

Bond Case Briefs

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BALLOT INITIATIVE - ARIZONA

Leach v. Hobbs

Supreme Court of Arizona - March 31, 2021 - P.3d - 41 Arizona Cases Digest 13 - 2021 WL 1217116

Objectors brought action challenging the validity of certain signature petitions filed by political action committee with the Secretary of State to qualify health care ballot initiative for inclusion on general election ballot, based on various objections to petition circulators and signatures.

Following trial during which 94 subpoenaed circulators failed to appear, the Superior Court disqualified certain signatures, and held that the committee had failed to gather sufficient valid signatures to place the initiative on the ballot. Committee and objectors appealed.

The Supreme Court held that:

- A registered petition circulator may not, by “de-registering,” evade the statutory requirement that registered circulators subpoenaed in a petition challenge appear for trial;
- Registered circulators of petition were properly and timely served with subpoenas for appearance at trial held virtually due to COVID-19 pandemic; and
- Objectors did not abuse subpoena provision of statute disqualifying signatures collected from registered circulators of statewide initiatives who fail appear at trial.