

REFERENCE TITLE: nominating petitions; joint candidates

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

## **HB 2565**

Introduced by  
Representative Robson

AN ACT

AMENDING SECTIONS 16-311 AND 16-314, ARIZONA REVISED STATUTES; RELATING TO  
NOMINATING PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-311, Arizona Revised Statutes, is amended to  
3 read:

4 16-311. Nomination papers; filing; definitions

5 A. Any person desiring to become a candidate at a primary election for  
6 a political party and to have the person's name printed on the official  
7 ballot shall be a qualified elector of such party and, not less than ninety  
8 nor more than one hundred twenty days before the primary election, shall sign  
9 and cause to be filed a nomination paper giving the person's actual residence  
10 address or description of place of residence and post office address, naming  
11 the party of which the person desires to become a candidate, stating the  
12 office and district or precinct, if any, for which the person offers the  
13 person's candidacy, stating the exact manner in which the person desires to  
14 have the person's name printed on the official ballot pursuant to subsection  
15 G OF THIS SECTION, and giving the date of the primary election and, if  
16 nominated, the date of the general election at which the person desires to  
17 become a candidate. A candidate for public office shall be a qualified  
18 elector at the time of filing and shall reside in the county, district or  
19 precinct which the person proposes to represent.

20 B. Any person desiring to become a candidate at any nonpartisan  
21 election and to have the person's name printed on the official ballot shall  
22 be at the time of filing a qualified elector of such county, city, town or  
23 district and, not less than ninety nor more than one hundred twenty days  
24 before the election, shall sign and cause to be filed a nomination paper  
25 giving the person's actual residence address or description of place of  
26 residence and post office address, stating the office and county, city, town  
27 or district and ward or precinct, if any, for which the person offers the  
28 person's candidacy, stating the exact manner in which the person desires to  
29 have the person's name printed on the official ballot pursuant to subsection  
30 G OF THIS SECTION and giving the date of the election. A candidate for  
31 office shall reside at the time of filing in the county, city, town,  
32 district, ward or precinct which the person proposes to represent.

33 C. Notwithstanding THE PROVISIONS OF subsection B OF THIS SECTION to  
34 the contrary, any city or town may adopt by ordinance for its elections the  
35 time frame provided in subsection A OF THIS SECTION for filing nomination  
36 petitions. Such ordinance shall be adopted not less than one hundred twenty  
37 days before the first election to which it applies.

38 D. All persons desiring to become a candidate shall file with the  
39 nomination paper provided for in subsection A OF THIS SECTION an affidavit  
40 which shall be printed in a form prescribed by the secretary of state. The  
41 affidavit shall include facts sufficient to show that, other than the  
42 residency requirement provided in subsection A OF THIS SECTION, the candidate  
43 will be qualified at the time of election to hold the office the person  
44 seeks.

1 E. The nomination paper of a candidate for the office of United States  
2 senator or representative in Congress, for the office of presidential elector  
3 or for a state office, including a member of the legislature, or for any  
4 other office for which the electors of the entire state or a subdivision of  
5 the state greater than a county are entitled to vote, shall be filed with the  
6 secretary of state no later than 5:00 p.m. on the last date for filing.

7 F. The nomination paper of a candidate for superior court judge or for  
8 a county, district and precinct office for which the electors of a county or  
9 a subdivision of a county other than an incorporated city or town are  
10 entitled to vote shall be filed with the county elections officer no later  
11 than 5:00 p.m. on the last date for filing as prescribed by subsection A **OF**  
12 **THIS SECTION**. The nomination paper of a candidate for a city or town office  
13 shall be filed with the city or town clerk no later than 5:00 p.m. on the  
14 last date for filing. The nomination paper of a candidate for school  
15 district office shall be filed with the county school superintendent no later  
16 than 5:00 p.m. on the last date for filing.

17 G. The nomination paper shall include the exact manner in which the  
18 candidate desires to have the person's name printed on the official ballot  
19 and shall be limited to the candidate's surname and given name or names, an  
20 abbreviated version of such names or appropriate initials such as "Bob" for  
21 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".  
22 Nicknames are permissible, but in no event shall nicknames, abbreviated  
23 versions or initials of given names suggest reference to professional,  
24 fraternal, religious or military titles. No other descriptive name or names  
25 shall be printed on the official ballot, except as provided in this section.  
26 Candidates' abbreviated names or nicknames may be printed within quotation  
27 marks. The candidate's surname shall be printed first, followed by the given  
28 name or names.

29 H. A person who does not file a timely nomination paper that complies  
30 with this section is not eligible to have the person's name printed on the  
31 official ballot for that office. The filing officer shall not accept the  
32 nomination paper of a candidate for state or local office unless the person  
33 provides or has provided all of the following:

- 34 1. The nomination petition required by this title.
- 35 2. A political committee statement of organization or the five hundred  
36 dollar threshold exemption statement for that office.
- 37 3. The financial disclosure statement as prescribed for candidates for  
38 that office.

