

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HCR2025**

Márquez Floor Amendment

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1. Requires at least 60% of the members of the House of Representatives and the Senate to approve a proposed amendment to the constitution.
 2. Removes the requirement that 60% of the voters approve any proposed constitutional amendment.
 3. Removes the prohibition on the Governor from vetoing a constitutional amendment that was approved by 60% of the voters.
 4. Removes the prohibition on the Legislature from amending or revising a constitutional amendment that was approved by 60% of the voters.

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3/10/2025

ADDITIONAL COW
MÁRQUEZ FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2025
(Reference to House engrossed resolution)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The resolution as proposed to be amended is reprinted as follows:

2 <<1. Article IV, part 1, section 1, Constitution of Arizona, is
3 proposed to be amended as follows if approved by the voters and on
4 proclamation of the Governor:

5 1. Legislative authority; initiative and referendum

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

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

21 (3) Referendum power; emergency measures; effective
22 date of acts. The second of these reserved powers is the
23 referendum. Under this power the legislature, or five percent
24 of the qualified electors, may order the submission to the
25 people at the polls of any measure, or item, section or part
26 of any measure, enacted by the legislature, except laws
27 immediately necessary for the preservation of the public

1 ~~peace, health or safety, or for the support and maintenance of~~
2 ~~the departments of the state government and state~~
3 ~~institutions; but to allow opportunity for referendum~~
4 ~~petitions, no act passed by the legislature shall be operative~~
5 ~~for ninety days after the close of the session of the~~
6 ~~legislature enacting such measure, except such as require~~
7 ~~earlier operation to preserve the public peace, health or~~
8 ~~safety, or to provide appropriations for the support and~~
9 ~~maintenance of the departments of the state and of state~~
10 ~~institutions; provided, that no such emergency measure shall~~
11 ~~be considered passed by the legislature unless it shall state~~
12 ~~in a separate section why it is necessary that it shall become~~
13 ~~immediately operative, and shall be approved by the~~
14 ~~affirmative votes of two-thirds of the members elected to each~~
15 ~~house of the legislature, taken by roll call of ayes and nays,~~
16 ~~and also approved by the governor; and should such measure be~~
17 ~~vetoed by the governor, it shall not become a law unless it~~
18 ~~shall be approved by the votes of three-fourths of the members~~
19 ~~elected to each house of the legislature, taken by roll call~~
20 ~~of ayes and nays.~~

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

34 ~~(5) Effective date of initiative and referendum~~
35 ~~measures. Any measure or amendment to the constitution~~
36 ~~proposed under the initiative, and any measure to which the~~
37 ~~referendum is applied, shall be referred to a vote of the~~
38 ~~qualified electors, and for AN INITIATIVE TO AMEND THE~~
39 ~~CONSTITUTION OR an initiative or referendum to approve a tax,~~
40 ~~shall become law when approved by sixty percent of the votes~~
41 ~~cast thereon and upon ON proclamation of the governor, and not~~
42 ~~otherwise and for all other initiatives and referendums,~~
43 ~~INCLUDING CONSTITUTIONAL AMENDMENTS THAT SOLELY REPEAL~~
44 ~~CONSTITUTIONAL PROVISIONS, shall become law when approved by a~~
45 ~~majority of the votes cast thereon and upon ON proclamation of~~
46 ~~the governor, and not otherwise.~~

1 ~~(6) (A) Veto of initiative or referendum. The veto~~
2 ~~power of the governor shall not extend to an initiative~~
3 ~~measure to approve a tax that is approved by sixty percent of~~
4 ~~the votes cast thereon, AN INITIATIVE TO AMEND THE~~
5 ~~CONSTITUTION THAT IS APPROVED BY SIXTY PERCENT OF THE VOTES~~
6 ~~CAST THEREON or to a referendum measure to approve a tax that~~
7 ~~is decided by sixty percent of the votes cast thereon and for~~
8 ~~all other initiatives and referendums, INCLUDING~~
9 ~~CONSTITUTIONAL AMENDMENTS THAT SOLELY REPEAL CONSTITUTIONAL~~
10 ~~PROVISIONS, the veto power of the governor shall not extend to~~
11 ~~initiatives and referendums approved by a majority of the~~
12 ~~votes cast thereon.~~

