduled to be voted on. For measures on a November general election ballot, this 100-day timeline would mean challenges could be filed up until the end of July. Challenges could be filed on the grounds that the proposed measure or amendment, if enacted, would violate either the United States Constitution or the state constitution.

Any party could appeal the superior court's decision to the state supreme court within five calendar days after the superior court renders its judgment. If a court rules that a proposed measure is unconstitutional, then the secretary of state or other appropriate election officer would be instructed not to include the measure on the official ballot.

What is the status quo in Arizona regarding constitutionality challenges to ballot measures?

According to an analysis by the Arizona Legislative Council, "Under the separation of powers doctrine embodied in Article III of the Arizona Constitution, the courts generally may not adjudicate challenges to the constitutionality of an initiative measure until after the initiative measure is enacted by the voters." [Article III](#) of the [Arizona Constitution](#) reads, "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."

According to the purpose statement of the ballot measure, "The Arizona Supreme Court has long maintained, however, that it lacks authority to adjudicate challenges to the constitutionality of an initiative unless and until the initiative is adopted ... This amendment expressly authorizes challenges to the constitutional validity of proposed initiative measures or constitutional amendments at any time after a petition is filed with the secretary of state."

What are the arguments for and against this measure?

In support of the measure, State Rep. Austin Smith (R-29) said, "It's an opportunity to challenge constitutional amendments, which is actually starting to happen a lot more than they used to."

In opposition to the measure, State Rep. Laura Terech (D-4) said, "This is going to astronomically raise the cost of running these initiatives and I find it deeply, deeply undemocratic."

Arizona Proposition 137, End Term Limits and Retention Elections for Supreme Court Justices and Superior Court Judges Amendment (2024) a [legislatively referred constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports ending term limits for state supreme court justices and superior court judges, replacing them with terms of good behavior unless decided otherwise by a judicial review commission, and would end retention elections at the end of the judicial term.

A "no" vote opposes ending term limits for state supreme court justices and superior court judges, replacing them with terms of good behavior unless decided otherwise by a judicial review commission, and would end retention elections at the end of the judicial term.

Overview

What would this amendment do?

The amendment would end term limits for state supreme court justices and superior court judges, replacing them with *terms of good behavior* unless decided otherwise by a judicial review commission. It would also end retention elections at the end of judicial terms, providing these elections under certain circumstances, including: when a judge or justice being convicted of a felony, or a crime involving fraud and dishonesty, or when a judge or justice has a declaration of bankruptcy or foreclosure. Retention elections could also occur by a determination of the Commission on Judicial Performance Review.^[1]

Currently, in Arizona, state supreme court justices have terms of six years, while superior court judges have four year terms.^[1]

How do judicial retention elections work in Arizona?

Judges in Arizona are elected in [retention elections](#) and the [partisan election of judges](#). Judges on the [Arizona Supreme Court](#) and the [Arizona Court of Appeals](#) are selected by gubernatorial appointment from a nominating commission.

In the Arizona Supreme Court, the seven justices are each appointed by the governor from a list of names compiled by the Arizona Commission on Appellate Court Appointments. The initial term of a new justice is at least two years, after which the justice stands for retention in an uncontested yes-no election. Subsequent terms last six years.

For Arizona superior courts, judges are elected in one of two ways. In counties with a population exceeding 250,000, judges are appointed by the governor from a list of names compiled by the Arizona Commission on Appellate Court Appointments. After an appointment, judges serve for two years and then must run in a yes-no retention election in the next general election. If retained, judges will go on to serve a four-year term. If a vacancy occurs in the middle of a judge's term in a county with a population of less than 250,000, the governor appoints a judicial candidate to serve until the next general election. The winner of the nonpartisan election will serve the remainder of the unexpired term. If a vacancy occurs at the end of a judge's term, the vacancy will be filled through a nonpartisan election and the winner will serve a four-year term.

What are arguments for and against this amendment?

