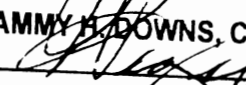


FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JUN 20 2024

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

TAMMY H. DOWNS, CLERK
By: 

Plaintiff
DEP CLERK

FOR AR KIDS

v.

Case No. 4:24cv521-KGB

TOWN OF ROSE BUD, ARKANSAS, and

SHAWN GORHAM, Mayor, Town of Rose Bud, in his official capacity

Defendants

COMPLAINT FOR INJUNCTIVE AND DECLARATORY RELIEF

1. Plaintiff is a Ballot Question Committee formed under Arkansas law to advocate for an amendment to the Arkansas Constitution. Its essential activity is to collect petition signatures, which it will then present to the Arkansas Secretary of State in an effort to have its proposed constitutional amendment placed on the November ballot.

2. Plaintiff has been planning to petition for signatures on June 20–22 at Summerfest, a well-attended carnival put on by the Town of Rose Bud (“the Town”) on public grounds. On the evening of June 17, 2024, just three days before Summerfest was to begin, the Town passed an ordinance severely restricting a Ballot Question Committee’s ability to collect signatures at Summerfest and other town-sponsored events. This ordinance requires Ballot Question Committees to rent a booth on the grounds of the event if they wish to collect signatures and restricts them from seeking signatures anywhere outside that booth, the location of which is left entirely to the Town’s discretion. The ordinance restricts the speech of only those persons or entities seeking petition signatures, not those who wish to oppose

This case assigned to District Judge 

1 and to Magistrate Judge 

the Ballot Question Committee's efforts or to discourage citizens from signing a petition. It also prevents canvassers from seeking signatures on public property outside the festival grounds.

3. In sum, the ordinance is riddled with First Amendment problems. It is not content neutral. It improperly restricts speech in a public forum. It improperly places a prior restraint on core political speech. And the context of its passage bears all the indicia of intentional viewpoint discrimination. For any of these independent reasons, the Court should strike down the ordinance as a violation of the First Amendment.

4. Because the Town intends to enforce this newly created ordinance beginning at 4 p.m. on Thursday, June 20, thus depriving Plaintiff of a significant opportunity to collect signatures, Plaintiff asks that the Court issue an immediate Temporary Restraining Order forbidding Defendants from enforcing the ordinance at Summerfest. Plaintiff has submitted a motion for a temporary restraining order with this complaint.

JURISDICTION AND VENUE

5. This Court has jurisdiction under 28 U.S.C. § 1331 because Plaintiff's claims arise under the Constitution of the United States.

6. Venue is proper under 28 U.S.C. § 1391 because Defendants reside in this judicial district and because this is the judicial district in which the events giving rise to Plaintiff's claims occurred.

PARTIES

7. Plaintiff For AR Kids is a Ballot Question Committee organized under Arkansas Law in December 2023 with the purpose of placing its “Educational Rights Amendment of 2024” on the November 2024 ballot. This proposed amendment would amend Article 14 of the Arkansas Constitution. Among other things, the amendment would require all schools receiving public funds to meet identical standards and would require universal access to pre-K education.

8. Defendant Town of Rose Bud is an incorporated town in White County, Arkansas. It is governed by a Mayor and a five-member Town Council.

9. Defendant Shawn Gorham is Mayor of the Town of Rose Bud. Mayor Gorham is primarily responsible for overseeing the operation of Summerfest. He is sued in his official capacity.

FACTS

A. The Arkansas initiative process for constitutional amendments.

10. Arkansas law permits voters to approve initiated acts and constitutional amendments through direct democracy. Constitutional amendments may be referred to the people by the General Assembly. Or they may be placed on the ballot through a petition process.

11. If a group wishes to collect voter signatures and to submit petitions in support of a constitutional amendment, State law requires the group to form a Ballot Question Committee if it intends to spend or receive greater than \$500. For AR Kids formed as a Ballot Question Committee on December 21, 2023.

12. Ballot Question Committees may also form for the purpose of defeating proposed constitutional amendments. Such Ballot Question Committees do not collect signatures but rather engage in advocacy against proposed constitutional amendments. They may engage “petition blockers” to interfere with efforts of other Ballot Question Committees to collect signatures in support of a proposed constitutional amendment.

13. Before collecting signatures for a petition, a Ballot Question Committee advocating for a constitutional amendment must receive approval from the Arkansas Attorney General for the popular name and ballot title of the proposed constitutional amendment. For AR Kids received the Attorney General’s approval on March 1, 2024, after he had rejected two previous attempts. It began collecting signatures the following week.

14. A proposed constitutional amendment will appear on the ballot if it is supported by valid signatures from legal voters who total ten percent of voters who cast a vote for governor in the last preceding general election. For the 2023–24 petition cycle, this amounts to 90,704 signatures.

15. Under changes to Arkansas law enacted in 2023, a Ballot Question Committee seeking to place a constitutional amendment on the ballot must collect signatures from legal voters in at least fifty of Arkansas’s seventy-five counties. (Formerly the requirement was fifteen counties.) For each of these fifty counties, the petition must contain valid signatures amounting to five percent of voters who cast a vote for governor in that county in the last preceding general election. For the

2023–24 petition cycle, the petition must bear valid signatures from 1,157 White County voters if White County is to count as one of the fifty counties.

16. Signatures in support of a proposed constitutional amendment must be submitted to the Secretary of State for approval. The deadline for submitting signatures to the Secretary of State this election cycle is July 5, 2024.

17. If, upon submission, the petition does not contain the requisite number of total signatures or signatures from each of the fifty counties, the Secretary of State rejects the petition without giving the Ballot Question Committee an opportunity to cure deficiencies. (Until changes to the law in 2023, a Ballot Question Committee could seek to collect additional signatures if it turned in 75 percent of the requisite signatures by the deadline.)

18. If the petition does contain the requisite number of signatures, the Secretary of State's office then reviews the signatures for errors or other disqualifying factors. If the petition contains the requisite number of signatures after this review, the proposed constitutional amendment is placed on the ballot. If the petition does not contain the requisite number of signatures but contains at least seventy-five percent of the requisite signatures, the Ballot Question Committee has a thirty-day period in which to collect additional signatures or to challenge the Secretary of State's determination that certain signatures should be disqualified.