13 ~~(6) (B) Legislature's power to repeal initiative or~~
14 ~~referendum. The legislature shall not have the power to~~
15 ~~repeal an initiative measure to approve a tax that is approved~~
16 ~~by sixty percent of the votes cast thereon, AN INITIATIVE TO~~
17 ~~AMEND THE CONSTITUTION THAT IS APPROVED BY SIXTY PERCENT OF~~
18 ~~THE VOTES CAST THEREON or to repeal a referendum measure to~~
19 ~~approve a tax that is decided by sixty percent of the votes~~
20 ~~cast thereon and for all other initiatives and referendums,~~
21 ~~INCLUDING CONSTITUTIONAL AMENDMENTS THAT SOLELY REPEAL~~
22 ~~CONSTITUTIONAL PROVISIONS, the legislature shall not have the~~
23 ~~power to repeal an initiative measure approved by a majority~~
24 ~~of the votes cast thereon and shall not have the power to~~
25 ~~repeal a referendum measure decided by a majority of the votes~~
26 ~~cast thereon.~~

27 ~~(6) (C) Legislature's power to amend initiative or~~
28 ~~referendum. The legislature shall not have the power to amend~~
29 ~~an initiative measure to approve a tax that is approved by~~
30 ~~sixty percent of the votes cast thereon, or to amend a~~
31 ~~referendum measure to approve a tax that is decided by sixty~~
32 ~~percent of the votes cast thereon, unless the amending~~
33 ~~legislation furthers the purposes of such measure and at least~~
34 ~~three-fourths of the members of each house of the legislature,~~
35 ~~by a roll call of ayes and nays, vote to amend such measure.~~
36 ~~For all other initiatives and referendums, the legislature~~
37 ~~shall not have the power to amend an initiative measure~~
38 ~~approved by a majority of the votes cast thereon and shall not~~
39 ~~have the power to amend a referendum measure decided by a~~
40 ~~majority of the votes cast thereon, unless the amending~~
41 ~~legislation furthers the purposes of such measure and at least~~
42 ~~three-fourths of the members of each house of the legislature,~~
43 ~~by a roll call of ayes and nays, vote to amend such measure.~~

44 ~~(6) (D) Legislature's power to appropriate or divert~~
45 ~~funds created by initiative or referendum. The legislature~~
46 ~~shall not have the power to appropriate or divert funds~~
47 ~~created or allocated to a specific purpose by an initiative~~

~~measure that also approves a tax that is approved by sixty percent of the votes cast thereon, or by a referendum measure that also approves a tax that is decided by sixty percent 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. For all other initiatives and referendums, 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 and shall not have the power to appropriate or divert funds created or allocated to a specific purpose 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 percent of the qualified electors may propose measures on such local, city, town or county matters, and ten percent 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~~

1 petitioner, for himself, that he is a qualified elector of the
2 state (and in the case of petitions for or on city, town or
3 county measures, of the city, town or county affected), his
4 post office address, the street and number, if any, of his
5 residence, and the date on which he signed such petition.
6 Every initiative measure shall embrace but one subject and
7 matters properly connected therewith, which subject shall be
8 expressed in the title; but if any subject shall be embraced
9 in an initiative measure which shall not be expressed in the
10 title, such initiative measure shall be void only as to so
11 much thereof as shall not be embraced in the title. Each sheet
12 containing petitioners' signatures shall be attached to a full
13 and correct copy of the title and text of the measure so
14 proposed to be initiated or referred to the people, and every
15 sheet of every such petition containing signatures shall be
16 verified by the affidavit of the person who circulated said
17 sheet or petition, setting forth that each of the names on
18 said sheet was signed in the presence of the affiant and that
19 in the belief of the affiant each signer was a qualified
20 elector of the state, or in the case of a city, town or county
21 measure, of the city, town or county affected by the measure
22 so proposed to be initiated or referred to the people.

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

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

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

44 (13) Canvass of votes; proclamation. It shall be the
45 duty of the secretary of state, in the presence of the
46 governor and the chief justice of the supreme court, to
47 canvass the votes for and against each such measure or

1 ~~proposed amendment to the constitution within thirty days~~
2 ~~after the election, and upon ON the completion of the canvass~~
3 ~~the governor shall forthwith issue a proclamation, giving the~~
4 ~~whole number of votes cast for and against each measure or~~
5 ~~proposed amendment, and declaring such measures or amendments~~
6 ~~to approve a tax OR AMENDMENTS TO THE CONSTITUTION as are~~
7 ~~approved by sixty percent of those voting thereon to be law~~
8 ~~and for all other measures or amendments THAT SOLELY REPEAL~~
9 ~~CONSTITUTIONAL PROVISIONS, declaring such measures as are~~
10 ~~approved by a majority of those voting thereon to be law.~~