In support of the amendment, Bob Robb, former columnist at the Arizona Republic, said, "I think an independent judiciary is a necessary bulwark for the separation of powers and the rule of law, which is a necessary bulwark for a free society. And I have always felt that our system of retention election for judges created a huge vulnerability in maintaining an independent judiciary for there to be a truly independent judiciary. Judges can't fear political accountability for individual decisions that they make in individual cases. There does need to be the ability to influence indirectly over time judicial philosophy. There are differences in that, and the body of politics should have the ability to influence the judicial philosophy under which they are governed. But the retention election holds the possibility of seeking to have judges held politically accountable for individual decisions. And that's an attack on the independence of the judiciary."

In opposition to the amendment, Catherine Sigmon, co-founder of Civic Engagement Beyond Voting, said, "The merit system of judicial selection was instituted in Arizona in 1974 by a civilian initiative. It was put on the ballot and voted for by the people of Arizona. It was improved and reinforced in the 1990s. So we have had this system of judicial retention, which is truly the gold standard in the nation. The merit selection process includes a bipartisan commission which recommends three or more justices to the governor to appoint. And then it also has a retention system that, that is a very important part of the whole process to allow the citizens of Arizona to also weigh in after a period of time on the bench."

Arizona Proposition 138, Wages for Tipped Workers Amendment (2024) a [legislatively referred constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports allowing for tipped workers to be paid 25% less per hour than the minimum wage if any tips received by the employee were not less than the minimum wage plus \$2 for all hours worked.

A "no" vote opposes allowing for tipped workers to be paid 25% less per hour than the minimum wage if any tips received by the employee were not less than the minimum wage plus \$2 for all hours worked.

Overview

What would this amendment do?

The amendment would allow for tipped workers to be paid 25% less per hour than the minimum wage if any tips received by the employee were not less than the minimum wage plus \$2 for all hours worked. Currently, businesses in Arizona can pay tipped workers \$11.35, which is \$3 less than the current minimum wage of \$14.35, as long as their take-home pay, including tips, amounts to the minimum wage. Under this new amendment, businesses would be able to pay workers \$3.58 (25%) less than the current minimum wage of \$14.35, which is \$10.77, provided that the total take-home pay of each worker is at least the hourly minimum wage plus \$2 for each hour worked.

Did Arizona voters decide on other ballot measures regarding the minimum wage?

Arizona voters previously decided on minimum wage measures in 2006 and 2016. In 2006, voters approved [Proposition 202](#) by 65.37%-34.63%, which established a state minimum wage of \$6.75 an hour. Previously, Arizona did not have a state minimum wage deferred to the federal minimum wage, which was \$5.15 an hour in 2006.

In 2016, Arizona voters approved [Proposition 206](#) by 58.33%-41.67%, which raised the minimum wage to \$10 in 2017, and then incrementally to \$12 by 2020, and created a right to paid sick time off from employment.

In 2024, in addition to this ballot measure, Arizona voters may also decide on [Proposition 141](#), which would increase the minimum wage to \$18 per hour, and continue to increase the minimum wage based on inflation as measured by the consumer price index, as well as gradually raise the wage of tipped employees to be equal to the wage of other employees by 2028.

What are the arguments for and against the measure?

In support of this measure, State Rep. Justin Wilmeth said, "We all know that the restaurant industry is a very small profit industry. If you have a disparity in a forced raise of costs for a business, they will either shut down, limit staff or make other alternatives."^[2]

In opposition to the measure, Jim Barton, attorney for One Fair Wage AZ, said, "If they're saying that the restaurants need to use the tips that the servers earn to cover their responsibility to pay the worker, then that

restaurant's not a very good business ... Businesses can afford to pay their workers a fair share. And there is no reason why the boss should get to take credit for the tip that the server earns."^[3]

Arizona Proposition 139, Right to Abortion Initiative (2024) an [initiated constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports providing the *fundamental right to abortion* that the state of Arizona may not interfere with before the point of fetal viability (defined as the point of pregnancy when there is significant chance of the survival of the fetus outside of the uterus without the application of extraordinary medical measures) unless justified by a compelling state interest (defined as a law or regulation enacted for the limited purpose of improving or maintaining the health of the individual seeking abortion care that does not infringe on that individual's autonomous decision making).