19. Ballot Question Committees engage in core political speech and advocate for change concerning some of the most debated issues of the day. Plaintiff's proposed constitutional amendment concerns the right to an adequate education. That topic

is inherently of public interest and is especially so in light of recent legislation making substantial changes to educational spending and access in Arkansas. Other Ballot Question Committees active this election cycle concern topics as wide ranging as abortion, the Freedom of Information Act, whether voting should be conducted by paper ballot, the awarding of a casino license in Pope County, and whether feminine hygiene products should be taxed.

20. Because of the strenuous signature requirements in Arkansas law, Ballot Question Committees must access as many potential qualified electors in as many counties as possible and as efficiently as possible. Large events like Summerfest are essential avenues for Ballot Question Committees to advocate their message and obtain petition signatures.

B. The Town passes new restrictions on signature solicitation days in advance of Summerfest.

21. Though Rose Bud is a small town with a population of less than 500, it hosts an annual event, Summerfest, that draws thousands of people from White County and beyond. On January 4, 2024, Defendant Gorham announced on Facebook that this year's Summerfest would occur on June 20–22, 2024. According to the announcement, the event “will feature amazing craft vendors, delicious food trucks, a carnival, autocross racing, monster truck show, rides on the Mean Machine Monster Machine, concerts all 3 days, and wrapping up the event on Saturday will be our Annual Jonathan Hussman Memorial Fireworks!” In his announcement, Gorham announced that the event is expected to draw between three thousand and five thousand people.

22. Summerfest is run by the Town of Rose Bud. It is held on city property. Specifically, the festival occurs at the Rose Bud Ballpark Complex at 124 School Road. Attendees must purchase a ticket for admission to the festival grounds, which are enclosed within a fenced-in area within the Ballpark Complex.

23. The Ballpark Complex is located across School Road from Rose Bud High School. The gate for admission will be set up near the intersection of School Road and Baseball Field Road. Attendees are expected to park in the high school parking lot, as well as up and down School Road, and to approach the gates on foot. A map of the area is shown below:



24. On June 12, 2024, in response to a query about collecting signatures at Summerfest, a Town employee sent For AR Kids a vendor application and a set of “Vendor Rules and Regulations.” These rules include the following: “No political petitions allowed on city/school property.”

25. On Friday, June 14, 2024, the Town held a special Council meeting at which Mayor Gorham addressed a call the Town received about an “organization, party, whatever you want to call it that wanted to have petitions at Summerfest to get items placed on the ballot.” Gorham said that “it has always been the Summerfest committee’s position since year one that we would allow any political party to be out there, no matter what their affiliate was, but we have never allowed petitions to be signed because of the simple fact that this is a family environment, there is nothing political about this, this is not the type of place that you want to come and get bombarded and asked to sign a petition and read about it or anything like that.” Gorham also remarked on an instance in 2020 in which he had received complaints about a ballot-question canvasser at Summerfest.

26. At the June 14 meeting, Gorham opined that he could not ban canvassers under the First Amendment, but he presented an ordinance, 2024-01, identical in substance to the ordinance discussed below, as an attempt to regulate petition canvassers. The ordinance included an emergency clause. Upon passage of the ordinance, Gorham commented that petition canvassers “are welcome to be out there, and I want to add that they’re only welcome to be out there doing what they’re doing because it is a law. It is not my belief that they should be out there,

that they should be allowed to be out there, or what they're doing is right. But I do not make the laws, I just abide by them and make sure the city is not getting into any trouble. But I want that known, because what's on their ballot, I don't think 98 percent of the town agrees with, but there's nothing we can do, except vote the right people out and the right people in in November."

27. The passage of ordinance 2024-01 was procedurally defective, rendering it null and requiring the Town Council to return to pass the ordinance again the next Monday, as discussed in ¶¶ 29–31.

28. On the morning of June 17, For AR Kids asked a Town Representative for clarification on rules and directions that must be followed at Summerfest. At 8:17 am, a Town representative responded by copying Section 2 of the ordinance (quoted below) and by instructing For AR Kids that it would have to follow that ordinance.

29. On Monday, June 17, at its 7 p.m. Town Council meeting, Defendant Gorham read, and the Town Council passed, another ordinance, 2024-03, restricting solicitation at town-hosted events, including Summerfest. To pass the ordinance in time for Summerfest, the Council suspended its normal rules and adopted an emergency clause.

30. In its "whereas" clauses, the ordinance notes that the Town's events "are for the entertainment and fun of the public"; that entities sometimes want to "solicit the signature of the attendees to political activities at such events for which the events were not intended"; and that the Town desires to issue regulations "so such

solicitations will not interfere or distract from the purpose of the events sponsored by the City of Rose Bud, Arkansas.”

31. The operative language of the ordinance reads as follows:

Section 1: That the City Council of Rose Bud, Arkansas, recognizes the need to regulate any type of solicitation for business or religious or political purposes at events and activities held on city owned property so such activities do not impede or disrupt the purpose of such city-sponsored events or distract from the activities of the event being held or sponsored by the city of Rose Bud, Arkansas, by obstructing pedestrian traffic flow and to ensure the orderly flow movement [sic] of people in crowded areas of the event.

Section 2: That any business or religious or political entity desiring to solicit business, membership or signatures for any purpose will be required to rent a booth or spot as selected by the City of Rose Bud, Arkansas, at any such event from which and only from which such solicitation activities may be conducted.

Section 3: That no solicitation at any event on the property of the City of Rose Bud, Arkansas, by any entity or person may be conducted at any event hosted or sponsored or approved by the City of Rose Bud, Arkansas, except in the booth or spot rented by such entity for such event.

Section 4: That all ordinances or parts of ordinances or resolutions adopted by the Rose Bud City Council in conflict herewith are hereby repealed including specifically Ordinance No. 2024-01.

Section 5: Emergency Clause - There is a need regulate [sic] solicitation by any entity or person at any event on the property of the City of Rose Bud, Arkansas, which may be conducted or hosted or sponsored or approved by the City of Rose Bud, Arkansas, except in the booth or rental spot rented by such entity for such event and therefore it being necessary for the city council to create a procedure to allow any such solicitation as set forth hereinabove to preserve the public peace, health, safety and welfare of the City of Rose Bud, Arkansas, an emergency is hereby declared so that this Ordinance shall be in full force and effect from [sic] and after its passage.

