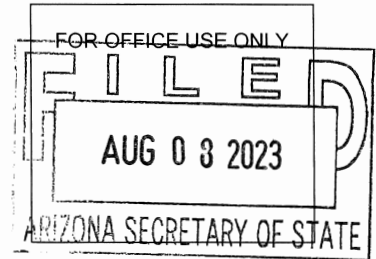




STATE OF ARIZONA

Application for Serial Number Initiative Petition A.R.S. § 19-111



The undersigned intends to circulate and file an initiative petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Attached hereto is the full title and text, in no less than eight point type, of the measure or constitutional amendment intended to be initiated at the next general election.

Statutory Measure [ ] Constitutional Amendment [x] Date of Application 08/08/2023 Signatures Required 383,923 Deadline for Filing 07/03/2024 Serial Number Issued I-04-2024

The Arizona Abortion Access Act amends the Arizona Constitution to establish a fundamental right to abortion that the State may not deny, restrict or interfere with [1] before the point in pregnancy when a health care provider determines that the fetus has a significant likelihood of survival outside the uterus without extraordinary medical measures unless justified by a compelling governmental interest...

Candace Lew

Name of Applicant 2800 N. Central Ave Ste 1900 Address Phoenix AZ 85004 City State Zip Telephone Number 623-239-2588 E-mail Address chair@arizonaforabortionaccess.org

Arizona for Abortion Access

Committee Name 101432 Committee ID No. Candace Lew Chairperson Dacey Montoya Treasurer 2800 N. Central Ave Ste 1900 Committee Address Phoenix AZ 85004 City State Zip Telephone Number 623-239-2588 Committee Telephone Number info@arizonaforabortionaccess.org Committee E-mail Address

By submitting this Application for Serial Number and checking all boxes below, I acknowledge the following:

- That I have read and understand the accompanying Instructions for Statewide Initiatives, including the Secretary of State's recommended best practices for printing copies of the Statewide Initiative Petition to be circulated.
That at the time of filing, I was provided instructions regarding accurate completion of the electronic Statewide Initiative Petition form.

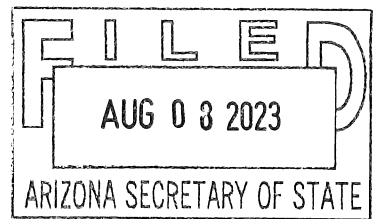
Candace Lew [Signature]

Applicant Signature

August 7, 2023

Date

Office of the Secretary of State 1700 W. Washington Street Phoenix, Arizona 85007



**OFFICIAL TITLE**

A CONSTITUTIONAL AMENDMENT

AMENDING ARTICLE II, ARIZONA CONSTITUTION, BY ADDING SECTION 8.1; RELATING TO THE  
FUNDAMENTAL RIGHT TO ABORTION.

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

**Section 1.** Short title

This constitutional amendment shall be known as, and may be referred to as, the “Arizona Abortion Access Act.”

**Section 2.** Findings and declaration of purpose

The People of the State of Arizona find and declare as follows:

- A. Arizonans believe strongly in individual autonomy, which includes the right of each individual to make personal decisions about their own health care without overbearing and unnecessary government interference.
- B. When the United States Supreme Court overturned *Roe v. Wade* and deprived Arizonans of their longstanding individual right to abortion, Arizonans’ autonomy over their own health care decisions was immediately threatened by efforts to enforce a law first enacted in the 19th Century which made almost all abortions illegal.
- C. To protect Arizonans’ rights and ensure access to reproductive health care, the Arizona Constitution must be amended to establish a fundamental right to abortion as provided in this act.
- D. This act should be liberally construed in furtherance of the fundamental right it establishes.

**Section 3.** Article II, Arizona Constitution, is amended by adding section 8.1 to read:

SECTION 8.1. FUNDAMENTAL RIGHT TO ABORTION

- A. EVERY INDIVIDUAL HAS A FUNDAMENTAL RIGHT TO ABORTION, AND NO LAW, REGULATION, POLICY OR PRACTICE SHALL BE ENACTED OR ENFORCED:
  - 1. DENYING, RESTRICTING OR INTERFERING WITH THAT RIGHT BEFORE FETAL VIABILITY UNLESS JUSTIFIED BY A COMPELLING STATE INTEREST THAT IS ACHIEVED BY THE LEAST RESTRICTIVE MEANS.
  - 2. DENYING, RESTRICTING OR INTERFERING WITH AN ABORTION AFTER FETAL VIABILITY THAT, IN THE GOOD FAITH JUDGMENT OF A TREATING HEALTH CARE PROFESSIONAL, IS NECESSARY TO PROTECT THE LIFE OR PHYSICAL OR MENTAL HEALTH OF THE PREGNANT INDIVIDUAL.
  - 3. PENALIZING ANY INDIVIDUAL OR ENTITY FOR AIDING OR ASSISTING A PREGNANT INDIVIDUAL IN EXERCISING THEIR RIGHT TO ABORTION AS PROVIDED IN THIS SECTION.
- B. FOR PURPOSES OF THIS SECTION:
  - 1. “COMPELLING STATE INTEREST” MEANS A LAW OR REGULATION ENACTED FOR THE LIMITED PURPOSE OF IMPROVING OR MAINTAINING THE HEALTH OF AN INDIVIDUAL SEEKING ABORTION CARE, CONSISTENT WITH ACCEPTED CLINICAL STANDARDS OF PRACTICE AND EVIDENCE-BASED MEDICINE, AND THAT DOES NOT INFRINGE ON THAT INDIVIDUAL’S AUTONOMOUS DECISION-MAKING.
  - 2. “FETAL VIABILITY” MEANS THE POINT IN PREGNANCY WHEN, IN THE GOOD FAITH JUDGMENT OF A TREATING HEALTH CARE PROFESSIONAL AND BASED ON THE PARTICULAR FACTS OF THE CASE, THERE IS A SIGNIFICANT LIKELIHOOD OF THE FETUS’ SUSTAINED SURVIVAL OUTSIDE THE UTERUS WITHOUT THE APPLICATION OF EXTRAORDINARY MEDICAL MEASURES.

**Section 4.** Severability

If any provision of this measure or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the measure that can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

**Section 5.** Submission to the electorate

The Secretary of State shall submit this measure to the qualified electors of the State of Arizona at the next general election as provided by article IV, part 1, section 1, Arizona Constitution.

**Sec. 6.** Standing

The People of the State of Arizona desire that this measure, if approved by the voters and thereafter challenged in court, be defended by the State of Arizona. The political action committee that sponsored this measure (or its designee) shall have standing to initiate or intervene in any action or proceeding to defend this measure.