A "no" vote opposes providing the *fundamental right to abortion* that the state of Arizona may not interfere with before the point of fetal viability (defined as the point of pregnancy when there is significant chance of the survival of the fetus outside of the uterus without the application of extraordinary medical measures) unless justified by a compelling state interest (defined as a law or regulation enacted for the limited purpose of improving or maintaining the health of the individual seeking abortion care that does not infringe on that individual's autonomous decision making).

Additional information on abortion-related ballot measures

As of August 17, 2024, eight statewide ballot measures related to abortion were certified in Arizona, [Colorado](#), [Florida](#), [Maryland](#), [Missouri](#), [New York](#), [Nevada](#), and [South Dakota](#) for the general election ballot in [2024](#). This is the [most on record](#) for a single year.

- You can find a list of 2024's certified and proposed measures here: [2024 abortion-related ballot measures and state context](#).
- Information on abortion-related ballot measures since 1970 is available here: [History of abortion ballot measures](#).

Overview

What would this amendment do?

This measure would amend the Arizona Constitution to establish the *fundamental right to abortion* that the state of Arizona may not interfere with before the point of *fetal viability*. *Fetal viability* is defined in the measure as the point of pregnancy when there is significant chance of the survival of the fetus outside of the uterus without the application of extraordinary medical measures. This right would not be interfered with unless justified by a compelling state interest. In the measure, a compelling state interest is defined as a law or regulation enacted for the limited purpose of improving or maintaining the health of the individual seeking abortion care that does not infringe on that individual's autonomous decision making.^[1]

What is the status of abortion in Arizona?

As of April 9, abortion is legal for up to 15 weeks of pregnancy in Arizona. On April 9, 2024, the Arizona Supreme Court, in a 4-2 decision, upheld a law enacted in 1864 prohibiting abortion in most circumstances except to save the life of the mother. The law ordered prosecution for "a person who provides, supplies or administers to a pregnant woman, or procures such woman to take any medicine, drugs or substance, or uses or employs any instrument or other means whatever, with intent thereby to procure the miscarriage of such woman, unless it is necessary to save her life." The Arizona State Legislature never repealed the law, and the Court ruled it became enforceable following the U.S. Supreme Court's decision in [Dobbs v. Jackson Women's](#)

[Health Organization](#). The Arizona Supreme Court stayed enforcement of the abortion ban for 14 days to allow legal challenges to the ruling.^[2] On April 24, 2024, the Arizona House of Representatives passed House Bill 2677 by 32-29, which would repeal the 1864 abortion ban.^[3] The Arizona State Senate voted 16-14 to pass the repeal on May 1, 2024. In Arizona, a repeal can only take effect 90 days after the adjournment of the state legislature.^[4] On May 13, the Arizona Supreme Court granted a motion to stay the enforcement of the 1864 law until August 12, 2024.^[5] On June 15, 2024, the Arizona State Legislature adjourned, meaning that the bill repealing the ban will become effective before the court order that would have reviewed the law.^[6]

How will this amendment qualify for the 2024 ballot?

For a citizen-initiated constitutional amendment to qualify for the November 5, 2024, ballot in Arizona, at least 383,923 valid signatures need to be submitted to the secretary of state by July 3, 2024. This is equal to 5 percent of votes cast for governor in the most recent gubernatorial election. If the secretary of state certifies that enough valid signatures were submitted, the initiative is put on the next general election ballot. On April 2, 2024, the Arizona for Abortion Access campaign announced that it collected at least 506,892 petition signatures, and would continue to collect signatures until election day.

What states have decided on abortion ballot measures recently?

In June 2022, the U.S. Supreme Court ruled in [Dobbs. v. Jackson Women's Health Organization](#) that there is no federal constitutional right to abortion and overturned [Roe. v. Wade](#), effectively returning abortion policy decisions to the states. Since 2022, seven ballot measures addressing abortion have been on the ballot, with 2022 having the highest number of abortion ballot measures on record in a single year. Four measures—in [Vermont](#), [Michigan](#), [California](#) in 2022, and [Ohio](#) in 2023—were sponsored by campaigns that described themselves as *pro-choice* and created state constitutional rights to abortion. All four measures were approved. Three measures—in [Kansas](#), [Kentucky](#), and [Montana](#)—were sponsored by campaigns describing themselves as *pro-life* and were designed to explicitly provide that there is no right to abortion in the state constitution. All three were defeated.

