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YOU BELONG HERE
EXIT

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SECTION One: What Is The Center For Arizona Policy?

The Center for Arizona Policy

The Center for Arizona Policy (CAP) is a nonprofit advocacy group whose mission is to promote and defend the foundational values of life, marriage and family, and religious freedom.

We write, advocate for, and promote legislation that advances our values which includes:

- Life
- Anti-Trafficking Efforts
- Digital Safety
- Educational Freedom
- Family First Tax Structure
- Protections for Religious Groups

We produce the Arizona Voter guide which surveys Arizona candidates on CAP issues, providing them an opportunity to voice their own views.

The Center for Arizona Policy

The Arizona Voter Guide

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SECTION Two: What Is on the Ballot?

"Let each citizen remember at the moment he is offering his vote...that he is executing one of the most solemn trusts in human society for which he is accountable to God and his country."

SAMUEL ADAMS, ON THE RIGHT TO VOTE

On November 3, that trust is yours.

READING THE BALLOT

Read the number. Know the stakes.

100s

Amend the Arizona Constitution

Only another vote of the people can change them later.

300s

Change state law

Voter-approved laws are protected by Arizona's Voter Protection Act.

Prop 105, 1998 – Established that if voters enact a policy, the act may only be amended in limited circumstances such as a three-fourths legislative vote, or another vote of the people.

YES

adopts the change described

NO

keeps current law as it is.

HOW PROPOSITIONS GET ON YOUR BALLOT

Avenues for Placement on the Ballot

Citizen initiative

Voters gather signatures to put a law or amendment on the ballot.

0 this year

Legislative referral

The Legislature sends a measure straight to voters. No governor veto/signing.

All 8 this year

Referendum

Voters gather signatures to put a newly passed law to a public vote.

0 this year

Arizona Is Unique

Only 24 States Have a Ballot Referral Process + Washington DC and the Virgin Islands

- **6** States have statute and referendums
- **15** States have constitutional, statute, and referendum (AZ)
- **2** States only provide constitutional amendments (IL and FL)
- Mississippi has the process in their constitution but cannot be carried out in practice.

Discussion

Why does Arizona have this process? And who is most likely to use it?

(For after the discussion) Do you personally feel the ballot referral process is a positive? And how should it be used?

The Propositions

Eight measures. Know them before you mark them.



THE 2026 PROPOSITIONS · AT A GLANCE

Eight measures on your November ballot.

PROP	WHAT IT DOES	CHANGES
141	No mileage tax or forced mileage tracking	Constitution
142	Equal treatment	Constitution
144	Citizens-only voting, photo ID, no foreign money	Constitution
316	Caps local grocery taxes at 2%	Statute
317	Declares drug cartels terrorist organizations	Statute
318	Limitations on Girls' sports and locker rooms	Statute
319	Voters decide on photo-radar cameras	Statute
320	60% of district spending in the classroom	Statute

PROP 141 · CONSTITUTIONAL

prohibit tax; monitoring; vehicle mileage

- Amend the Arizona Constitution to prohibit state and local governments from imposing a tax or fee based on the number of miles a person drives (often called a Vehicle Miles Traveled, or VMT, tax).
- Governments may not monitor or limit the number of miles a person travels in a motor vehicle unless the driver voluntarily consents.

Two exceptions:

1. Does not apply to commercial vehicles operating in multiple states that participate in interstate agreements for reporting fuel taxes or registration fees.
2. Does not apply to vehicles owned and operated by state or local governments.

Context:

Roads are maintained through a tax at the pump. (*18 cents a gallon)*

As electric cars become more prevalent, those drivers are not paying into the tax.

This seeks to bridge that gap.

Vehicle Millage tax's been seen in 24 state either through a pilot program or active use.

The Maricopa Association of Governments considered VMT.

