

REFERENCE TITLE: elections; rule of construction

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2319

Introduced by
Representatives Kolodin: Bliss, Carter, Chaplik, Heap, Jones, Livingston,
Marshall, McGarr, Montenegro, Parker B, Wilmeth, Senator Wadsack

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-410.01; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 16, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 16-410.01, to read:

4 16-410.01. Legislative findings; legislative intent;
5 transparency; effect

6 THE LEGISLATURE FINDS THAT PUBLIC CONFIDENCE IN ELECTIONS IS BEST
7 MAINTAINED BY MAXIMIZING TRANSPARENCY AND PROVIDES THE FOLLOWING RULE OF
8 CONSTRUCTION AND DECLARATION OF LEGISLATIVE INTENT FOR INTERPRETING THIS
9 CHAPTER AND THE INSTRUCTIONS AND PROCEDURES MANUAL PRESCRIBED BY SECTION
10 16-452:

11 1. THE LEGISLATURE DECLARES THAT THE PURPOSE OF THIS CHAPTER IS TO
12 PROVIDE THE PEOPLE OF THIS STATE WITH A TRANSPARENT SYSTEM FOR CONDUCTING
13 ELECTIONS. THEREFORE, COMPETING INTERPRETATIONS OF THE PROVISIONS OF THIS
14 CHAPTER SHALL NOT BE GIVEN EQUAL WEIGHT. RATHER, IF THERE ARE TWO
15 COMPETING INTERPRETATIONS, THE PROVISIONS OF THIS CHAPTER SHALL BE
16 AGGRESSIVELY CONSTRUED IN FAVOR OF THE READING THAT PROVIDES GREATER
17 TRANSPARENCY.

18 2. THE LEGISLATURE DECLARES THAT EXISTING COURT OPINIONS RELATING
19 TO THIS CHAPTER DO NOT HAVE PRECEDENTIAL FORCE OR EFFECT IF THE OPINIONS
20 CONFLICT WITH THE RULE OF CONSTRUCTION PRESCRIBED IN PARAGRAPH 1 OF THIS
21 SECTION.