Arizona Proposition 140, Eliminate Partisan Primaries Amendment (2024) an [initiated constitutional amendment](#) on [November 5, 2024](#).

A "yes" vote supports:

- Eliminating partisan primaries and replacing them with an electoral system where individuals may vote for the candidate of their choice, regardless of the party affiliation of the voter or the candidate;
- Placing all primary candidates on the same ballot, regardless of political party;
- Allowing for the state legislature to choose on how many candidates would advance from the primary to the general election: for one-winner races, it would provide for two to five candidates to advance to the general election, and if three or more candidates advance in one-winner races, ranked-choice voting will be used in the general election.

A "no" vote opposes:

- Eliminating partisan primaries and replacing them with an electoral system where individuals may vote for the candidate of their choice, regardless of the party affiliation of the voter or the candidate;
- Placing all primary candidates on the same ballot, regardless of political party;

- Allowing for the state legislature to choose on how many candidates would advance from the primary to the general election: for one-winner races, it would provide for two to five candidates to advance to the general election, and if three or more candidates advance in one-winner races, ranked-choice voting will be used in the general election.

Arizona Proposition 311, Criminal Conviction Fee for First Responder Death Financial Benefit Measure (2024) a [legislatively referred state statute](#) on [November 5, 2024](#).^[1]

A "yes" vote supports establishing a \$20 fee on every conviction for a criminal offense, which would go to pay a benefit of \$250,000 to the spouse or children of a first responder who is killed in the line of duty.

A "no" vote opposes establishing a \$20 fee on every conviction for a criminal offense, which would go to pay a benefit of \$250,000 to the spouse or children of a first responder who is killed in the line of duty.

Overview

What would this ballot measure do?

This ballot measure would establish a \$20 penalty fee for each criminal conviction in the state of Arizona. The fees would go to a newly created state supplemental benefit fund. Under this measure, a surviving spouse or children of a first responder would receive a benefit of \$250,000 from the fund if the first responder is killed in the line of duty.^[1]

Fees collected by courts would be submitted to the county treasurer or municipal treasurer, who would then submit these fees to the state treasurer. The state treasurer would deposit these fees into the benefit fund. If the benefit fund exceeds \$2 million, the state legislature, under this measure, may appropriate those funds to officer training, equipment, and other uses.

Are there existing benefits to first responders killed in the line of duty?

The federal Public Safety Officers' Benefits Program provides a benefit of \$422,035 to the surviving families of police officers who died in the line of duty.^[2] The Arizona pension system also provides a survivor benefit to the surviving spouse or children of a police officers, firefighters, and corrections officers. Employers may also provide health benefits or life insurance benefits to the surviving families of police officers killed in the line of duty.^[3]

How was this measure placed on the ballot?

Senator [David Gowan](#) (R) introduced Senate Concurrent Resolution 1006 (SCR 1006) on January 19, 2023. In order to place a legislatively referred state statute on the ballot in Arizona, a simple majority is required in each chamber.^[4]

The [Arizona State Senate](#) passed SCR 1006 by 16-13 on February 28, 2023, with all 16 Republicans voting for the measure and 13 Democrats voting against the measure (with one Democrat absent). The [Arizona House of Representatives](#) passed the measure by 47-13 on March 7, 2023, with all 31 Republicans and 16 Democrats voting for the measure and 13 Democrats voting against the measure.^[4]

Penalty fee: Establishes penalty fees for every criminal conviction

State supplemental benefit fund: Establishes a state supplemental benefit fund

Benefit: Establishes a benefit to the family of a first responder killed in the line of duty

Arizona Proposition 312, Property Tax Refund for Non-Enforcement of Public Nuisance Laws Measure (2024) a [legislatively referred state statute](#) on [November 5, 2024](#).

