

REFERENCE TITLE: charter cities; population threshold

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SCR 1037

Introduced by
Senator Wadsack

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE XIII, SECTION 2, CONSTITUTION OF ARIZONA; RELATING TO CHARTER CITIES.

(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 XIII, 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. Charter; preparation and proposal by board of
7 freeholders; ratification and approval;
8 amendment

9 Section 2. Any city containing, now or hereafter, a
10 population of ~~more~~ LESS than ~~three thousand five hundred~~ FIVE
11 HUNDRED THOUSAND PERSONS may frame a charter for its own
12 government consistent with, and subject to, the Constitution
13 and the laws of ~~the~~ THIS state, in the following manner: A
14 board of freeholders composed of fourteen qualified electors
15 of said city may be elected at large by the qualified electors
16 ~~thereof~~ OF THAT CITY, at a general or special election, whose
17 duty it shall be, within ninety days after such election, to
18 prepare and propose a charter for such city. Such proposed
19 charter shall be signed in duplicate by the members of such
20 board, or a majority of them, and filed, one copy of said
21 proposed charter with the chief executive officer of such city
22 and the other with the county recorder of the county in which
23 said city shall be situated. Such proposed charter shall then
24 be published in one or more newspapers published, and of
25 general circulation, within said city for at least twenty-one
26 days if in a daily paper, or in three consecutive issues if in
27 a weekly paper, and the first publication shall be made within
28 twenty days after the completion of the proposed charter.
29 Within thirty days, and not earlier than twenty days, after
30 such publication, said proposed charter shall be submitted to
31 the vote of the qualified electors of said city at a general
32 or special election. If a majority of such qualified electors
33 voting ~~thereon shall ratify~~ ON THE CHARTER RATIFIES such
34 proposed charter, it shall thereupon be submitted to the
35 governor for ~~his~~ THE GOVERNOR'S approval, and the governor
36 shall approve it if it ~~shall~~ IS not ~~be~~ in conflict with this
37 Constitution or with the laws of ~~the~~ THIS state. ~~Upon~~ ON such
38 approval said charter shall become the organic law of such
39 city and supersede any charter then existing (and all
40 amendments thereto), and all ordinances inconsistent with said
41 new charter. A copy of such charter, ~~certified~~ by the chief
42 executive officer, ~~and authenticated by the seal,~~ of such
43 city, together with a statement similarly certified and
44 authenticated setting forth the submission of such charter to
45 the electors and its ratification by them, ~~shall,~~ after the

1 approval of such charter by the governor, SHALL be made in
2 duplicate and filed, one copy in the office of the secretary
3 of state and the other in the archives of the city after being
4 recorded in the office of said county recorder. Thereafter
5 all courts shall take judicial notice of said charter.

6 The charter so ratified may be amended by amendments
7 proposed and submitted by the legislative authority of the
8 city to the qualified electors ~~thereof~~ OF THE CITY (or by
9 petition as hereinafter provided), at a general or special
10 election, and ratified by a majority of the qualified electors
11 voting ~~thereon~~ ON THE AMENDMENTS and approved by the governor
12 as herein provided for the approval of the charter.

13 Notwithstanding any provision of this section to the
14 contrary, no charter shall provide a city with any power to
15 violate Article IX, section 25, which preempts such power.

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