

REFERENCE TITLE: environment; constitutional amendment

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SCR 1029

Introduced by
Senators Mendez: Hernandez, Miranda, Sundareshan, Terán; Representative
Salman

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING
ARTICLE II, CONSTITUTION OF ARIZONA, BY ADDING SECTION 38; RELATING TO THE
ENVIRONMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

3 1. Article II, Constitution of Arizona, is proposed to be amended
4 by adding section 38 as follows if approved by the voters and on
5 proclamation of the Governor:

6 38. Right to clean and healthy environment

7 SECTION 38. A. EACH PERSON, INCLUDING A PERSON IN A
8 FUTURE GENERATION, HAS THE RIGHT TO A CLEAN AND HEALTHY
9 ENVIRONMENT, INCLUDING PURE WATER, CLEAN AIR, HEALTHY
10 ECOSYSTEMS AND A STABLE CLIMATE, AND TO THE PRESERVATION OF
11 THE NATURAL, CULTURAL, SCENIC AND HEALTHFUL QUALITIES OF THE
12 ENVIRONMENT.

13 B. THIS STATE'S PUBLIC NATURAL RESOURCES, INCLUDING ITS
14 WATERS, AIR, FLORA, FAUNA AND CLIMATE, ARE THE COMMON PROPERTY
15 OF ALL THE PEOPLE, INCLUDING PRESENT AND FUTURE GENERATIONS.
16 THIS STATE AND ITS POLITICAL SUBDIVISIONS SHALL DO ALL OF THE
17 FOLLOWING:

18 1. SERVE AS TRUSTEES OF THESE RESOURCES.

19 2. CONSERVE, PROTECT AND MAINTAIN THESE RESOURCES FOR
20 THE BENEFIT OF ALL THE PEOPLE.

21 C. THE RIGHTS PRESCRIBED IN THIS SECTION ARE INHERENT,
22 INALIENABLE AND INDEFEASIBLE AND ARE AMONG THOSE RIGHTS
23 RESERVED TO ALL THE PEOPLE. THIS STATE MAY NOT INFRINGE ON
24 THESE RIGHTS. THIS SECTION AND THE RIGHTS PRESCRIBED IN THIS
25 SECTION ARE SELF-EXECUTING.

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