

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

# HOUSE BILL 2261

AN ACT

AMENDING SECTIONS 15-1441 AND 16-322, ARIZONA REVISED STATUTES; RELATING TO  
COMMUNITY COLLEGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 15-1441, Arizona Revised Statutes, is amended to  
3 read:  
4 15-1441. Selection of precincts; district board members; terms;  
5 qualifications; vacancies  
6 A. The board of supervisors shall establish in the same manner as  
7 provided in section 16-411 five precincts in a community college district for  
8 the election of a district board member from each precinct. A precinct in a  
9 community college district shall be composed of the number of election  
10 precincts as determined by the board of supervisors and shall have the same  
11 boundaries as are defined for the election precincts under section 16-411. If  
12 the board of supervisors redefines the boundaries of election precincts under  
13 section 16-411 ~~which~~ THAT are included within a precinct in a community  
14 college district, the board of supervisors shall redefine the boundaries of  
15 the precinct in the community college district to conform with the election  
16 precinct changes. The precincts shall be established in a newly organized  
17 district subsequent to the organizational vote, and the county school  
18 superintendent shall appoint five members, one from each precinct, who are  
19 qualified electors.  
20 B. Where two or more counties constitute a district, as many precincts  
21 shall be set up by the board of supervisors in each county as the county is  
22 entitled to membership. In no case shall a county ~~which~~ THAT is part of a  
23 district have more than four precincts, and where a district consists of two  
24 or more counties at least one member shall reside in each county.  
25 C. At the first general election held for a district, the candidate  
26 having the most votes in each precinct shall be declared elected, provided  
27 the candidate meets the requirements provided in subsection A of this  
28 section. The two elected members having the highest number of votes receive  
29 six year terms, the two elected members receiving the next highest number of  
30 votes receive four year terms and the one elected member receiving the lowest  
31 number of votes receives a two year term. Thereafter each member's term is  
32 six years, EXCEPT FOR A COUNTY WITH A POPULATION OF MORE THAN THREE MILLION  
33 PERSONS, BEGINNING IN THE NEXT ELECTION AFTER THE EFFECTIVE DATE OF THIS  
34 AMENDMENT TO THIS SECTION, EACH MEMBER'S TERM IS FOUR YEARS.  
35 D. The next general election of district board members following the  
36 first general election shall be for the precinct where the elected candidate  
37 received the lowest number of votes and the second general election for the  
38 two precincts where the elected candidates received the next highest number  
39 of votes and the third general election for the two precincts where the  
40 elected candidates received the highest number of votes. The order of  
41 elections as established through this procedure shall thereafter be the order  
42 of precinct elections.

1 E. Vacancies shall be filled by appointment by the county school  
2 superintendent for the unexpired term for the precinct where the vacancy  
3 occurs, except that if the unexpired term is two years or longer, the county  
4 school superintendent may do one of the following:

5 1. Make an appointment for a term, which shall be until the next  
6 regular election for district board members, at which time a successor shall  
7 be elected to serve the unexpired portion of the term.

8 2. With the approval of the district board, leave the vacancy until  
9 the next regular election for governing board members, at which time a  
10 successor shall be elected to serve the unexpired portion of the term.

11 F. When a vacancy occurs in a district with more than one county, the  
12 county school superintendent of the county where the previous incumbent  
13 resided shall fill the appointment for the unexpired term.

14 G. A county officer as provided in section 11-401 is not eligible to  
15 serve as a member of a community college district governing board during his  
16 term of office.

17 H. Employees of a community college district or their spouses are not  
18 eligible to hold membership on the community college district governing board  
19 in the district in which the employee is employed.

