

# **Bond Case Briefs**

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## **ELECTION LAW - ARIZONA**

### **Public Integrity Alliance, Inc. v. City of Tucson**

**United States Court of Appeals, Ninth Circuit - November 10, 2015 - F.3d - 2015 WL 6875310**

Voters and advocacy organization brought action alleging that city's system for electing members of its city council violated state and federal constitutions by depriving voters of their right to vote in primary elections for individuals who would ultimately serve as their at-large representatives.

The United States District Court for the District of Arizona entered judgment in city's favor, and plaintiffs appealed.

The Court of Appeals held that:

- City's hybrid system for electing members of its city council designated single geographical unit, and
- System discriminated among residents of same governmental unit by excluding out-of-ward voters from primary elections.

City's hybrid system for electing members of its city council, pursuant to which candidates were nominated in partisan primaries held in each of city's six wards, but all city residents voted for one council member from each ward that held primary during same election cycle, designated single geographical unit, for purposes of determining its constitutionality, where each city council member represented entire city, not ward from which he or she was nominated.

City's hybrid system for electing members of its city council, pursuant to which candidates were nominated in partisan primaries held in each of its six wards, but all city residents voted for one council member from each ward that held primary during same election cycle, discriminated among residents of same governmental unit, in violation of Equal Protection Clause, by excluding out-of-ward voters from primary elections.