

REFERENCE TITLE: constitutional right to vote

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HCR 2035

Introduced by
Representatives Salman: Fernandez B, Hernandez M, Powers Hannley

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE VII, SECTION 2, CONSTITUTION OF ARIZONA; RELATING TO VOTING RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

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

6 2. Qualifications of voters

7 Section 2. A. ~~No~~ EVERY person ~~shall be~~ IS entitled to
8 vote at any general election, ~~or for any office that now is,~~
9 or hereafter may be, elective by the people, ~~or upon~~ ON any
10 question ~~which~~ THAT may be submitted to a vote of the people,
11 ~~unless such~~ IF THAT person ~~be~~ IS a citizen of the United
12 States of the age of eighteen years or over, ~~and shall have~~
13 HAS resided in ~~the~~ THIS state for the period of time preceding
14 ~~such~~ THE election as prescribed by law, ~~provided that~~
15 ~~qualifications for voters at a general election for the~~
16 ~~purpose of electing presidential electors shall be as~~
17 ~~prescribed by law.~~ The word "citizen" ~~shall include~~ INCLUDES
18 persons of the male and female sex.

19 B. THE RIGHT TO VOTE IS A FUNDAMENTAL RIGHT. ANY LAW
20 OR REGULATION THAT BURDENS A CITIZEN'S FUNDAMENTAL RIGHT TO
21 VOTE MUST BE NARROWLY TAILORED TO FURTHER A COMPELLING
22 GOVERNMENTAL INTEREST. THIS SECTION PROVIDES ROBUST
23 PROTECTION FOR THE RIGHT TO VOTE BEYOND THE GUARANTEES OF THE
24 EQUAL PROTECTION CLAUSE OF THE FOURTEENTH AMENDMENT TO THE
25 UNITED STATES CONSTITUTION.

26 ~~B.~~ C. The rights of citizens of the United States to
27 vote and hold office shall not be denied or abridged by ~~the~~
28 THIS state, ~~or any political division or municipality~~
29 ~~thereof,~~ OF THIS STATE on account of sex, and the right to
30 register, to vote and to hold office under any law now in
31 effect, or ~~which~~ THAT may hereafter be enacted, is hereby
32 extended to, ~~and conferred upon~~ ON males and females alike.

33 C. ~~No~~ A person who is adjudicated an incapacitated
34 person OR A PERSON WHO IS CONVICTED OF TREASON shall NOT be
35 qualified to vote at any election, ~~nor shall any person~~
36 ~~convicted of treason or felony, be qualified to vote at any~~
37 ~~election unless restored to civil rights.~~

38 2. The Secretary of State shall submit this proposition to the
39 voters at the next general election as provided by article XXI,
40 Constitution of Arizona.