20 I. IN ADDITION TO THE GOVERNING BOARD MEMBERS WHO ARE ELECTED FROM  
21 EACH OF THE FIVE PRECINCTS IN A COMMUNITY COLLEGE DISTRICT, A COUNTY WITH A  
22 POPULATION OF AT LEAST THREE MILLION PERSONS SHALL ELECT TWO ADDITIONAL  
23 GOVERNING MEMBERS FROM THE DISTRICT AT LARGE. AT THE FIRST GENERAL ELECTION  
24 HELD TO ELECT AT-LARGE GOVERNING BOARD MEMBERS, THE TWO CANDIDATES HAVING THE  
25 MOST VOTES SHALL BE DECLARED ELECTED, IF EACH CANDIDATE IS A QUALIFIED  
26 ELECTOR WHO RESIDES IN THAT COUNTY. THE ELECTED MEMBER WHO RECEIVES THE  
27 HIGHEST NUMBER OF VOTES OF THE AT-LARGE CANDIDATES SHALL SERVE A FOUR YEAR  
28 TERM AND THE ELECTED MEMBER WHO RECEIVES THE NEXT HIGHEST NUMBER OF VOTES  
29 SHALL SERVE A TWO YEAR TERM. THEREAFTER EACH MEMBER'S TERM IS FOUR YEARS.

30 Sec. 2. Section 16-322, Arizona Revised Statutes, is amended to read:

31 16-322. Number of signatures required on nomination petitions

32 A. Nomination petitions shall be signed:

33 1. If for a candidate for the office of United States senator or for a  
34 state office, excepting members of the legislature and superior court judges,  
35 by a number of qualified electors who are qualified to vote for the candidate  
36 whose nomination petition they are signing equal to at least one-half of one  
37 per cent of the voter registration of the party of the candidate in at least  
38 three counties in the state, but not less than one-half of one per cent nor  
39 more than ten per cent of the total voter registration of the candidate's  
40 party in the state.

41 2. If for a candidate for the office of representative in Congress, by  
42 a number of qualified electors who are qualified to vote for the candidate  
43 whose nomination petition they are signing equal to at least one-half of one  
44 per cent but not more than ten per cent of the total voter registration of

1 the party designated in the district from which such representative shall be  
2 elected.

3 3. If for a candidate for the office of member of the legislature, by  
4 a number of qualified electors who are qualified to vote for the candidate  
5 whose nomination petition they are signing equal to at least one per cent but  
6 not more than three per cent of the total voter registration of the party  
7 designated in the district from which the member of the legislature may be  
8 elected.

9 4. If for a candidate for a county office or superior court judge, by  
10 a number of qualified electors who are qualified to vote for the candidate  
11 whose nomination petition they are signing equal to at least two per cent but  
12 not more than ten per cent of the total voter registration of the party  
13 designated in the county or district, provided that in counties with a  
14 population of two hundred thousand persons or more, a candidate for a county  
15 office shall have nomination petitions signed by a number of qualified  
16 electors who are qualified to vote for the candidate whose nomination  
17 petition they are signing equal to at least one-half of one per cent but not  
18 more than ten per cent of the total voter registration of the party  
19 designated in the county or district.

20 5. If for a candidate for a community college district, by a number of  
21 qualified electors who are qualified to vote for the candidate whose  
22 nomination petition they are signing equal to at least ~~one-half~~ ONE-QUARTER  
23 of one per cent but not more than ten per cent of the total voter  
24 registration in the precinct as established pursuant to section 15-1441.  
25 NOTWITHSTANDING THE TOTAL VOTER REGISTRATION IN THE COMMUNITY COLLEGE  
26 DISTRICT, THE MAXIMUM NUMBER OF SIGNATURES REQUIRED BY THIS PARAGRAPH IS FOUR  
27 HUNDRED.

28 6. If for a candidate for county precinct committeeman, by a number of  
29 qualified electors who are qualified to vote for the candidate whose  
30 nomination petition they are signing equal to at least two per cent but not  
31 more than ten per cent of the party voter registration in the precinct or ten  
32 signatures, whichever is less.

33 7. If for a candidate for justice of the peace or constable, by a  
34 number of qualified electors who are qualified to vote for the candidate  
35 whose nomination petition they are signing equal to at least two per cent but  
36 not more than ten per cent of the party voter registration in the precinct.

