

ARIZONA

The Arizona House pulled an all-nighter working on bills. Here's why

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Arizona Republic

Updated Feb. 26, 2026, 10:30 a.m. MT

Key Points

- Arizona state lawmakers held an 18-hour session, voting on 183 bills from one morning to the next.
- Republicans blamed two Democratic members for the long night by removing 136 bills from the quick-vote consent agenda.
- Democrats countered that Republicans were responsible due to the record number of bills introduced, many of which were duplicates or expected to be vetoed.

Republican and Democratic lawmakers in the state House of Representatives blamed each other for a grueling, all-night bill-voting session.

Both sides agreed nothing like it has happened for many years.

House members began their floor session at 11 a.m. on Feb. 25, discussing and voting on 183 bills all through the night until about 5:15 a.m. the next day.

A few of the 60 House members were absent. Members mostly kept up their good spirits, walking around their desks between or during votes and chatting with each other so loudly they had to be occasionally scolded. But their energy slowly faded as the hours dragged on and the bills kept coming, displayed with votes in green or red on a giant screen behind the House dais. The theme from Jeopardy, broadcast to the room by Democratic Rep. Stephanie Stahl Hamilton, sounded regularly as members yawned or rubbed their eyes.

Around midnight, leaders brought in a crew from Rowena Coffee who set up an espresso bar in a corridor just outside the House floor for lawmakers, staff and pages.

Two Democrats caused the sleepless night, House Majority Leader Michael Carbone told The Arizona Republic. The two members, who Carbone wouldn't name, pulled 136 bills from the consent agenda, a list that allows multiple bills to be voted on all at once instead of one at a time. That and the needless debate over bills that received unanimous support in committees led to the long night, he said.

"It's not cool. They're abusing the process," Carbone said. "People are upset."

The Arizona Republic learned the two Democrats were Rep. Aaron Marquez of Phoenix and Rep. Mariana Sandoval of Goodyear.

Assistant Democratic Leader Nancy Gutierrez fumed at Carbone's accusation.

"This is mismanagement 101," she said. "There are too many bills – not Dem bills by the way. Bills that they know are getting vetoed. So that's a waste of time."

Democrats accused previously of delay tactic

It's relatively common to work until dawn one or two days during Arizona's monthslong legislative sessions, but those usually take place at the end of the session and budget preparation work. The roughly 18-hour workday that began Feb. 25 occurred early in the legislative session during crossover week, when the House and Senate vote on and move the hundreds of bills in each chamber to the other chamber. Bills that fail to win passage are technically dead for the session, though a legislative mechanism exist to revive those proposals.

Longtime staff and members said crossover week used to involve long days or night voting years before the pandemic, but leaders figured out how to avoid excessively long hours of work. But the system still has vulnerabilities. One of those is the consent agenda for the Committee of the Whole.

Once a bill's language is finalized and it's introduced in the Legislature, it's first step is to be assigned to a committee that's germane to the bill's content. A bill dealing with a criminal issue, for instance, might show up in the Senate or House committee that deals with the judiciary or public safety. If a majority of committee members vote in favor of it, the bill moves on to the Committee of the Whole, a step in the process in which lawmakers could tack on an amendment to the bill or debate it before it goes to the full House or Senate for a vote. Bills that don't require an amendment and aren't controversial enough for a debate can be put on the consent agenda so many can be approved at once.

On Feb. 10, Carbone told fellow House members he was worried Democrats were "degrading the system."

"It is clear that this year, the Democrats are engaged in a concerted effort to slow down the legislative process," Carbone said on the House floor. Any member can ask for any bill to be withdrawn from the consent agenda. The Democrats took 100 bills off the consent agenda but didn't amend or debate them, Carbone said. That meant the House had to "convene itself longer to generate the same result."

Each House bill in the Committee of the Whole has to be read and members have to cast a vote to move the bill to the "third read," or final vote before it's advanced to the Senate. Carbone said the "game" would lengthen the Committee of the Whole step and prevent lawmakers from going to their families.

Whatever the cause, lawmakers Feb. 23 and 24 worked long days that ended after 8 p.m. Carbone later predicted the workday on Feb. 25 would stretch even longer as members tried to get through a crush of bills.

Republicans more responsible, Democrats say

The Legislature introduced over 2,100 bills this year, a historical record about more than 200 bills than last year. About two-thirds of the bills came from Republicans, who make up the majority of both the House and Senate. Democratic bills rarely get

a committee hearing. Many of the bills address the GOP's goal to lower taxes, reduce red tape, privatize services or resources and curb crime.

The nearly 200 bills heard on Feb. 25 and 26 were all from Republicans. They dealt with a range of subjects from a controversial proposal to nullify the federal Mexican gray wolf reintroduction program to a Democrat-supported court program to help veterans. That number by itself wasn't a record for bills moved during crossover week.

Still, Democratic House members said the large number of bills and how they were processed over the last two weeks was the Republicans' responsibility, and that's what caused the all-night voting.

Republicans had duplicative bills that addressed the same issues, bills that had been vetoed previously by Democratic Gov. Katie Hobbs and bills that had died due to failure to garner enough votes that were brought back for another vote, Gutierrez said. The Tucson Democrat added the situation was "stunningly ridiculous."

Marquez told The Republic at about 4 a.m. the House would still be voting on bills at that time "even if we had pulled zero bills off the consent agenda."

"This is about Republicans flooding the zone with a lot of bills that are going to get vetoed because they got vetoed last year, non-binding postcards to Congress, multiple bills that we voted on twice today after they already failed once, and many dozens of other bills that they moved without moving any Democratic bills that would actually help Arizonans get ahead," he said in a text message. "Any attempt to blame what happened today on anybody but themselves is just deflection."

Behavior by a few members also added time to the night. Rep. Alex Kolodin of Scottsdale drew criticism from Gutierrez for interrupting her repeatedly. Close to 5 a.m., Kolodin left the room when he was still required to vote on a bill.

"This is ridiculous," Gutierrez said, citing a House rule that a member could face a disorderly conduct violation by failing to vote in a reasonable time.

Kolodin came back into the room and said he was done "playing this game," grabbed his briefcase and left the House for the rest of the morning.

The House adjourned after 5 a.m. with only a few bills still unfinished without a vote. Carbone said the Democrats' delay didn't cause any long-term problems. The House members and staff would take the day off on Feb. 26 and come back to work on March 2 to work on Senate bills that crossed over to the House.

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