A "yes" vote supports allowing for property owners to apply for a property tax refund if the city or locality in which the property is located does not enforce laws or ordinances regarding illegal camping, loitering, obstructing public thoroughfares, panhandling, public urination or defecation, public consumption of alcoholic beverages, and possession or use of illegal substances.

A "no" vote opposes allowing for property owners to apply for a property tax refund if the city or locality in which the property is located does not enforce laws or ordinances regarding illegal camping, loitering, obstructing public thoroughfares, panhandling, public urination or defecation, public consumption of alcoholic beverages, and possession or use of illegal substances.

Overview

This measure would allow for property owners to apply for a property tax refund in certain circumstances, including in instances if the city or locality in which the property is located does not enforce laws regarding illegal camping, loitering, obstructing public thoroughfares, panhandling, public urination or defecation, public consumption of alcoholic beverages, and possession or use of illegal substances.^[1]

What are the arguments for and against the measure?

In support of the measure, Victor Riches, president and CEO of Goldwater Institute, said, "Arizonans cannot trust the government to address rampant homelessness – we saw this firsthand in 'The Zone' in Phoenix, where law and order gave way to death and destruction as officials refused to enforce the law."

State Sen. Justine Wadsack (R), who also supports the measure, said, "We all know homelessness has been overtaking once-beautiful cities all over this country ... What it really boils down to is, when we have citizens who break laws, government has a lot of tools to go after citizens that don't follow the law. But when our government doesn't follow the law, or enforce our law, our citizens are limited on what they can do."

In opposition to the measure, Jane Ahern, lobbyist for the League of Arizona Cities and Towns, said, "This bill is going to put cities in an impossible legal position ... Instead of addressing the shortage of shelter capacity, this bill simply threatens to drain much needed resources and expose cities to further litigation."

Tom Savage, representative of the League of Arizona Cities and Towns, said, "This measure is setting everyone up to fail. It will not solve the homelessness crisis or make homelessness encampments go away."

How did this measure get on the ballot?

In order for the Arizona State Legislature to place a statute on the ballot, a simple majority vote is needed in both chambers of the legislature. That amounts to a minimum of 31 votes in the Arizona House of Representatives and 16 votes in the Arizona State Senate, assuming no vacancies. Statutes do not require the governor's signature to be referred to the ballot.

The measure, HCR 2023, was introduced to the Arizona House of Representatives on January 22, 2024. It passed the House on February 28, 2024 by a 31-28 vote. It passed the Senate on March 4, 2024 by a 16-12 vote.

Measure design

Under this measure, a property tax owner can apply for a refund if the city, town, or county where their property is located follows a policy, pattern or practice of not enforcing public nuisance laws, and if they incur documented expenses to mitigate the damage to their property as a result. This includes damages incurred

due to illegal camping, loitering, obstructing public thoroughfares, panhandling, public urination or defecation, public consumption of alcoholic beverages, and possession or use of illegal substances. A property owner can apply for this refund once every tax year.

The amount of the refund under this measure would be equal to the documented expenses incurred by the property owner, but cannot exceed the amount the property owner paid in property taxes in the prior tax year. If the total refund is more than this amount, the refund will be equal to the amount the property owner paid in property taxes in the prior tax year. The property owner can apply to the department for the remaining portion of the refund in following tax years.

Under this measure, after the property owner applies for a refund, the town, city, or county has 30 days to accept or reject the refund. If the refund is accepted, the refund will be paid to the property owner. If the refund is rejected, the property owner can file a cause of action in the superior court of the county to challenge the rejection of the refund. If the town, city, or county does not respond after 30 days, the property owner will receive a refund.

This measure provides that if the city, county, or town continues to not enforce existing public nuisance laws in the following tax year, a property owner is entitled to another refund.

Arizona Proposition 313, Life Imprisonment for Sex Trafficking of a Child Measure (2024) a [legislatively referred state statute](#) on [November 5, 2024](#).

A "yes" vote supports amending the Constitution to a sentence of life imprisonment without parole if an individual is found guilty of sex trafficking of a child.

