Katie Hobbs Governor

Thomas M. Collins Executive Director



## State of Arizona Citizens Clean Elections Commission

Mark S. Kimble Chair

Steve M. Titla Galen D. Paton Christina Werther Sam Crump Commissioners

1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

## Below is a high-level summary of the complaint:

The Secretary of State's Office acted without legal authority. Arizona law lets the Secretary recognize *new* parties, not rename existing ones into something entirely different. Approving "Arizona Independent Party" was not permitted.

The decision effectively redefines the term "independent" in Arizona election law. For decades, Arizona statutes, courts, and the Clean Elections Act have used "independent" to mean voters and candidates with *no* party. Calling a recognized party the "Arizona Independent Party" nullifies that terminology and overrides the Commission's ability to use it in voter education and funding rules.

Thousands of voters are put at risk. More than 42,000 Arizonans will have their registration effectively changed into a party many never knowingly chose, with no notice and no opt-out up front. Some true independents will lose their ability to choose a primary ballot and will only learn it when they're turned away from the ballot they expected.

The decision undermines Clean Elections and diverts resources. The Commission will spend limited, voter-approved Clean Elections funds on damage control—rewriting guides, videos, tools, and outreach—to explain the change, instead of using those resources to inform voters and support candidates as the voters intended.

We're asking the court to void the name change and stop its rollout. The suit asks for a declaration that the Secretary's decision is unauthorized, arbitrary and capricious, conflicts with existing election law and the Elections Procedures Manual, and is therefore null, void, and unenforceable.