CAUSES OF ACTION

COUNT ONE: First Amendment Violation (Content-Based Regulation)

32. Plaintiff incorporates the previous paragraphs as if fully stated herein.

33. The ordinance imposes a content-based regulation on speech because, as it applies to noncommercial speech, it requires consideration of the content of a speaker's words to determine whether their speech will be restricted. The ordinance restricts the speech only of those who wish to enlist members or to encourage citizens to sign a petition. It does not restrict the speech of those who wish to proselytize a religious message without enlisting members or to advocate against a proposed constitutional amendment without soliciting signatures.

34. As the ordinance inherently prefers the speech of those who advocate against a constitutional amendment over those who advocate for a constitutional amendment, the ordinance encroaches into viewpoint discrimination, the most egregious form of content-based regulation.

35. Regardless of whether the ordinance restricts speech on the basis of viewpoint or on the basis of content, it may only pass muster if it is narrowly tailored to advance a compelling government interest. The ordinance does not meet this test and must be stricken as a violation of the First Amendment.

36. Moreover, the Town's "Vendor Rules and Regulations" are explicitly content-based, as they restrict "political petitions." Petitions are not prohibited if they are not "political." This regulation, too, violates the First Amendment.

COUNT TWO: First Amendment Violation (Speech Regulation on Public Property)

37. Plaintiff incorporates the previous paragraphs as if fully stated herein.

38. The ordinance prohibits Plaintiff from seeking signatures for its petition anywhere but in a rented booth within the festival grounds. Further, the Town's "Vendor Rules and Regulations" prohibit any "political petitions." These restrictions prevent Plaintiff from engaging in advocacy on public property outside the fenced-in perimeter of the festival.

39. Areas outside the festival grounds, including the area in front of the festival gates and on the pedestrian byways leading up to the festival grounds, are a traditional public forum. Sidewalks, parks, public easements, and street rights-of-way are traditional areas for free speech and leafletting. The Town may not impose a content-based speech restriction in such a forum unless it is necessary to serve a compelling public interest and is narrowly tailored to achieve that interest. The ordinance does not meet that standard.

40. Even if the ordinance were content-neutral (which it is not), its application in a traditional public forum would be invalid because it is not narrowly tailored to serve a significant government interest. Nor does it leave open ample alternative channels of communication, because it restricts speech to a single booth within festival grounds at a place of the Town's choosing.

41. Even if the areas outside the festival ground are considered something other than a traditional public forum, the Town's speech restrictions do not meet the relevant standard of scrutiny.

42. By preventing Plaintiff from seeking signatures on public property outside the festival grounds, Defendants violate the First Amendment.

COUNT THREE: First Amendment Violation (Prior Restraint)

43. Plaintiff incorporates the previous paragraphs as if fully stated herein.

44. The ordinance imposes a prior restraint on speech by requiring speakers to obtain approval and pay a fee before engaging in core political speech. Prior restraints on the exercise of First Amendment rights are presumed constitutionally invalid.

45. The prior approval necessary is akin to a permit requirement, which is impermissible in the following ways: (1) the permit is only required for certain types of political expression; (2) there is no time limit for when approval must be granted or denied; (3) the Town has complete discretion as to the location of a permit-holder's advocacy, without regard to whether that location will be effective to allow the speaker to sufficiently communicate its message; and (4) there is no means to appeal denial of a permit nor the location of a permit-holder's advocacy.

46. Because the ordinance creates an impermissible prior restraint, it violates the First Amendment.

COUNT FOUR: First Amendment Violation (Intentional Viewpoint Discrimination)

47. Plaintiff incorporates the previous paragraphs as if fully stated herein.

48. Defendants passed the ordinance after Plaintiff indicated its desire to petition for signatures at Summerfest. It implemented the ordinance mere days

before Summerfest. It had to override its usual rules and adopt an emergency clause to do so.

49. While the regulation purports to govern solicitation generally, including solicitation of commerce by business entities and solicitation of membership by religious entities, the context of the ordinance's passage makes clear that it is targeted at the speech of petitioners who wish to support signatures, if not at For AR Kids specifically. The ordinance arose out of complaints citizens made about a person collecting petition signatures at an earlier event. Defendants passed the ordinance directly after a ballot question committee sought to engage Summerfest attendees. And Mayor Gorham's comments make clear that the ordinance was meant to restrict the speech of canvassers because of disagreement with their message.

50. The Town passed the ordinance to intentionally suppress the speech of entities and individuals who wish to advocate for constitutional amendments, in violation of First Amendment.

RELIEF REQUESTED


51. The Court should provide the following relief:

- a. Issue a temporary restraining order, a preliminary injunction, and a permanent injunction that precludes the Department from enforcing the ordinance and the "no political petitions" policy.
- b. Issue a declaratory judgment finding that the ordinance and "no political petitions" policy violate the First Amendment and are invalid;

- c. Award attorney's fees; and
- d. Provide any other necessary and proper relief.

Dated: June 20, 2024

Respectfully submitted,



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JUN 20 2024

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS

TAMMY H. DOWNS, CLERK

DEP. CLERK

Plaintiff

FOR AR KIDS

v.

Case No. 4:24cv521-KGB

TOWN OF ROSE BUD, ARKANSAS, and

SHAWN GORHAM, Mayor, Town of Rose Bud, in his official capacity

Defendants

MOTION FOR TEMPORARY RESTRAINING ORDER

In this case, Plaintiff challenges a hastily enacted ordinance of the Town of Rose Bud, Arkansas (“the Town”), that restricts the ability of canvassers while on public land to obtain signatures in support of proposed constitutional amendments and ballot initiatives. The Town proposes to enforce this ordinance at its upcoming Summerfest, a large event that is put on by the Town and that will be held in a public park from June 20–22. Under the terms of the ordinance, persons or entities who wish to collect signatures for petitions may do so only within the confines of booths within the festival grounds at locations of Defendants’ choosing. Moreover, the ordinance forbids the collection of signatures on any public property outside the enclosure of the festival.

Despite having planned for Summerfest since January 2024, Defendants did not introduce the ordinance until Friday, June 14, six days before the festival was to begin, and did not adopt an effective ordinance until the evening of Monday, June 17, three days before the festival is to begin. As alleged in the complaint and as further explained in the brief in support of this motion, context and timing make it

clear that, despite any surface neutrality, the ordinance was passed in an explicit effort to restrict the speech of canvassers who wish to ask citizens to sign ballot-question petitions, and most likely was passed to restrict the speech of certain ballot-question petitions, in particular. In any case, the ordinance, in and of itself, is not content neutral and improperly forbids speech in a public forum. For all these reasons, it violates the First Amendment.