A "no" vote opposes amending the Constitution to guarantee a sentence of life imprisonment without parole if an individual is found guilty of sex trafficking of a child, and maintaining current state law.

Overview

What would this measure change about child sex trafficking sentences in Arizona?

The measure would establish a life sentence for anyone convicted of a Class 2 felony for child sex trafficking pursuant to Section 13-3212 of the Arizona Revised Statutes. Arizona law defines sex trafficking of a child as using a minor for the purposes of prostitution, or causing a minor to be used in prostitution, including transporting, recruiting, or providing for a minor to engage in prostitution or any sexually explicit performance.^[1]

Currently in Arizona, a person who is found guilty of sex trafficking a child who is 15, 16, or 17 years of age can receive up to 10 to 24 years for a first time offense. A person who is found guilty of sex trafficking a child under 15 is punished under ARS 13-705, the *dangerous crimes against children* sentencing statute (or DCAC), and a first time offender will receive a minimum of 13 years in prison.

How did this measure get on the ballot?

In Arizona, in order for the state legislature to place a [legislatively referred state statute](#) on the ballot, a simple majority vote is required in each chamber of the legislature during one legislative session. This amounts to a minimum of 31 votes in the Arizona House of Representatives and 16 votes in the Arizona State Senate, assuming no vacancies. Statutes do not require the governor's signature to be referred to the ballot.

The measure was introduced on February 1, 2024 as Senate Concurrent Resolution 1021 (SCR 1021). It passed the Senate by 20-8 on March 11, 2024, with 16 Republicans and four Democrats voting for the measure, while eight Democrats opposed the measure. SCR 1021 then passed the House by 31-27, with 31 Republicans voting for the measure and 27 Democrats opposing the measure.

What are the arguments for and against the measure?

In support of the measure, State Rep. [Selina Bliss](#) (R-1) said, "We're sending a strong message here in Arizona that our children are not for sale. Not now, not ever."

In opposition to the measure, State Rep. [Mitzi Epstein](#) (D-12) said, "This would send teenagers to prison for life. It could be fixed to not harm the victims. Instead, we have a very extreme version that could send teenagers to prison for life who have already been sex trafficked themselves. They are the victims of this crime. They have been coerced, and they are teenagers and this would be sending them to prison themselves."

Arizona Proposition 314, Immigration and Border Law Enforcement Measure (2024) a legislatively referred state statute on November 5, 2024.

A "yes" vote supports:

- Making it a state crime for noncitizens to enter the state at any location other than the port of entry;
- Allowing for state and local police to arrest noncitizens who cross the border unlawfully;
- Allowing for state judges to order deportations;
- Requiring the use of the E-Verify program in order to determine the immigration status of individuals before the enrollment in a financial aid or public welfare program;
- Making it a Class 6 felony for individuals who submit false information or documents to an employer to evade detection of employment eligibility, or to apply for public benefits, and;
- Making the sale of fentanyl a Class 2 felony if the person knowingly sells fentanyl and it results in the death of another person.

A "no" vote opposes:

- Making it a state crime for noncitizens to enter the state at any location other than the port of entry;
- Allowing for state and local police to arrest noncitizens who cross the border unlawfully;
- Allowing for state judges to order deportations;
- Requiring the use of the E-Verify program in order to determine the immigration status of individuals before the enrollment in a financial aid or public welfare program;
- Making it a Class 6 felony for individuals who submit false information or documents to an employer to evade detection of employment eligibility, or to apply for public benefits, and;
- Making the sale of fentanyl a Class 2 felony if the person knowingly sells fentanyl and it results in the death of another person.

Overview

What would this measure do?

This measure, HCR 2060, would make it a state crime for noncitizens to enter the state directly from a foreign nation other than the official ports of entry, and allow for state and local police to arrest noncitizens who cross

the border unlawfully. Under this measure, a person may not be arrested without probable cause, which includes a law enforcement officer witnessing the violation or a technological recording of the violation. The measure would also allow for state judges to order deportations.^[1]

The measure would require the use of the E-Verify program in order to determine the immigration status of individuals before the enrollment in a financial aid or public welfare program. Under this measure, it would be a Class 6 felony for individuals who submit false information or documents to an employer to evade detection of employment eligibility under the E-verify program, or to apply for public benefits.^[1]

This measure would make the sale of fentanyl a Class 2 felony if the person knowingly sells fentanyl and it results in the death of another person.