37 8. If for a candidate for mayor or other office nominated by a city at  
38 large, by a number of qualified electors who are qualified to vote for the  
39 candidate whose nomination petition they are signing equal to at least five  
40 per cent and not more than ten per cent of the designated party vote in the  
41 city, except that a city that chooses to hold nonpartisan elections may by  
42 ordinance provide that the minimum number of signatures required for the  
43 candidate be one thousand signatures or five per cent of the vote in the  
44 city, whichever is less, but not more than ten per cent of the vote in the  
45 city.

1           9. If for an office nominated by ward, precinct or other district of a  
2 city, by a number of qualified electors who are qualified to vote for the  
3 candidate whose nomination petition they are signing equal to at least five  
4 per cent and not more than ten per cent of the designated party vote in the  
5 ward, precinct or other district.

6           10. If for a candidate for an office nominated by a town at large, by a  
7 number of qualified electors who are qualified to vote for the candidate  
8 whose nomination petition they are signing equal to at least five per cent  
9 and not more than ten per cent of the vote in the town.

10           11. If for a candidate for a governing board of a school district, by a  
11 number of qualified electors who are qualified to vote for the candidate  
12 whose nomination petition they are signing equal to at least one-half of one  
13 per cent of the total voter registration in the school district if the  
14 governing board members are elected at large or one per cent of the total  
15 voter registration in the single member district if governing board members  
16 or joint technological education district board members are elected from  
17 single member districts. Notwithstanding the total voter registration in the  
18 school district or single member district, the maximum number of signatures  
19 required by this paragraph is four hundred.

20           12. If for a candidate for a governing body of a special district as  
21 described in title 48, by a number of qualified electors who are qualified to  
22 vote for the candidate whose nomination petition they are signing equal to at  
23 least one-half of one per cent of the vote in the special district but not  
24 more than two hundred fifty and not fewer than five signatures.

25           B. The basis of percentage in each instance referred to in subsection  
26 A of this section, except in cities, towns and school districts, shall be the  
27 number of voters registered in the designated party of the candidate as  
28 reported pursuant to section 16-168, subsection G on March 1 of the year in  
29 which the general election is held. In cities, the basis of percentage shall  
30 be the vote of the party for mayor at the last preceding election at which a  
31 mayor was elected. In towns, the basis of percentage shall be the highest  
32 vote cast for an elected official of the town at the last preceding election  
33 at which an official of the town was elected. In school districts, the basis  
34 of percentage shall be the total number of voters registered in the school  
35 district or single member district, whichever applies. The total number of  
36 voters registered for school districts shall be calculated using the periodic  
37 reports prepared by the county recorder pursuant to section 16-168,  
38 subsection G. The count that is reported on March 1 of the year in which the  
39 general election is held shall be the basis for the calculation of total  
40 voter registration for school districts.

41           C. In primary elections the signature requirement for party nominees,  
42 other than nominees of the parties entitled to continued representation  
43 pursuant to section 16-804, is at least one-tenth of one per cent of the  
44 total vote for the winning candidate or candidates for governor or  
45 presidential electors at the last general election within the district.

1 Signatures must be obtained from qualified electors who are qualified to vote  
2 for the candidate whose nomination petition they are signing.

3 D. If new boundaries for congressional districts, legislative  
4 districts, supervisorial districts, justice precincts or election precincts  
5 are established and effective subsequent to March 1 of the year of a general  
6 election and prior to the date for filing of nomination petitions, the basis  
7 for determining the required number of nomination petition signatures is the  
8 number of registered voters in the designated party of the candidate in the  
9 elective office, district or precinct on the day the new districts or  
10 precincts are effective.

11 Sec. 3. Existing board members

12 Notwithstanding section 15-1441, Arizona Revised Statutes, as amended  
13 by this act, all persons serving as members of a community college district  
14 governing board in a county with a population of at least three million  
15 persons on the effective date of this act shall continue to serve until the  
16 expiration of their normal terms.