Defendants intend to enforce the newly created ordinance at Summerfest, which begins at 4 p.m. today. Plaintiff thus requests a temporary restraining order under Fed. R. App. P. 65. Specifically, Plaintiffs request that the Court immediately enjoin Defendants from enforcing at Summerfest the ordinance or any policy restricting “political petitions.”

As explained in the accompanying brief, without this injunction, Plaintiff will be irreparably harmed in its ability to collect an adequate number of signatures before the July 5 deadline established by state law. Plaintiff is likely to succeed on the merits of its First Amendment claims, and the balance of the equities favors protection of Plaintiff’s First Amendment rights.

Undersigned counsel, John C. Williams, has been in contact with Rose Bud City Attorney Don Raney since the afternoon of June 18 in an attempt to resolve this dispute without litigation. On the afternoon of June 19, Mr. Raney made clear that the Town intends to enforce its ordinance as written. On the evening of June 19, Mr. Williams informed Mr. Raney of Plaintiff’s intention to file this action on the morning of June 20 and to seek a temporary restraining order. He also sought Mr.

Ramey's availability for a June 20 hearing. Mr. Williams emailed Mr. Raney the complaint, motion for temporary restraining order, and brief in support the morning of June 20 before filing; Mr. Williams will email Mr. Raney file-marked copies after filing.

In support of this motion, Plaintiff relies on its Complaint for Injunctive and Declaratory Relief, the brief submitted in support of this motion, and the following exhibits:


1. Exhibit A – Town of Rose Bud Ordinance No. 2024-03
2. Exhibit B – 2024 Summerfest Vendor Rules and Regulations
3. Exhibit C – Summerfest Vendor Application
4. Exhibit D – Video of Rose Bud special Town Council meeting, June 14, 2024
5. Exhibit E – Declaration of Steve Grappe

WHEREFORE, Plaintiffs respectfully request that the Court:

- A. Hold an emergency hearing on this motion;
- B. Issue a temporary restraining order that enjoins Defendants from enforcing Ordinance 2024-03 or any other policy that restricts entities or individuals from collecting signatures in support of ballot-question petitions; and
- C. Waive security for the temporary restraining order otherwise required under Fed. R. Civ. P. 65(c).

Dated: June 20, 2024

Respectfully submitted,



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**BEFORE THE CITY COUNCIL OF THE CITY OF ROSE BUD,
ARKANSAS**

ORDINANCE NO. 2024-03

**AN ORDINANCE RECOGNIZING THE NEED TO RESTRICT AND CONTROL THE
SOLICITATION BY BUSINESSES AND OTHER ENTITIES AT EVENTS HOSTED BY
THE CITY OF ROSE BUD, ARKANSAS, DECLARING AN EMERGENCY AND FOR
OTHER PURPOSES.**

Whereas, the City of Rose Bud, Arkansas, from time to time hosts events and activities on city property to which the public, businesses and others are invited to attend, and

Whereas, such events are for the entertainment and fun of the public and citizens of Rose Bud, Arkansas, and

Whereas, from time to time certain business entities or religious entities or political entities desire to solicit business from the attendees or solicit joining its entity or solicit the signature of the attendees to political activities at such events for which the events were not intended, and

Whereas, the City Council of the City of Rose Bud, Arkansas, wants to regulate such solicitations by businesses and religious entities and political entities to a booth or rental spot selected and regulated by the City of Rose Bud, Arkansas, so such solicitations will not interfere or distract from the purpose of the events sponsored by the City of Rose Bud, Arkansas.

NOW THEREFORE BE IT ORDAINED BY THE ROSE BUD CITY COUNCIL:

Section 1: That the City Council of Rose Bud, Arkansas, recognizes the need to regulate any type of solicitation for business or religious or political purposes at events and activities held on city owned property so such activities do not impede or disrupt the purpose of such city sponsored events or distract from the activities of the event being held or sponsored by the City of Rose Bud, Arkansas, by obstructing pedestrian traffic flow and to ensure the orderly flow movement of people in crowded areas of the event.

Section 2: That any business or religious or political entity desiring to solicit business, membership or signatures for any purpose will be required to rent a booth or spot as selected by the City of Rose Bud, Arkansas, at any such event from which and only from which such solicitation activities may be conducted.

Section 3: That no solicitation at any event on the property of the City of Rose Bud, Arkansas, by any entity or person may be conducted at any event hosted or sponsored or approved by the City of Rose Bud, Arkansas, except in the booth or spot rented by such entity for such event.

Section 4. That all ordinances or parts of ordinances or resolutions adopted by the Rose Bud City Council in conflict herewith are hereby repealed including specifically Ordinance No. 2024-01.

Section 5: Emergency Clause- That there is a need regulate solicitation by any entity or person at any event on the property of the City of Rose Bud, Arkansas, which may be conducted or hosted or sponsored or approved by the City of Rose Bud, Arkansas, except in the booth or rental spot rented by such entity for such event and therefore it being necessary for the city council to create a procedure to allow any such solicitation as set forth hereinabove to preserve the public peace, health, safety and welfare of the City of Rose Bud, Arkansas, an emergency is hereby declared so that this Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED this 17 day of June, 2024.



SHAWN GORHAM, MAYOR

ATTEST:



ROBIN HILL, RECORDER

Town of Rose Bud, Inc. Summerfest 2024

Vendor Rules & Regulations

June 20-22

Setup will begin Wednesday morning June 19 and take down Saturday after the fireworks but no later than 11 pm.

Vendors booth must be staffed at all times.

2 passes ONLY are given for entry on vendor booths. All others will need to purchase a pass.

Vendors are responsible for their own merchandise if product broken/stolen. The Town of Rose Bud is not responsible for injury.

Display materials/signage must not protrude into isles or encroach on neighboring booths.

No political petitions allowed on city/school property.

No inappropriate behavior or conduct will be tolerated.

No illegal drugs or alcohol permitted.

Vendors are expected to clean up trash and debris.

Vendor must not sale any product other than what was approved.

Vendors are responsible for paying all state and local sales tax.

No Refunds will be given.

