



2022 General Election. In reaching this determination, the trial court reasoned, in part, that since §§ 13 and 15 did not appropriate state funds or generate necessary revenue, they did not fall within the "support and maintenance" exception in the Arizona Constitution, and voters therefore have a constitutional right to vote on them. See ARIZ. CONST. art. IV, pt. 1, § 1(3). The trial court, therefore, denied Plaintiffs' application for preliminary injunction and granted Invest in Arizona's motion to dismiss in part, leaving the petition deficiency challenge pending.

The Court en banc has considered the briefs, authorities, and arguments in this appeal. The Court finds that §§ 13 and 15 of S.B. 1828 do fall within the support and maintenance exception to the Arizona Constitution, and thus may not be referred to the voters. Therefore,

**IT IS ORDERED** reversing the trial court's order and remanding the matter to the trial court to enter judgment in accordance with this order.

**IT IS FURTHER ORDERED** enjoining R-03-21 from appearing on the 2022 General Election ballot.

**IT IS FURTHER ORDERED** denying Invest in Arizona's request for attorneys' fees.

A written opinion explaining our reasons for this order will follow.

DATED this 21st day of April, 2022.

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/s/  
ROBERT BRUTINEL  
Chief Justice

TO:

Kory A Langhofer  
Thomas J Basile  
Spencer Garrett Scharff  
Roopali H Desai  
D Andrew Gaona  
Kristen M Yost  
Timothy Sandefur  
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