What are the arguments for and against the measure?

State Sen. [Ken Bennett](#) (R-1), who supports the measure, said, "Given the lack of control of the border, I just feel it's something the state has to resolve. That's not stopping someone hundreds of miles inside the inner parts of the state. You got to see them with your own eyes or have technological evidence." State Rep. [Ben Toma](#) (R-27) said, "I am an immigrant. This is not anti-immigrant. This is anti-lawlessness. It's about securing our border, because the federal government has failed to do their job."

Gov. [Katie Hobbs](#) (D), who opposes the measure, said, "HCR 2060 will hurt Arizona businesses, send jobs out of state, make it more difficult for law enforcement to do their jobs, and bust the state's budget. It will not secure our border. Despite strong opposition from business leaders, border law enforcement, and bipartisan local leaders throughout the state, extremists in the legislature have chosen to prioritize their political agendas over finding real solutions." U.S. Rep. [Ruben Gallego](#) (D) said, "Politicians are refusing to address our border crisis and dragging us backwards to a horrible time. In order to truly secure our border and keep Arizonans safe, we need to hire more border patrol agents, deliver crucial resources to our frontline border communities, and fix our broken asylum system. This bill does none of that."

Arizona previously voted on six immigration-related ballot measures since 2000. Out of the six measures, voters approved five measures and rejected one. Voters approved Proposition [200](#) in 2004, approved Propositions [100](#), [101](#), [102](#), and [300](#) in 2006, and rejected Proposition [202](#) in 2008.

Arizona Proposition 315, Legislative Ratification of State Agency Rules that Increase Regulatory Costs Measure (2024) a legislatively referred state statute on November 5, 2024.

A "yes" vote supports prohibiting a proposed rule from becoming effective if that rule is estimated to increase regulatory costs by more than \$500,000 within five years after implementation, until the legislature enacts legislation ratifying the proposed rule.

A "no" vote opposes prohibiting a proposed rule from becoming effective if that rule is estimated to increase regulatory costs by more than \$500,000 within five years after implementation, until the legislature enacts legislation ratifying the proposed rule.

Overview

What would the measure do?

The measure would require that any proposed rule projected to increase regulatory costs in the state by over \$100,000 within five years of implementation to be submitted to the Office of Economic Opportunity for review. The legislature, or any person who is regulated by an agency proposing a rule, may also request proposed rules to be sent to the Office of Economic Opportunity for review.

If the Office of Economic Opportunity finds that a proposed rule will increase regulatory costs by more than \$500,000 within five years, the rule could not become effective unless ratified by the legislature through specific legislation.

The Office of Economic Opportunity would be required to submit qualifying proposed rules to the Administrative Rules Oversight Committee at least thirty days before the next regular legislative session and must submit the proposals to the full legislature.

Any member of the legislature could introduce legislation to ratify a proposed rule. Rules subject to this process are exempt from automatic adoption and require affirmative legislative approval before they can be finalized by the agency and filed with the Secretary of State. If the legislature does not enact legislation to ratify a proposed rule during the current legislative session, the agency must terminate the rulemaking process by publishing a notice of termination in the official register.

The changes would not apply to emergency rulemaking, when an agency makes a rule that it finds necessary as an emergency measure that is approved by the attorney general and filed with the secretary of state. The changes would also not apply to the Arizona Corporation Commission, which is responsible for regulating public utilities.

The measure was introduced to the [Arizona State Senate](#) as Senate Concurrent Resolution 1012 (SCR 1012). On February 22, 2024, it passed the Senate by 16-13, with all 16 Republicans voting for the measure and 13 Democrats opposed. On June 12, 2024, SCR 1012 passed the House by 31-29, with all 31 Republicans voting for the measure and all 29 Democrats voting against the measure.