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DISTRICT 18

Arizona House of Representatives
Phoenix, Arizona 85007

May 13, 2025

The Honorable Kris Mayes
Arizona Attorney General
2005 N. Central Avenue, 20th Floor
Phoenix, Arizona 85004
Kris.mayes@azag.gov

Sent via email

REQUEST FOR ATTORNEY GENERAL OPINION

Dear Attorney General Mayes:

I am writing to request a formal attorney general's opinion regarding the constitutionality of recently signed legislation, HB2679 power; public utilities; UCC; securities.

As signed by the governor, the measure imposes unlawful restrictions on individuals' access to the courts and their ability to recover appropriate relief from the state's utilities. *See* A.R.S. § 30-907(E) (limiting the actions that a party may file against a utility) & (F) (barring the courts from issuing specified relief against a utility). The legislation may also violate our state's clear constitutional separation of powers requirement by unlawfully intruding into the procedural authority of the courts. *See* A.R.S. § 30-910. The restrictions on litigation in the measure may also run afoul of the constitutional protections in the anti-abrogation clause by closing the courthouse doors to potential litigants. *See* Ariz. const. art. 18, § 6. Additionally, the enacted legislation intrudes on the ratemaking authority of the Arizona Corporation Commission, which is constitutionally protected power that the Legislature may not infringe. *See* A.R.S. § 40-608(E) (prohibiting review or approval by any governmental entity).

These are just a few examples of the potential legal problems with HB2679. I urge your office to carefully review the new law and provide our state with guidance on its constitutionality.

I look forward to hearing from your office promptly. The sweeping provisions of HB2679 could seriously harm our state, especially the rate payers who will bear the brunt of this unconstitutional law.

Very truly yours,

A handwritten signature in black ink, appearing to read "Christopher Mathis".

Rep. Christopher Mathis
Legislative District 18