



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
APPEALS & CONSTITUTIONAL LITIGATION DIVISION

LINLEY WILSON
UNIT CHIEF COUNSEL
GOVERNMENT ACCOUNTABILITY
LINLEY.WILSON@AZAG.GOV

June 17, 2020

Via Certified Mail & Email

Michael G. Rankin
Tucson City Attorney
City Hall
255 W. Alameda
Tucson, AZ 85701
Mike.Rankin@tucsonaz.gov

**Re: Notice of Submission of Legislator Request for Investigation Pursuant to
A.R.S. § 41-194.01; Request for Written Response**

Dear Mr. Rankin:

Enclosed with this letter is a complete copy of a Legislator Request for Investigation under A.R.S. § 41-194.01 (the "Request") regarding the enactment of Ordinance 11731 ("Ordinance") by the City of Tucson (the "City") on February 19, 2020. Section 41-194.01 provides that one or more members of the Arizona Legislature may request that the Attorney General "investigate any ordinance, regulation, order or other official action adopted or taken by the governing body of a county, city or town that the member alleges violates state law or the Constitution of Arizona." With the Request's filing, the Attorney General's Office (the "Office") will now conduct an investigation and prepare a report that, under the statute, must be completed within 30 days. A.R.S. § 41-194.01(A), (B).

In the report, the Attorney General will reach one of three conclusions. *See id.*, § 41-194.01(B). If the Ordinance does not violate any provision of state law or the Arizona Constitution, the Office will take no further action. *Id.*, § 41-194.01(B)(3). If the Ordinance may violate a provision of state law or the Arizona Constitution, the Attorney General will file an action in the Arizona Supreme Court. *See id.*, § 41-194.01(B)(2); *State ex rel. Brnovich v. City of Tucson*, 242 Ariz. 588 (2017). If the Ordinance violates a provision of state law or the Arizona Constitution, the Office will notify the City in writing and state that the City has 30 days to resolve the identified violation. A.R.S. § 41-194.01(B)(1). If the Attorney General determines that the City failed to resolve the violation within 30 days, the Attorney General will notify the State Treasurer, who shall withhold and redistribute from the City state shared monies as provided by A.R.S. §§ 45-5029(L) and 43-206(F).

Letter to Michael Rankin Re Legislator Request for Investigation
June 17, 2020
Page 2

The Office hereby requests that the City voluntarily provide a written response to the Request by **5:00 p.m. on Wednesday, July 1, 2020.**

Please feel free to contact me if you have any questions.

Sincerely,



Linley Wilson

Enclosure

cc: *Via U.S. Mail and Email*

Roger Randolph
Tucson City Clerk
City Hall
255 W. Alameda
Tucson, AZ 85701
cityclerk@tucsonaz.gov

Dennis P. McLaughlin
Principal Assistant City Attorney
City Hall
255 W. Alameda, 7th Floor
Tucson, AZ 85701
Dennis.McLaughlin@tucsonaz.gov