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ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ARIZONA

August 20, 2020

The Honorable Katie Hobbs  
Arizona Secretary of State  
1700 West Washington Street, 7th Floor  
Phoenix, Arizona 85007-2808

**Re: Approving Ballot Language**

Dear Secretary Hobbs:

Pursuant to A.R.S. § 19-125(D), I am vested with the duty to approve a descriptive title containing a summary of the principal provisions of each ballot measure and a brief phrase stating the essential change in the existing law should the measure be approved by the voters.

This letter is to notify you that I approve the enclosed ballot language pursuant to my statutory duties.

Sincerely,

A handwritten signature in blue ink that reads "Mark Brnovich". The signature is stylized and includes a long horizontal flourish at the end.

Mark Brnovich  
Arizona Attorney General

Enclosure

**Proposition 207**

**DESCRIPTIVE TITLE**

THE LAW WOULD ALLOW LIMITED MARIJUANA POSSESSION, USE, AND CULTIVATION BY ADULTS 21 OR OLDER; AMEND CRIMINAL PENALTIES FOR MARIJUANA POSSESSION; BAN SMOKING MARIJUANA IN PUBLIC; IMPOSE A 16% EXCISE TAX ON MARIJUANA SALES TO FUND PUBLIC PROGRAMS; AUTHORIZE STATE/LOCAL REGULATION OF MARIJUANA LICENSEES; AND ALLOW EXPUNGEMENT OF MARIJUANA OFFENSES.

A "Yes" vote shall have the effect of allowing adults 21 years or older to use, possess, or transfer up to one ounce of marijuana and cultivate for personal use not more than six marijuana plants at a primary residence; banning smoking marijuana in public places and open spaces; amending criminal classifications and penalties for marijuana possession and use; allowing the retail sale of marijuana at licensed establishments; imposing a 16% excise tax on marijuana sales to fund community colleges, infrastructure, public safety, and public health programs; authorizing state and local regulation of the sale and production of marijuana by a capped number of licensees; and allowing courts to vacate and expunge certain marijuana arrests, charges, adjudications, convictions or sentences.

A "NO" vote shall have the effect of retaining current law regarding the use of marijuana.

**STOP SURPRISE BILLING AND PROTECT PATIENTS ACT (I-24-2020)  
(TENTATIVE) PROPOSITION 208**

**DESCRIPTIVE TITLE**

THE LAW WOULD PROHIBIT HEALTH INSURERS FROM DENYING COVERAGE BASED ON PRE-EXISTING CONDITIONS; RESTRICT HEALTH INSURERS TO FOUR STATUTORY FACTORS WHEN CHARGING PREMIUMS; CAP SURPRISE OUT-OF-NETWORK MEDICAL AND AMBULANCE BILLS; SET WAGE INCREASES AND “MINIMUM WAGES” FOR PRIVATE HOSPITAL WORKERS; AND REQUIRE PRIVATE HOSPITALS TO MEET NATIONAL SAFETY STANDARDS.

A “YES” vote shall have the effect of prohibiting health insurers from denying coverage based on pre-existing conditions; restricting health insurers to four factors when charging premiums (individual or family coverage, age, geography, and tobacco use); establishing a cap on certain surprise out-of-network medical bills and prohibiting balance billing for ambulance services; amending the surprise out-of-network bill dispute process; requiring wage increases and setting new “minimum wages” for workers at private hospitals; requiring private hospitals to meet national safety standards for preventing hospital-acquired infections; and establishing a fund for administration and enforcement of the infection standards with fees paid by private hospitals.

A “NO” vote shall have the effect of retaining existing law relating to health insurance and hospitals.

**SECONDS CHANCES, REHABILITATION, AND PUBLIC SAFETY ACT (I-32-  
2020)  
(TENTATIVE) PROPOSITION 209**

**DESCRIPTIVE TITLE**

THE LAW WOULD EXPAND THE EARNED RELEASE CREDITS PROGRAM TO ALLOW THOSE CONVICTED OF STATUTORILY-DEFINED “NONDANGEROUS OFFENSES” TO REDUCE PRISON TIME BY UP TO 50%; AUTHORIZE JUDGES TO IMPOSE LOWER SENTENCES FOR “NON DANGEROUS OFFENSES” WHEN IN THE INTEREST OF JUSTICE; AND ESTABLISH A FUND FOR VICTIMS AND FIRST RESPONDERS.

A “YES” vote shall have the effect of defining a nondangerous offense as any offense that is not a crime determined by the jury or court to be a dangerous offense, molestation of a child, a dangerous crime against children, first or second degree murder, or sexual assault; expanding the current earned release credit program to require the Arizona Department of Corrections, Rehabilitation and Reentry to grant earned release credits to those incarcerated for a nondangerous offense to reduce prison time by up to 50% pursuant to requirements adopted by the director; allowing a judge, when imposing a sentence for a nondangerous offense, to impose a sentence less than the statutory minimum or no prison sentence if the judge finds it is in the interest of justice, considering factors such as the input of victims, family members, and experts; changing the circumstances under which earned release credits can be taken away; limiting prior convictions considered for sentencing enhancements to those that occurred prior to the present offense; eliminating the literacy requirement to be eligible for early release; and establishing a new fund for services for crime victims and first responders by transferring funds from the Medical Marijuana Fund.

A “NO” vote shall have the effect of retaining existing law relating to early prison release and criminal sentencing.

## Proposition 210

### DESCRIPTIVE TITLE

THE LAW WOULD IMPOSE A 3.5% TAX SURCHARGE ON TAXABLE ANNUAL INCOME OVER \$250,000 FOR SINGLE PERSONS OR MARRIED PERSONS FILING SEPARATELY, OR \$500,000 FOR MARRIED PERSONS FILING JOINTLY OR HEADS OF HOUSEHOLDS, TO INCREASE FUNDING FOR PUBLIC EDUCATION.

A "YES" vote shall have the effect of imposing a 3.5% income tax surcharge, in addition to existing income tax rates, on taxable annual income over \$250,000 for single persons or married persons filing separately, or \$500,000 for married persons filing jointly or heads of households, to provide additional funds for public education; creating a new fund to direct the additional revenue to hiring and increasing salaries for teachers and other non-administrative support personnel, career training and higher education pathway programs for high school students, and the Arizona Teachers Academy; and increasing the dollar amount of scholarships available through the Arizona Teachers Academy.

A "NO" vote shall have the effect of retaining existing law on income tax rates and funding for public education.