



Office of Arizona Attorney General
Mark Brnovich



Legislator Request for Attorney General Investigation of
 Alleged State-Law Violation by County, City, or Town (Continued)

*Identify the member(s) of the Legislature submitting this request for investigation (attach additional sheet if necessary):

Senator J.D. Mesnard

*Provide a contact person for communications from the Attorney General's Office regarding this request (may be a Legislator listed above or an employee of the Legislature).

*Name: J.D. Mesnard

*Email address: mesnard@azleg.gov

*Phone number: 602-926-4481

*Mailing address: 1700 W Washington St
 Phoenix, AZ 85007

*The specific question for the Attorney General to investigate is:

See attached

*The name of the county, city, or town that is the subject of this request:

Tucson, AZ

*The specific ordinance, regulation, order, or other official action adopted or taken by the governing body of the county, city, or town and the date thereof:

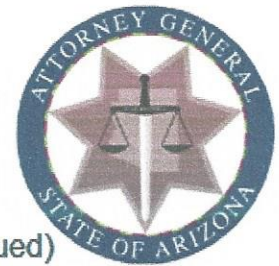
Tucson ordinance 11731 (Feb 19, 2020)

*The specific Arizona statute(s) and/or constitutional provision(s) with which the action conflicts :

A.R.S. 16-204, A.R.S. 16-204.01, & A.R.S. 16-204.02



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*All relevant facts of which you are aware (attach separate sheet if necessary):

For the 2019 Tucson elections, there was a significant decrease in voter turnout, with just over 39% turnout in 2019 compared to just over 67% in 2018. Despite the significant decrease in voter turnout, Tucson called the next election for August 2021, rather than aligning the election with the statewide election dates.

*All relevant legal authority, including federal and state case law, of which you are aware (attach separate sheet if necessary):

City of Tucson v. State, 229 Ariz. 172 (2012)
 City of Tucson v. State, 235 Ariz. 434 (App. 2014)

* Any litigation involving this issue of which you are aware (include case name, number, and court where filed) : City of Tucson v. Hobbs C20201904, Pima County Superior Court

Check this box if you are attaching supporting documentation.

NOTE: This form and other information submitted to the Attorney General's Office is subject to the public records law, A.R.S. § 39-121 et seq.

I, a current member of the Legislature, verify that I and the other Legislators listed on the previous page (if any) are submitting this request for investigation under A.R.S. § 41-194.01.

*First Name: J.D. *Last Name: Mesnard

*Signature: [Handwritten Signature] *Date: 6/16/2020

Please submit the completed form to:
 Arizona Attorney General's Office
 Attn: Appeals and Constitutional Litigation/A.R.S. 41-194.01
 2005 North Central Avenue
 Phoenix, AZ 85004
governmentaccountability@azagov

* required field
 Rev. 8-2016

Attachment for AG Submission Form

Following a significant decrease in voter turnout at the 2019 Tucson city election compared to the 2018 statewide election, does Tucson city ordinance 11731 violate A.R.S. 16-204.01 by calling for elections for city council, as well as for city ballot measures, to continue to be held off cycle in 2021 rather than on the statewide election dates in 2022?