PROP 142 · CONSTITUTIONAL

preferential treatment; discrimination; prohibited acts

- Amend the Arizona Constitution to prohibit state and local governments, public universities, community colleges, and school districts from granting preferential treatment or discriminating based on race, sex, color, ethnicity, or national origin in public employment, education, or contracting.
- Prohibits requiring individuals to support race-based preferences or certain diversity, equity, and inclusion (DEI) concepts as a condition of employment, admission, graduation, certification, or contracting.
- Restricts public funding for offices, positions, programs, and trainings designed to promote race- or ethnicity-based preferential treatment, subject to specified exceptions.
- Prohibits disciplinary policies or practices that treat students or employees differently based on race or ethnicity, with certain exceptions.
- Primarily applies to government and public institutions, but may affect private entities that contract with the government or receive public funds.
- Preserves the ability to teach accurate history, including historical discrimination, slavery, Native American removal, the Holocaust, and Japanese-American internment.

Context:

In 2010, Proposition 107 prohibited the state from discrimination or preferred treatment based on sex, gender, ethnicity, national origin in public employment. But this did not affect organization receiving federal funds from conforming to discriminatory federal mandates.

In 2023 Students for Fair Admissions v. Harvard and UNC The Court held that the universities' admissions policies violated the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act.

Owen Anderson v. Arizona Board of Regents – Professor is suing over mandatory DEI training. Oral arguments were heard on Sep 1, 2026 in the US Supreme Court.

PROP 144 · CONSTITUTIONAL

citizenship; identification; contributions; early voting

- The measure would amend the Arizona Constitution to reaffirm that only U.S. citizens may register and vote in Arizona elections.
- Requires voters to present valid government-issued identification before casting a ballot, as provided by law regardless of voting by mail or in person.
- Every voter would be presented the option to have their ballots counted at their voting location on Election Day.
- Foreign nationals would be prohibited from contributing or spending money or anything of value to influence Arizona, similar to restrictions in federal elections. *(Sixteen Thirty fund).*
- Lower the standard for judicial review of similar election laws.

Context:

This Is a result of the distrust in American elections. Arizona was at the heart of a lot of those discussion, particularly due to the long release of election results.

The main cause of delays in election results are the dropped off mail-in-ballots on election day.

Approximately 61%–62% of Arizona's population lives in Maricopa, with Maricopa being the 4th most populous county in the united states.

This was sponsored by State Representative Alexander Kolodin (LD 3) who is running for AZ Secretary of State. His stated goal was to 1) have safe and secure elections and 2) have fast election results.

PROP 316 · STATUTE · VOTER-PROTECTED

food; municipal tax; exemption

- Proposition 316 would amend Arizona statute to limit the ability of cities, towns, and other local taxing jurisdictions to impose or increase taxes or fees on food and certain nonalcoholic beverages intended for home consumption.
- Local governments with an existing food tax could not increase the tax above 2% and, if the tax is already 2% or higher, could not increase it further. Jurisdictions without a food tax could adopt one only with voter approval and the rate could not exceed 2%. The measure also prohibits new food taxes or tax increases between June 30, 2025, and June 30, 2027.

Context:

Currently in Arizona the state does not tax unprepared goods, however local cities and towns may impose taxes.

In Arizona 70 out of 91 incorporated cities and towns taxed food for home consumption in 2024.

Arizona's largest cities, Phoenix, Tucson, and Mesa—do not tax groceries.

A third of the city of Taylor's budget is based on unprepared funds.

PROP 317 · STATUTE · VOTER-PROTECTED

drug cartels; terrorist organizations

- Proposition 317 would amends the Arizona statute to declare that drug cartels are terrorist organizations.
- Requires the Arizona Department of Homeland Security to use all lawful means within its authority to address threats posed by drug cartels. Additionally, it states that the proposition does not support an individual's claim for asylum under federal law.
- Cartel is defined as "*any association of persons* in which members engage in human trafficking, drug trafficking for profit, or any act of terrorism.

Context:

President Trump designated Mexican drug cartels-by executive-order on his first day in office January 20th 2025.

