



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: GOV DP 5-3-0-0 | 3rd Read 16-14-0-0

House: GE DP 7-6-0-0

SCR1034: voter protection act; court determinations

Sponsor: Senator Leach, LD 11

House Engrossed

Overview

Establishes an additional way in which the Legislature may supersede a voter protected act.

History

The Arizona Constitution provides for the legislative authority of the state to be vested in the Legislature, consisting of the Senate and the House of Representatives. Additionally, the constitution provides for the reserved power of the people to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls, independently of the Legislature.

The Legislature does not have the power to amend an initiative or referendum measure that has been approved by a majority vote unless the amending legislation furthers the purposes of such measure and at least three-fourths of the members of each house of the Legislature vote to amend such measure ([AZ Const. Art. IV, Part 1, Sec. 1](#)).

Provisions

1. States that the Legislature may do the following if the measure is found to contain illegal or unconstitutional language by the Arizona Supreme Court or the United States Supreme Court:
 - a) Amend an initiative or referendum measure approved by a majority of the votes;
 - b) Appropriate or divert funds created by initiative or referendum; and
 - c) Adopt a measure that supersedes any initiative or referendum measure.
2. Directs the Secretary of State to submit this proposition to the voters at the next general election.
3. Makes technical and conforming changes.