ROSE BUD SUMMERFEST VENDOR APPLICATION

Owner Name

Contact #

Business Name

Email

Items/Products for Sale/Offered

Require Electricity?

Vendors must provide own electrical cords

☐

Yes

☐

No

110/30amp/50amp

Dates Attending

Vendors, officers, and members shall hold harmless and defend the Town of Rose Bud, Inc. and its agents, officers and volunteers from all liability, judgements, suits, costs and actions, including attorney's fees and all costs of litigation of every kind and description brought or rendered against Town of Rose Bud, Inc. as a result of loss, damage, or injury of persons or property by reason of any act of failure to act by its officers, members, or volunteers. I have read and understand the terms and conditions outlined in the accompanying Rules & Regulations and agree to abide by them.

Signature

Date

FOOD VENDOR \$100

CRAFT VENDOR \$50

MADE PAYABLE TO:

CITY OF ROSE BUD P.O. BOX 219, ROSE BUD, AR. 72137

Exhibit D, video of the Rose Bud special Town Council meeting on June 14, 2024, can be found at the following link:

<https://www.facebook.com/cityofrosebud/videos/1014215600061184>

Declaration of Steve Grappe

I, Steve Grappe, state as follows:

1. I am the Secretary of For AR Kids, a Ballot Question Committee under Arkansas law. I am also the volunteer field director for our signature-collection efforts. For AR Kids was formed with the purpose of getting the Educational Rights Amendment of 2024 on the November 2024 ballot. The amendment, if approved by the people, would ensure that schools receiving public funds meet identical standards and would expand education access to more Arkansans, particularly to poor and disabled Arkansans.
2. To get our amendment on the ballot, we are required to collect 90,704 valid signatures from qualified electors in Arkansas. We have been canvassing for signatures since the Attorney General approved the wording of our proposed constitutional amendment on March 1, 2024. In my capacity as field director, I am deeply involved with organizing our efforts to collect signatures.
3. We are required to collect at least 90,704 signatures by July 5, 2024. These signatures must come from fifty different counties, and we must collect a specific number of signatures from each county, as determined by law and as established by the Secretary of State's office. For example, if we want White County to count toward the fifty-county requirement, we must collect 1,157 signatures from White County by July 5.

4. If we do not collect the required number of signatures by July 5, our amendment will not qualify for the ballot. If we do collect the required number, the Secretary of State's office may disqualify some signatures, but we will be permitted an opportunity to cure any deficiencies as long as the remaining valid signatures amount to at least 75 percent of the required amount. This means 75 percent of total signatures (68,028) as well as 75 percent of signatures required in each of the fifty counties (e.g., 868 in White County). Because the Secretary of State's disqualification of signatures may result in the defeat of our amendment before it goes on the ballot, we strive to collect signatures well in excess of the required number.
5. Because we must collect so many signatures from so many places, it is crucial that we canvass at large events across the state that are likely to attract a significant number of qualified electors.
6. Rose Bud's Summerfest is an ideal canvassing location because thousands of people will attend. It is especially important that we canvass at Summerfest and at similar events in more rural areas because it helps us collect signatures in counties that would otherwise be more difficult to get. In this way, we can meet the fifty-county requirement.
7. I own a farm in Rose Bud and I am familiar with the grounds on which Summerfest will take place. I live on School Road a mile from the grounds where

Summerfest takes place. I have been on the grounds several times and I'm familiar with its layout.

8. Summerfest occurs at the Rose Bud Sports Complex. The festival grounds are fenced off, and attendees must pay for admission. The gate for admission is at School Road, where the road bends and intersects with the Baseball Field Road. People will park up and down School Road as well as in the parking lots of the high school across the street and approach the gates on foot.
9. The entryway to the gate area has the character of a public space, with people traversing on foot before they reach the gate to the festival. Because it is an open public space, the entryway is an ideal area for us to collect signatures.
10. For AR Kids would like to canvass for signatures both within the enclosed festival grounds, without restriction, and outside the enclosed area near the festival gates.
11. The week of June 10, an organizer who works for us sent a request to the Town of Rose Bud stating that we would like to participate in Summerfest and asking whether the town has an application process. This is something we do for every festival we wish to attend.
12. On June 12, a city employee sent us an application and set of rules. The rules stated, "No political petitions allowed on city/school property." I immediately

called Shawn Gorham, the Mayor, and said he can't do this. Shawn said he would call the council members and see what they want to do.

13. On June 14, the town council held a special meeting at which they purported to pass a new ordinance governing canvassers. I was concerned that the ordinance had been passed without proper notice, so I contacted Robin Hill, the recorder, who said she couldn't get the minutes until the July meeting. The council planned another meeting for June 17, at which it passed the ordinance again.

14. Also on June 17, we asked for clarification of rules and directions for the event. Robin Hill responded by including Section 2 of the new ordinance. That section says, "That any business or religious or political entity desiring to solicit business, membership or signatures for any purpose will be required to rent a booth or spot as selected by the City of Rose Bud, Arkansas, at any such event from which and only from which such solicitation activities may be conducted."

15. I have several concerns about this ordinance. First, it will severely restrict our ability to effectively collect signatures. It prevents us from requesting signatures in public areas at the entryway to the festival or within the festival grounds. Not only can we not ask for signatures in these locations; we cannot even ask attendees to come to our booth to sign a petition.

16. Second, I am concerned that the ordinance allows our opponents to advocate against signing our petition or to speak against our efforts throughout the festival

grounds and at the entryway to the festival—precisely the areas where we are not allowed to ask for support.

17. In my experience, petition opponents this election cycle will show up and seek to interfere with our signature collection if they know we're active. At least twice in White County, we have had to deal with people who encourage people not to sign petitions. If petition blockers know we're going to be at Summerfest, they will be there, too.

18. Our inability to collect signatures at Summerfest outside the confines of our booth, wherever that happens to be, is extraordinarily harmful to our efforts to collect enough signatures for our amendment to appear on the ballot. White County is essential to our fifty-county push, as well as to our push to get 90,704 signatures. Being allowed full access to Summerfest is imperative to both goals.

19. Currently we need 835 more signatures from White County. I am confident that we can make the requirement in White County if we are allowed free access to collect signatures at Summerfest.

