

Bond Case Briefs

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REFERENDA - ARIZONA

Hoffman v. Reagan

Supreme Court of Arizona - November 1, 2018 - 429 P.3d 70 - 803 Ariz. Adv. Rep. 10

Drafter of the Citizens Clean Election Act who was a former member of Citizens Clean Elections Commission and Commission member acting in her individual capacity filed suit requesting trial court to enjoin Secretary of State from placing legislatively referred referendum which would amend Act on the ballot, arguing that it violated constitutional single-subject rule.

The Superior Court dismissed the action. Challengers filed an expedited appeal.

The Supreme Court of Arizona held that:

- Lawsuit was not premature;
- When the legislature refers a measure to the voters for their consideration, that action involves enacting or passing a bill, and such a legislative “act” must satisfy constitutional single-subject rule; and
- Referendum satisfied constitutional single-subject rule.