

# NEWS RELEASE

Arizona Supreme Court  
Administrative Office of the Courts



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## Arizona Supreme Court Upholds Voters' Right to Know Act

**PHOENIX** – The Arizona Supreme Court today ruled that the Voters' Right to Know Act may remain in place. The Court dismissed most of the plaintiffs' claims challenging the Act but allowed one claim to move forward.

Arizona voters passed the Act in 2022. The Act requires certain groups that spend money on election-related media to disclose "the original source of all major contributions used to pay, in whole or part, for campaign media spending." The Act was designed to give voters more information about who is paying to influence elections.

In *Center for Arizona Policy v. Arizona Secretary of State*, two nonprofit groups and two anonymous donors challenged the Act under the Arizona Constitution. They argued that the Act violates Arizona's free speech and privacy protections.

The Supreme Court rejected the plaintiffs' broad challenge to the Act. The Court said the plaintiffs did not show that the Act is unconstitutional in all, or even most, of its applications. The Court also said donations used to fund campaign media are not private affairs protected from disclosure under Arizona's privacy clause.

The Court allowed one claim to move forward. The plaintiffs alleged that, as applied to them, the Act's disclosure rules may chill speech because people may not want to donate money to fund campaign media if their names will be made public and they fear threats, harassment, or retaliation.

The Court did not decide whether the plaintiffs will win that claim. It ruled only that they alleged enough facts for the claim to continue at this early stage in the case.

Because of that, the Supreme Court affirmed dismissal of the plaintiffs' facial challenges and privacy claims. It reversed dismissal of the plaintiffs' remaining as-applied free speech claim and sent the case back to the trial court for more proceedings on that claim.

Chief Justice Timmer wrote the opinion and was joined by Justices Beene and Montgomery and retired Justice Rebecca Berch who considered the case in place of Justice Maria Elena Cruz who recused. Justice King, joined by Vice Chief Justice Lopez and Justice Bolick, concurred in part and dissented in part.

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*This summary is intended solely to notify the public about an Arizona Supreme Court Opinion. It is not to be considered an official commentary by the Court or any member of the Court, nor may it be cited as legal authority for any reason or purpose. The full Opinion is available [here](#) for those seeking details about the Court's reasoning.*

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