20. As for the requirement of 90,704 signatures, we currently have approximately 33,000 signatures in hand and approximately 30,000 more out with canvassers still in the field. That leaves us needing to collect approximately 27,704 signatures. If we can freely access big events, including Summerfest, we can get there. But if not, we are in danger of missing the cutoff. We will have to divert

our efforts to other counties and other events where signature collection is less efficient.

21. We simply do not have enough time and manpower to cover White County before the July 5 deadline unless we can access Summerfest. This is a make-or-break weekend for White County. If we don't get the signatures there this weekend, I don't think we'll be able to get them.

22. Summerfest begins at 4 pm on Thursday, June 20. We intend to be there then, even if we're restricted to a booth. But to effectively collect the signatures we need, we need free access to attendees as early as possible on Thursday.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 19, 2024

DocuSigned by:

8FE0B652D3BE46E

Steve Grappe

JUN 20 2024

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSASBy: TAMMY H. DOWNS, CLERK
Plaintiff DEP CLERK

FOR AR KIDS

v.

Case No. 4:24cv521-KGB

TOWN OF ROSE BUD, ARKANSAS, and

SHAWN GORHAM, Mayor, Town of Rose Bud, in his official capacity

Defendants

BRIEF IN SUPPORT OF MOTION FOR TEMPORARY RESTRAINING ORDER

In this case, Plaintiff challenges a hastily enacted ordinance of the Town of Rose Bud, Arkansas (“the Town”), that restricts the ability of canvassers while on public land to obtain signatures in support of proposed constitutional amendments and ballot initiatives. The Town proposes to enforce this ordinance at its upcoming Summerfest, a large event that is put on by the Town and that will be held in a public park from June 20–22. Under the terms of the ordinance, persons or entities who wish to collect signatures for petitions may do so only within the confines of booths within the festival grounds at locations of Defendants’ choosing. Moreover, the ordinance forbids the collection of signatures on any public property outside the enclosure of the festival. *See* TRO Exh. A.

Despite having planned for Summerfest since January 2024, Defendants did not introduce the ordinance until Friday, June 14, six days before the festival was to begin, and did not adopt an effective ordinance until the evening of Monday, June 17, three days before the festival is to begin. As alleged in the complaint and as further explained in this brief, context and timing make clear that, despite any

surface neutrality, the ordinance was passed in an explicit effort to restrict the speech of canvassers who wish to ask citizens to sign ballot-question petitions, and most likely was passed to restrict the speech of certain ballot-question petitions, in particular. In any case, the ordinance, in and of itself, is not content neutral and improperly forbids speech in a public forum. For all these reasons, it violates the First Amendment.

Defendants intend to enforce the newly created ordinance at Summerfest, which begins at 4 p.m. today. Plaintiff thus requests a temporary restraining order under Fed. R. App. P. 65. Specifically, Plaintiff requests that the Court immediately enjoin Defendants from enforcing at Summerfest the ordinance or any policy restricting “political petitions.”

LEGAL STANDARD

The Court is authorized to grant a temporary restraining order under Fed. R. Civ. P. 65. The familiar *Dataphase* factors apply when assessing whether to grant a TRO. *See McLaughlin & Co. v. Tudor Oaks Condo. Project*, 877 F.2d 707, 708 (8th Cir. 1989). Under *Dataphase*, in determining whether to grant relief, a district court weighs the following four considerations: (1) the threat of irreparable harm to the moving party; (2) the movant’s likelihood of success on the merits; (3) the balance between the harm to the movant if the injunction is denied and the harm to other party if the injunction is granted; and (4) the public interest. *Dataphase Sys., Inc. v. CL Sys., Inc.*, 640 F.2d 109, 114 (8th Cir. 1981) (en banc). “While no single factor is determinative, the probability of success factor is the most significant.” *Kodiak Oil*

& Gas (USA) Inc. v. Burr, 932 F.3d 1125, 1133 (8th Cir. 2019) (internal citation and quotation omitted).

In particular, “[w]hen a Plaintiff has shown a likely violation of his or her First Amendment rights, the other requirements for obtaining a preliminary injunction are generally deemed to have been satisfied.” *Phelps-Roper v. Troutman*, 662 F.3d 485,488 (8th Cir. 2011). Because “a loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury” and “it is always in the public interest to protect constitutional rights,” “[i]n a First Amendment case . . . the likelihood of success on the merits is often the determining factor in whether a preliminary injunction should issue.” *Phelps-Roper v. Nixon*, 545 F.3d 685, 690 (8th Cir. 2008) (internal quotation marks omitted).

ARGUMENT

All four *Dataphase* factors cut in Plaintiff’s favor. For the reasons stated below, Plaintiff is likely to succeed on the merits and is able to show irreparable harm even without accounting for the special First Amendment considerations articulated above. The balance of harms favors Plaintiff and the public interest favors enforcement of First Amendment rights. The Court should thus grant a temporary restraining order prohibiting Defendants from enforcing the ordinance or from otherwise restricting Plaintiff’s ability to collect signatures.

A. Plaintiff is likely to succeed on the merits.

Plaintiff is likely to succeed on at least three independent constitutional grounds. First, the facts demonstrate that the ordinance constitutes intentional

viewpoint discrimination against those who wish to collect ballot-petition signatures generally, as well as against specific Ballot Question Committees, including Plaintiff. Second, the ordinance is not content-neutral or viewpoint-neutral on its face because it restricts the speech of persons who wish to advocate for a ballot question but not the speech of those who wish to oppose it. Third, by prohibiting canvassers from speaking on public property outside the festival enclosure, the ordinance restricts speech in a public forum without adequate justification.

1. Intentional viewpoint discrimination (Claim Four)

On first blush, the ordinance may appear to be a benign regulation of solicitation within the festival grounds. It speaks to the speech of “any business or religious or political entity,” so how can it be said to intentionally discriminate against particular speakers on the basis of viewpoint? However, the context in which the ordinance was passed shows that it was adopted with the purpose of suppressing the speech of canvassers who wish to collect signatures in support of ballot initiatives.

There is evidence of this discriminatory purpose in the timing of the ordinance. Defendants had been planning the festival for six months, and presumably could have foreseen any issues arising from solicitation—particularly as Defendants had hosted Summerfest before and, according to Mayor Gorham, there had been at least one complaint about political petitioning at a previous Summerfest. Yet the Town did not see fit to regulate solicitation until the week before Summerfest, *after a*

Ballot Question Committee (which appears to be Plaintiff) inquired about seeking signatures at the event. This timing is highly suspect.