11 ~~(14) Reservation of legislative power. This section~~
12 ~~shall not be construed to deprive the legislature of the right~~
13 ~~to enact any measure except that the legislature shall not~~
14 ~~have the power to adopt any measure that supersedes, in whole~~
15 ~~or in part, any initiative measure to approve a tax that is~~
16 ~~approved by sixty percent of the votes cast thereon or any~~
17 ~~referendum measure to approve a tax that is decided by sixty~~
18 ~~percent of the votes cast thereon unless the superseding~~
19 ~~measure furthers the purposes of the initiative or referendum~~
20 ~~measure and at least three-fourths of the members of each~~
21 ~~house of the legislature, by a roll call of ayes and nays,~~
22 ~~vote to supersede such initiative or referendum measure. For~~
23 ~~all other initiatives and referendums, the legislature shall~~
24 ~~not have the power to adopt any measure that supersedes, in~~
25 ~~whole or in part, any initiative measure approved by a~~
26 ~~majority of the votes cast thereon and shall not have the~~
27 ~~power to adopt any measure that supersedes, in whole or in~~
28 ~~part, any referendum measure decided by a majority of the~~
29 ~~votes cast thereon, unless the superseding measure furthers~~
30 ~~the purposes of the initiative or referendum measure and at~~
31 ~~least three-fourths of the members of each house of the~~
32 ~~legislature, by a roll call of ayes and nays, vote to~~
33 ~~supersede such initiative or referendum measure.~~

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

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

41 1. Article XXI, section 1, Constitution of Arizona, is proposed to
42 be amended as follows if approved by the voters and on proclamation of the
43 Governor:

44 1. Introduction in legislature; initiative
45 petition; election

46 Section 1. Any amendment or amendments to this
47 constitution may be proposed in either house of the

1 legislature, or by initiative petition signed by a number of
2 qualified electors equal to fifteen percent of the total
3 number of votes for all candidates for governor at the last
4 preceding general election. Any proposed amendment or
5 amendments which shall be introduced in either house of the
6 legislature, and which shall be approved by ~~[a majority]~~ [AT
7 LEAST SIXTY PERCENT] of the members elected to each of the two
8 houses, shall be entered on the journal of each house,
9 together with the ayes and nays thereon. When any proposed
10 amendment or amendments shall be thus passed by ~~[a majority]~~
11 [AT LEAST SIXTY PERCENT] of each house of the legislature and
12 entered on the respective journals thereof, or when any
13 elector or electors file with the secretary of state any
14 proposed amendment or amendments together with a petition
15 therefor signed by a number of electors equal to fifteen
16 percent of the total number of votes for all candidates for
17 governor in the last preceding general election, the secretary
18 of state shall submit such proposed amendment or amendments to
19 the vote of the people at the next general election (except
20 when the legislature shall call a special election for the
21 purpose of having said proposed amendment or amendments voted
22 on, in which case the secretary of state shall submit such
23 proposed amendment or amendments to the qualified electors at
24 said special election,) and for any proposed amendment ~~or~~
25 [amendments] TO THE CONSTITUTION[, ~~INCLUDING PROPOSED~~] to
26 approve a tax, if sixty percent of the qualified electors
27 voting thereon shall approve and ratify such proposed
28 amendment or amendments in the regular or special election,
29 such amendment or amendments shall become a part of this
30 constitution ~~and for any other proposed amendment or~~
31 ~~amendments, if a majority of the qualified electors voting~~
32 ~~thereon shall approve and ratify such proposed amendment or~~
33 ~~amendments in the regular or special election, such amendment~~
34 ~~or amendments shall become a part of this constitution. [ALL~~
35 OTHER PROPOSED AMENDMENTS TO THE CONSTITUTION ARE APPROVED IF
36 A MAJORITY OF THE QUALIFIED ELECTORS VOTING ON THE PROPOSED
37 AMENDMENT OR AMENDMENTS AT A REGULAR OR SPECIAL ELECTION
38 APPROVE THE PROPOSED AMENDMENT OR AMENDMENTS.] Until a method
39 of publicity is otherwise provided by law, the secretary of
40 state shall have the proposed amendment or amendments
41 published for a period of at least ninety days before the date
42 of the election in at least one newspaper in every county of
43 the state in which a newspaper is published, in such manner as
44 may be prescribed by law. If more than one proposed amendment
45 is submitted at any election, the proposed amendments shall be
46 submitted in such a manner that the electors may vote for or
47 against such proposed amendments separately.

1 2. Applicability
2 ~~[Article IV, part 1, section 1, Constitution of Arizona,~~
3 ~~as amended by this resolution, and]~~ Article XXI, section 1,
4 Constitution of Arizona, as amended by this resolution, apply
5 only to newly proposed constitutional amendments submitted to
6 the voters after November 2026 and do not apply to previously
7 adopted amendments that are proposed to be amended or repealed
8 after November 2026.
9 3. The Secretary of State shall submit this proposition to the
10 voters at the next general election as provided by article XXI,
11 Constitution of Arizona.

12 Enroll and engross to conform
13 Amend title to conform

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