This has been the legal justification for the air strikes used on drug smugglers along with many of the administration's deportation orders.

Arizona legislators are trying to align the state attitude towards drug smuggling with the administrations. To the majority caucus's effort to align the state budget to the "Big Beautiful bill."

PROP 318 · STATUTE · VOTER-PROTECTED

interscholastic; intramural athletics; biological sex

- Requires public and private schools, higher education institutions, and athletic associations to designate athletic teams as male, female, coeducational, or mixed. It would prohibit males from participating on female-designated interscholastic and intramural sports teams.
- Establishes requirements for access to certain private athletic facilities, including restrooms, locker rooms, and shower rooms, based on biological sex. Establishes a private right of action for violations and would not restrict participation on teams aligned with an athlete's sex or designated as coeducational or mixed.
- Establishes a private right of action and severability clause.

Context:

Arizona already restricts athletic participation based on sex as of 2022.

SB 1165, the "*Save Women's Sports Act,*" Prohibited athletes of the male sex from competing in female athletics in Arizona public schools.

The law was challenged in court, and its enforcement was enjoined.

West Virginia v. B.P.J. and Little v. Hecox brought the issue of dividing sports by biological sex, and the United States Supreme Court which ruled the separation constitutional. 6-3 decision.

PROP 319 · STATUTE · VOTER-PROTECTED

photo enforcement systems; voter approval

- Proposition 319 would establish voter approval requirements for the continued use of photo enforcement systems that issue traffic violations for speeding or failure to obey traffic signals.
- Local authorities or state agencies with existing contracts for photo enforcement systems by December 31, 2026, would be required to seek voter approval at the next general election to continue operating those systems. If approved, voters would decide every ten years whether the systems may continue.
- The measure would prohibit new photo enforcement systems unless the required voter approval process is completed and would require local authorities that do not receive voter approval to stop operating their systems.

SB 1234 *Prohibition; photo radar* sponsored by Senator Rogers was introduced in 2023 and vetoed by Governor Hobbs.

The fundamental issue is a question of due process and the inability to face an accuser.

However, law enforcement often relies on photo-enforcement to protect communities from unsafe driving.

PROP 320 · STATUTE

instructional expenses; operational spending; enforcement

- School districts with 7,500 students in a county of at least 500,000 or more people to spend at least 60% of their operational spending on direct instructional expenses.
- The Auditor General would define "direct instructional expenses" and "operational spending" for this requirement.
- Beginning in fiscal year 2027–2028, districts that do not meet the 60% requirement would be required to increase instructional spending each year by one-half a percent until they comply.
- Districts that remain out of compliance could lose a portion of their Classroom Site Fund allocation unless granted a waiver, with withheld funds redistributed to compliant districts.

Arizona schools receive 25% less funding than the U.S. average

Currently 52% of school funding goes to the classroom and has been historically the figure has been decreasing.

5 schools are currently at or above the 60% figure.

Three-fourths of Arizona schools of Arizona schools have been at or within 3% of the 60% figure in the last few years.

Coaching, teaching aids, and teacher pay may be considered instructional spending.

Special Education, School Safety, administrators, transportation, and some specific mentorship programs may not be included.

03

Beyond the Ballot.

The “Deal” and the Following Legal Battle.

Arizona leads the nation in school choice

2022

FIRST

state in America to make every K-12 student ESA-eligible

100K+

STUDENTS

enrolled in Empowerment Scholarship Accounts in 2026

1 in 5

ESA STUDENTS

is a student with a disability

Sources: Arizona Department of Education, ESA program counter (Jan. 2026) and FY26 Q2 report; EdChoice (2026).

Prop 212 · Statute

Proposition 212 (the Protect Education Act)

- A Citizen initiative Proposed by Save our Schools Arizona.
- Stops ESA eligibility at 150,000$ Household income.
- Unused funds would be returned to public schools, rather than parent's building funds over time.
- Mandates finger printing and background checks for staff.
- State assessments or accreditation for participating private schools.
- Some exceptions for ESA students with disabilities.
- 421,451 signatures filled with the Secretary of State, about 165,500 more than necessary to qualify for the ballot.