But the Court need not resort to inference to discern intentional viewpoint discrimination here. Defendant Gorham made the ordinance's intent explicit in his comments at the June 14 special meeting, at which the council first attempted to pass the ordinance.

At this meeting, Gorham noted, inconsistently, that Summerfest is happy to host the speech of political *parties*, but not the speech of ballot question committees, because "this is a family environment, there is nothing political about this, this is not the type of place that you want to come and get bombarded and asked to sign a petition and read about it or anything like that." *See* TRO Exh. D. Recalling complaints that he fielded about a canvasser who appeared at a previous Summerfest, Gorham then introduced the ordinance that would restrict the speech of canvassers at the upcoming Summerfest.

If the ordinance's purpose weren't clear enough from these remarks, Gorham clarified afterwards that forbearance was extended to the canvassers only because they could not be totally banned under the law: "It is not my belief that they should be out there, that they should be allowed to be out there, or what they're doing is right. . . . I want that known, because what's on their ballot, I don't think 98 percent of the town agrees with, but there's nothing we can do, except vote the right people out and the right people in in November." *See* TRO Exh. D.

Gorham's disagreement that "what they're doing is right," and his opinion that most of the town disagrees with "what's on their ballot," suggests the targeting of specific (albeit unnamed) ballot question committees. Indeed, the Declaration of Steve Grappe, TRO Exh. E, more than suggests that Gorham was specifically targeting Plaintiff in enacting the ordinance.

But Plaintiff need not show that a specific ballot question committee was targeted, because it can easily show that the ordinance was passed to discriminate against advocacy for ballot questions more generally. Context establishes that this ordinance was not about regulating commerce or religious solicitation. Canvassers asked about how to engage citizens at the festival, and Defendants responded by confining them to a booth that would render their speech ineffective. Gorham's justifications for the ordinance were entirely focused on objections to canvassing. In this light, the reference to business" and "religious" speech appears more of a cover for discriminatory action than a true objective. Indeed the "Vendor Rules and Regulations," circulated several days before the Town passed the ordinance, provide additional evidence that the Town's purpose is to prevent political activity, as they say nothing about religious solicitation. They prohibit only "political petitions." *See* TRO Exh. B.

Viewpoint discrimination is the most odious form of speech restriction and never survives First Amendment scrutiny. "The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction." *Rosenberg v. Rector and Visitors of*

Univ. of Virginia, 515 U.S. 819, 829 (1995). Accordingly, Plaintiff is likely to succeed in showing that the ordinance violates the First Amendment.

2. Lack of content neutrality (Claim One)

Even if the ordinance were not motivated by an improper discriminatory purpose, it would be unconstitutional because on its face it discriminates based on content, and probably based on viewpoint as well.

Again, on an initial glance, the ordinance might appear to be a content-neutral restriction on “solicitation.” But analysis of the ordinance and the law governing content-based regulations shows that not to be the case.

The Supreme Court’s most authoritative recent word on content-based speech regulation is *Reed v. Town of Gilbert*, 576 U.S. 155 (2015). There, in the course of striking down an ordinance regulating signs directing drivers to events, the Court explained that a speech regulation is content-based if it “draws distinctions based on the message a speaker conveys.” *Id.* at 163. The Court elaborated that some such regulations are “obvious, defining regulated speech by particular subject matter,” and others are “more subtle, defining regulated speech by its function or purpose.” *Id.*

The ordinance here falls into the “more subtle” category. Though couched in terms of a generally applicable solicitation prohibition, as it concerns core political speech—as opposed to commercial solicitation—the ordinance restricts speech based on its “function or purpose.” In regulating only solicitations of “signatures,” the ordinance functionally restricts the speech of initiative supporters, because only

supporters are engaged in signature gathering. Speakers who wish to oppose a ballot initiative carry out their advocacy simply by speaking. Because opponents do not attempt to solicit signatures, the ordinance leaves them free to encourage attendees to decline to sign petitions anywhere within or outside the fairgrounds, without having to rent a booth to engage in that advocacy. Indeed, by inherently favoring opponents over supporters, the ordinance inches perilously close to, if not over, the line between content and viewpoint discrimination.

The ordinance's content-based nature is further apparent from its regulation of religious speech, another core First Amendment concern. The ordinance restricts religious speech only insofar as it seeks to encourage citizens to obtain membership in a particular religious congregation or organization. It does not restrict to booths other forms of religious speech, including preaching a religious message or proselytization of religion more generally, without an appeal to membership. Again, under the ordinance, it is the "function or purpose" of the speech that determines whether it will be restricted. Speech that seeks to add to a particular flock is disfavored over speech conveying broader religious messages or advocacy for a particular religious truth.

"A law that is content based on its face is subject to strict scrutiny regardless of the government's benign motive, content-neutral justification, or lack of animus toward the ideas contained in the regulated speech." *Id.* at 165; *see also Rodgers v. Bryant*, 942 F.3d 451, 456–47 (8th Cir. 2019) (striking down panhandling ordinance as content-based). Because the ordinance is content-based, Defendants must meet

the strict-scrutiny burden to show that the ordinance “furthers a compelling government interest and is narrowly tailored to that end.” *Reed*, 576 U.S. at 171. They cannot meet this burden.

The ordinance and Defendants’ public comments surrounding it suggest only two asserted government interests, neither of which passes strict scrutiny.

First, the government suggests that Summerfest and similar events are supposed to be for “entertainment and fun” and were “not intended” for political speech. TRO Exh. A; *see also* TRO Exh. D (“[T]his is not the type of place that you want to come and get bombarded and asked to sign a petition and read about it or anything like that.”). Though it is doubtful that the government has a compelling interest in policing fun, the ordinance is not narrowly tailored to that interest. Defendants need not segregate speakers into isolated booths to protect the people’s right to party.

Second, Defendants have suggested a more serious interest to prevent “obstruct[ion] [of] pedestrian traffic flow and to ensure the orderly flow movement [sic] of people in crowded areas of the event.” TRO Exh. A. Assuming that this interest qualifies as “compelling,” the booth restriction for political and religious speakers is not narrowly tailored to further this goal. While Defendants might suggest that the need to stop and sign a petition threatens to impede traffic, so too does a speaker who draws attention to herself by loudly opposing a ballot initiative. So too, for that matter, do lines or distractions associated with any number of attractions at the festival, or even normal conversations between attendees, which

are no different in their traffic impact than a conversation between a petitioner and an attendee.