39 **I. A PERSON DESIRING TO BECOME A CANDIDATE AT A PRIMARY ELECTION FOR A**  
40 **POLITICAL PARTY MAY FILE A NOMINATION PAPER AS PRESCRIBED IN SUBSECTION A OF**  
41 **THIS SECTION JOINTLY WITH ONE OR MORE OTHER CANDIDATES FOR OFFICE IN THE SAME**  
42 **POLITICAL PARTY. A JOINT NOMINATION PAPER MAY ONLY INCLUDE CANDIDATES OF THE**  
43 **SAME POLITICAL PARTY WHO ARE CANDIDATES FOR NOMINATION AT A PARTISAN PRIMARY**  
44 **ELECTION FOR OFFICES THAT ARE ON THE PARTISAN PRIMARY ELECTION BALLOT AT THE**

1 SAME PRIMARY ELECTION AND THAT REPRESENT THE SAME ELECTION DISTRICT. THE  
2 NOMINATION PETITION FOR THOSE CANDIDATES SHALL COMPLY WITH SECTION 16-314.

3 ~~I~~ J. For the purposes of this title:

4 1. "Election district" means the state, any county, city, town,  
5 precinct or other political subdivision or a special district which is not a  
6 political subdivision, which is authorized by statute to conduct an election  
7 and which is authorized or required to conduct its election in accordance  
8 with this title.

9 2. "Nomination paper" means the form filed with the appropriate office  
10 by a person wishing to declare the person's intent to become a candidate for  
11 a particular political office.

12 Sec. 2. Section 16-314, Arizona Revised Statutes, is amended to read:  
13 16-314. Filing and form of nomination petitions; definition

14 A. Any person desiring to become a candidate at any election and to  
15 have the person's name printed on the official ballot ~~shall~~, within the same  
16 time and with the same officer as provided by section 16-311, SHALL file a  
17 nomination petition in addition to the nomination paper required.

18 B. As used in this title, "nomination petition" means the form or  
19 forms used for obtaining the required number of signatures of qualified  
20 electors, which is circulated by or on behalf of ~~the person~~ ONE OR MORE  
21 PERSONS wishing to become a candidate for a political office.

22 C. Nomination petitions shall be captioned "partisan nomination  
23 petition" or "nonpartisan nomination petition", followed by the language of  
24 the petition in substantially the following form:

25 Partisan Nomination Petition

26 "I, the undersigned, a qualified elector of the county of  
27 \_\_\_\_\_, state of Arizona, and of (here name political  
28 division or district from which the nomination is sought) and a  
29 member of the \_\_\_\_\_ party or a person who is  
30 registered as no party preference or independent as the party  
31 preference or who is registered with a political party that is  
32 not qualified for representation on the ballot, hereby nominate  
33 \_\_\_\_\_ who resides at \_\_\_\_\_ in the county of  
34 \_\_\_\_\_ for the party nomination for the office of  
35 \_\_\_\_\_ to be voted at the primary election to be held  
36 \_\_\_\_\_ as representing the principles of such party,  
37 and I hereby declare that I am qualified to vote for this office  
38 and that I have not signed, and will not sign, any nomination  
39 petition for more persons than the number of candidates  
40 necessary to fill such office at the next ensuing election."

41 Nonpartisan Nomination Petition

42 "I, the undersigned, a qualified elector of the county of  
43 \_\_\_\_\_, state of Arizona, and of (here name political  
44 division or district from which the nomination is sought) hereby  
45 nominate \_\_\_\_\_ who resides at \_\_\_\_\_ in the

1 county of \_\_\_\_\_ for the office of \_\_\_\_\_ to be  
2 voted at the \_\_\_\_\_ election to be held  
3 \_\_\_\_\_, and hereby declare that I am qualified to vote  
4 for this office and that I have not signed and will not sign any  
5 nomination petitions for more persons than the number of  
6 candidates necessary to fill such office at the next ensuing  
7 election."

8 D. The nomination petition of a person seeking to fill an unexpired  
9 vacant term for any public office shall designate the expiration date of the  
10 term following the name of the office being sought.

11 E. FOR CANDIDATES OF THE SAME POLITICAL PARTY WHO CHOOSE TO CIRCULATE  
12 A JOINT NOMINATION PETITION ON WHICH EACH SIGNATURE ON THE PETITION  
13 CONSTITUTES A SIGNATURE FOR EACH OF THE JOINT CANDIDATES, THE NOMINATION  
14 PETITION SHALL CLEARLY STATE THAT BY SIGNING THE PETITION THE QUALIFIED  
15 ELECTOR IS NOMINATING MORE THAN ONE CANDIDATE FOR OFFICE.