



## Say Adios to a Bad Legislative Session



July 2, 2021

Hi everyone!

Phew! The Arizona Legislature finally adjourned *sine die* on Wednesday after 171 days of attacking democracy, weakening environmental protection, and generally shutting out and shutting down those with whom the majority at the Legislature disagrees. It was truly one of the worst sessions we have seen.

What was wonderful, however, was having strong coalitions and all of you focused on equity and justice to defend our democracy and work hard for clean water and flowing rivers, climate justice and resiliency, and against all of the godawful bills the Legislature threw at us. Thank you for being part of this effort and continuing to take action.

As I noted last week, the Arizona Legislature jammed through a mean budget that will benefit the wealthiest and hurt our state immensely during tough times. The

budget bills were also loaded up with bad policies, including numerous provisions regarding elections. This budget takes away the power from the current Secretary of State to settle election-related lawsuits and gives it to the Attorney General, but just until the end of her term. There is a provision to appropriate \$500K and establish a joint committee to investigate social media for bias against Republicans and a provision to allow private entities to review the voter rolls. There is also a fund for "border security," including construction of physical barriers, and \$200 million for projects to import water from out of state, and to fund more groundwater pumping outside the active management areas (AMAs). Some of these measures will see legal challenges and some may be the subject of a referendum.

The Arizona State Parks Heritage Fund received \$5 million and there is \$250,000 for the Arizona Trail (these were the only bright spots in this dismal budget).

[HCR2001 \(initiatives; single subject; title\)](#) passed out of the Senate 16-14, along party lines. It will be on the 2022 ballot. This referendum limits what can be included in a ballot measure and requires every subject to be in the title. This would make it impossible to place something on the ballot that is comprehensive and would provide another reason to toss out a ballot measure on a technicality.

HCR2001 joins [SCR1034 \(voter protection act; court determinations\)](#) on the ballot. SCR1034 blows a big hole in the Voter Protection Act provisions in the Arizona Constitution. You will want to vote NO on both of these referenda.

In some good news, [HB2309 \(violent; disorderly assembly; public order\)](#) did not advance, so died for the session. It would have had a chilling effect on protesting.

In other good news, [HB2248 \(corporation commission; electric generation resources\)](#) was held in Senate Rules, so it died this session. The bill would have infringed on the powers of the Arizona Corporation Commission (ACC) and derailed the clean energy rules that are now back on track at the ACC. Let's hope the ACC actually moves forward with the rules now.

Here is an update on the rest of the anti-democracy measures.

- [HB2792 \(early ballots; request required\)](#) prohibits elections officials from providing an early ballot to someone who did not request it and makes it a class 6 felony to do so. This is ridiculous on so many levels, including that we do not currently allow mailing of ballots to people unless they have requested it. **This was vetoed by the Governor, but was brought back as HB2905 and passed out of the Senate 16-12-2 and the House 31-26-3 and was transmitted to the Governor.**
- [SB1106 \(S/E registration; permanent early voting list\)](#) removed the requirement that a county recorder try to contact a voter at the voter's new residence address if an election notice is returned undeliverable. It made it a felony to try and assist any other person that resides in another state in voting, including forwarding an early ballot addressed to the other person. **This bill failed to make it to the House Floor.**
- [SB1241 \(voting equipment; ballots; receipt\)](#) required counties to send ballots that have mismatched signatures -- where the signature on the envelope does not match the signature on file -- to the Attorney General for potential investigation. There are legitimate reasons signatures can vary, including age, health, and disabilities. **This passed out of the House 31-29, but failed in the Senate 13-16-1 (Yay!).**
- [SB1531 \(petition signatures; description; invalidity\)](#) voided the signature of any initiative or referendum petition signer that signs the petition without either hearing or reading the description printed on the petition. We do not require people to read anything about candidates before signing their petitions or voting on anything, why to sign an initiative petition? **It was never brought to the House Floor, so it is dead.**
- [HCR2016 \(initiatives; supermajority vote requirement\)](#) referred to the ballot a measure to require a 55% approval rather than a simple majority approval for all ballot measures. This is a difficult threshold and will limit opportunities

to address important environmental, animal, and social justice issues. **This was never brought to the Senate Floor, so it is dead.**

- [SCR1024 \(initiatives; tax increases; vote requirement\)](#) would have referred to the ballot a requirement that initiatives and referenda that include taxes have a two-thirds vote from voters. This would be an extremely high bar for these ballot measures. **It was never brought to the House Floor, so it is dead.**

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[You can see the bills we tracked this session here.](#)

This will be the last regular legislative update this session, but look for our Environmental Report Card in a couple of weeks and periodic updates on various issues throughout the rest of the year. We will be in touch about the 2022 legislative session in November.

**Thank you for all of your good work and support this session! It made a difference in stopping many of the bills mentioned above.**



Sandy Bahr  
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**Thank  
YOU!**