Because the ordinance is a content-based regulation (at least), and because the Defendants cannot meet their burden to satisfy strict scrutiny, Plaintiff is likely to succeed in its First Amendment claim.

3. Restriction of speech in a public forum (Claim Two)

Insofar as the Court finds that the ordinance is not viewpoint-neutral or content-neutral, the ordinance is unconstitutional and the Court need not consider this claim at all. But even if the ordinance were viewpoint-neutral and content-neutral, it would violate the First Amendment because it prohibits speech in a public forum without adequate justification. Though the government may be able to restrict speech *within* the festival enclosure—at least if it does so in a content-neutral manner—it may not prohibit speech in the public areas *outside* the festival enclosure. Yet the ordinance does just that.

The map included at paragraph 23 of the complaint illustrates the area in which the festival will be held. The town will erect a fence around the Rose Bud Ball Park complex, and the festival will occur within that enclosure. Entry to the festival will occur at a gate near the intersection of Baseball Field Road and School Road. After parking, attendees will approach the gate on foot along School Road, and will cross a public area, akin to a sidewalk, before reaching the gate and entering the festival grounds. *See* TRO Exh. E, ¶¶ 7–9.

The public area in front of the festival gates and the streets leading up to the entryway where pedestrians traverse by foot should be considered a traditional public forum. “Public places historically associated with the free exercise of expressive activities, such as streets, sidewalks, and parks, are considered, without more, to be public forums.” *Bowman v. White*, 444 F.3d 967, 975 (8th Cir 2006) (cleaned up). And the character of these spaces is not transformed into a lesser forum by virtue of being removed from a stereotypically urban context. *See Frisby v. Shultz*, 487 U.S. 474, 480 (1988) (“Our prior holdings make clear that a public street does not lose its status as a traditional public forum simply because it runs through a residential neighborhood.”). Here, the public street leading up to the gates and the public area in front of the gates bear the indicia of a traditional public forum.

“The government may enforce a reasonable, content-neutral time, place and manner restriction in a traditional public forum if the restriction is narrowly tailored to serve a significant government interest and leaves open ample alternative channels of communication.” *Bowman*, 444 F.3d at 975. For reasons already stated, a total prohibition on speech is not narrowly tailored to serve a significant government interest. Moreover, the ordinance does not leave open *any* channels of communication, much less “ample” ones. While speakers have a limited opportunity to engage attendees from their designated booth within the festival grounds, they have no ability to speak with people on public property outside the gates or to initiate contact with attendees at all.

Moreover, the same result should occur if the Court considers the streets and entry area to the festival a designated public forum, *i.e.*, a “nonpublic forum the government intentionally opens to expressive activity for a limited purposes such as use by certain groups or use for discussion of certain subjects.” *Id.* Even if these streets and areas are not traditionally locations for speech, the Town has opened them up for that purpose by permitting them to be used to access the festival, in the manner of a typical public street or sidewalk. Moreover, this area is not the sort of “limited public forum,” like a concert-hall stage, where only a particular type of speaker (*e.g.*, musicians) are welcome. *See id.* at 976. The area is open to all. Regulation of speech in a designated public forum also is subject to strict scrutiny, *see id.*, which, again, Defendants cannot satisfy. Total prohibitions of speech are not narrowly tailored.

In short, Plaintiff is likely to succeed in showing that the ordinance violates its First Amendment right to engage in speech in public areas outside the festival grounds even if the Court believes the ordinance to be content-neutral.

B. Plaintiff will suffer irreparable harm without a temporary restraining order.

Though, as explained earlier, First Amendment violations create irreparable harm without a showing of more, Plaintiff can show more.

The very purpose of Plaintiff’s existence is to place a constitutional amendment on the November ballot. To do so, it must collect 90,704 signatures across the state of Arkansas and 1,157 signatures in White County, where Summerfest is being held. TRO Exh. E. ¶3. Plaintiff has until July 5 to collect these signatures. It is

currently about two-thirds of the way there for the statewide number; it has some work to do both statewide and in White County over the next two weeks. *See id.* ¶¶19–20. Summerfest is key to Plaintiff’s collection efforts because it offers an opportunity to make contact with a large number of White County voters, whose signatures will contribute to both the White County total and the overall total. For Plaintiff, this is a “make or break weekend for White County.” *Id.* ¶21. And without access to large events like Summerfest, Plaintiff will have to devote additional resources to less efficient methods for signature collection. *Id.* ¶20.

In short, restrictions at Summerfest mean additional expenditures of effort and resources elsewhere. This time and effort cannot be restored. And the Summerfest restrictions irreparably harm Plaintiff’s ultimate goal of getting its amendment on the ballot. Whether the ordinance is in effect or not will likely mean Plaintiff’s success or failure in getting the required number of signatures in White County. With only two weeks to go before signatures are due, Plaintiff is harmed by any effort to prevent it from connecting with qualified electors who might support placing Plaintiff’s proposed amendment on the ballot.

C. The balance of harms favors Plaintiff and the public interest favors relief.

The balance of the equities decidedly favor Plaintiff, particularly given the infringement on its First Amendment rights. *See Troutman*, 809 F.3d at 488. If a temporary restraining order is not granted, enforcement of the ordinance will prevent Plaintiff from exercising its right to free speech. Defendants have no legitimate interest in enforcing a statute that violates the First Amendment and

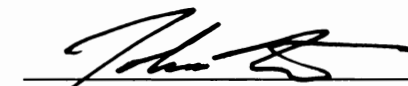
will not be harmed by a temporary restraining order. Enjoining the ordinance may introduce to Summerfest speech with which Defendants disagree, but it will not impede the festival. Moreover, the public interest favors the protection of First Amendment rights over the suppression of speech.

CONCLUSION

Plaintiff is likely to succeed in showing that Defendants' ordinance constitutes intentional viewpoint discrimination, that the ordinance is not content-neutral, and that Defendants have improperly restricted speech in a public forum—all independent violations of the First Amendment. Plaintiff therefore respectfully requests that the Court issue a temporary restraining order that enjoins Defendants from enforcing Ordinance 2024-03 or any other policy that restricts entities or individuals from collecting signatures in support of ballot-question petitions.

Dated: June 20, 2024

Respectfully submitted,



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