

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

CHAPTER 84

SENATE BILL 1210

AN ACT

AMENDING TITLE 12, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6.1; RELATING TO THE RIGHT OF INTERVENTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 12, chapter 7, Arizona Revised Statutes, is amended
3 by adding article 6.1, to read:

4 ARTICLE 6.1. RIGHT OF INTERVENTION

5 12-921. Proceedings involving initiative or referendum
6 measures; standing to intervene; attorney fees or
7 costs

8 A. IN ANY PROCEEDING IN WHICH THE CONSTITUTIONALITY, LEGALITY OR
9 APPLICATION OF A LAW THAT WAS ENACTED THROUGH AN INITIATIVE IS AT ISSUE, THE
10 OFFICIAL INITIATIVE PROPONENT, WHETHER AN INDIVIDUAL, A GROUP OF INDIVIDUALS
11 OR AN ORGANIZATION, THAT WISHES TO DEFEND THE LAW SHALL HAVE THE RIGHT TO
12 INTERVENE AS A PARTY AND IS DEEMED TO HAVE PROPER STANDING IN THE MATTER.

13 B. IN ANY PROCEEDING IN WHICH THE CONSTITUTIONALITY, LEGALITY OR
14 APPLICATION OF A LAW THAT WAS ENACTED THROUGH A REFERENDUM IS AT ISSUE, THE
15 LEGISLATOR WHO WAS THE FIRST PRIME SPONSOR OF THE REFERENDUM AND WHO WISHES
16 TO DEFEND THE LAW SHALL HAVE THE RIGHT TO INTERVENE AS A PARTY AND IS DEEMED
17 TO HAVE PROPER STANDING IN THE MATTER.

18 C. THE ONLY OBJECTION THAT MAY BE RAISED TO A MOTION TO INTERVENE AS
19 OF RIGHT PURSUANT TO THIS SECTION IS THAT THE PROPOSED INTERVENOR DOES NOT
20 HAVE A GOOD FAITH INTENTION TO DEFEND THE LAW. ANY PARTY OR PROPOSED
21 INTERVENOR MAY RAISE THIS OBJECTION.

22 D. A PARTY WHO INTERVENES TO DEFEND A LAW PURSUANT TO THIS SECTION IS
23 NOT LIABLE FOR ATTORNEY FEES OR COSTS OF ANY PARTY WHO IS CHALLENGING THE
24 CONSTITUTIONALITY, LEGALITY OR APPLICATION OF THE LAW.

APPROVED BY THE GOVERNOR MARCH 27, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2012.

Passed the House March 20, 2012,

by the following vote: 51 Ayes,

6 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate February 9, 2012,

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this
_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

S.B. 1210

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State
this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate March 21, 2012

by the following vote: 21 Ayes,

8 Nays, 1 Not Voting



President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

21 day of March, 2012

at 2:50 o'clock P M.


Secretary to the Governor

Approved this 27th day of

March

at 2:05 o'clock P. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 27th day of March, 2012

S.B. 1210

at 5:12 o'clock P M.


Secretary of State