Context:

There is growing rhetoric that the ESA program is full of waste fraud and abuse.

Further a large portion of the school unions and anti school choice advocates view ESA as pulling funds from Arizona public schools.

Save Our Schools Arizona brought forward the *"Protect Education Act"* as a result.

A deal to keep Prop 212 off the ballot was brought forward. The deal would require one ESA reform being passed in the legislature, and three other ballot propositions being removed from the ballot.

House Bill 2142

The Deal: HB2142 school safety; ESAs; fingerprinting; revisions

- Fingerprinting for all participating school staff, tutors, and any other individual who are unsupervised with children.
- One-year implementation Cushion
- Allows funds to build over time, but caps the roll-savings at 50,000$ for disabled students and 24,000$ for non-disabled students
- Narrows ESA purchasing power.
- Provides a long list of items banned without exception in the ESA program including babysitting charges, items not used for education, commercial appliances, jewelry, gift cards, trips, and restaurant expenses, and motorized vehicles.

The Deal: Counter Props

Prop 145 — Military Families; Scholarship Accounts

- No provision may sweep ESA funds from military and or Gold Star families.
- Any provision that sweeps ESA funds from military and or Gold Star families, is void in its entirety.

Prop 143 — School Districts; Labor Organizations; Resources

- School districts may not use public money for a labor organization.
- School districts may not deduct funds from a teacher's paycheck for the use of a labor organization.
- Labor organizations may not use school time, communications to promote labor organizations.

Prop 320 — Instructional Expenses; Operational Spending

- 60% of district spending in the classroom.

The Deal: The Result

- A single holdout in the majority caucus brought the deal down. The final Senate vote was 14–15–1.
- Even after the bill failed on the final day of session, there were several weeks of negotiation to bring back the deal in a special session but those would also fail.
- All four propositions initially advanced toward the November ballot.
- All four propositions advanced toward the November ballot were challenged in court, which resulted in only Prop 320 — Instructional Expenses; Operational Spending – advancing to the November 3rd general-election the ballot.
- The three remaining propositions were all removed.

- Why?

The Deal: The Courts.

- **Prop 212 *SAVE EDUCATION ACT*** had 421,000 signatures and needed a minimum of 255,949 signatures.

- After the Secretary of State's initial review there were 389,376 valid signatures.

- Signatures were removed improper circulator registration as it was found:
  - Felons were found to be gathering signatures.
  - Circulators were not properly registered.
  - One circulator inaccurately claimed to be an employee of the Secretary of State.

- The County Recorder pulled a random 5% sample of signatures. The court found that the proposition only had a 75.2% validity rate due to double counting of signatures, invalid addresses, and names being signed on other people's behalf.
  - Because of the signature violations the Arizona Supreme court ordered the proposition be removed from the ballot.

The Deal: The Courts.

The Arizona Supreme Court ruled that Propositions 143 and 145 violated Article 21, Section 1, of the Arizona Constitution, which requires separate votes on proposed constitutional amendments.

"[i]f more than one proposed amendment shall be submitted at any election, such proposed amendments shall be submitted in such manner that the electors may vote for or against such proposed amendments separately" (Ariz. Const. art. 21, § 1).

Prop 143 School Districts; Labor Organizations; Resources

1. Restrictions on school districts' use of public resources for labor organizations.
2. Broader prohibition on government collective bargaining with labor organizations. *"this state or any political subdivisions of the state."*

Prop 145 Military-Family ESA Protection.

1. It Prohibition of the state from confiscating money in the scholarship account of a student who is a child of a military family or Gold Star child.
2. It would declare an entire bill or voter-approved measure void if any part confiscated funds a student who is a child of a military family or gold star child.

Questions?

(Thoughts on ballot measures in general?)