REFERENCE TITLE: elections; candidate, ballot measure signatures

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HB 2107

Introduced by
Representative Kavanagh

AN ACT

AMENDING TITLE 16, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-316; AMENDING SECTIONS 19-101 AND 19-102, ARIZONA REVISED STATUTES; AMENDING SECTION 19-111, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2009, CHAPTER 114, SECTION 10; AMENDING SECTION 19-111, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2013, CHAPTER 209, SECTION 7; AMENDING SECTION 19-121.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2010, CHAPTER 209, SECTION 22; AMENDING SECTION 19-121.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2013, CHAPTER 209, SECTION 10; AMENDING SECTION 19-204, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS; PROVIDING FOR CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Subject to the requirements of article IV, part 1, section 1, Constitution of Arizona, title 16, chapter 3, article 2, Arizona Revised Statutes, is amended by adding section 16-316, to read:

16-316. Secure online signature collection; candidate petitions; five dollar contributions; statewide and legislative candidates

A. NOTWITHSTANDING ANY OTHER LAW, THE SECRETARY OF STATE SHALL PROVIDE A SYSTEM FOR REGISTERED VOTERS TO SIGN A NOMINATION PETITION AND A CITIZENS CLEAN ELECTIONS FIVE DOLLAR DONATION QUALIFICATION FORM FOR A CANDIDATE BY WAY OF A SECURE INTERNET PORTAL. THE SYSTEM SHALL ENSURE THAT ONLY THOSE REGISTERED VOTERS WHO ARE ELIGIBLE TO SIGN A PETITION FOR A PARTICULAR CANDIDATE ARE PERMITTED TO SIGN THE PETITION AND QUALIFICATION FORM FOR THAT CANDIDATE AND SHALL PROVIDE A METHOD FOR THE REGISTERED VOTER'S IDENTITY TO BE PROPERLY VERIFIED. A CANDIDATE MAY CHOOSE TO COLLECT UP TO AN AMOUNT EQUAL TO ONE-HALF OF THE NUMBER OF REQUIRED NOMINATION PETITION SIGNATURES BY USE OF THE ONLINE SIGNATURE COLLECTION SYSTEM PRESCRIBED BY THIS SECTION.

B. THIS SECTION APPLIES ONLY TO CANDIDATES FOR STATEWIDE AND LEGISLATIVE OFFICES.

Sec. 2. Section 19-101, Arizona Revised Statutes, is amended to read:

19-101. Referendum petition; circulators; violation; classification

A. The following shall be the form for referring to the people by referendum petition a measure or item, section or part of a measure enacted by the legislature, or by the legislative body of an incorporated city, town or county:

Referendum Description

(Insert a description of no more than one hundred words of the principal provisions of the measure sought to be referred.)

Notice: This is only a description of the measure sought to be referred prepared by the sponsor of the measure. It may not include every provision contained in the measure. Before signing, make sure the title and text of the measure are attached. You have the right to read or examine the title and text before signing.

Petition for Referendum

To the secretary of state~~:~~ (or to the corresponding officer for or on local, county, city or town measures):

We, the undersigned citizens and qualified electors of the state of Arizona, respectfully order that the senate (or house) bill No. ___ (or other local, county, city or town measure) entitled (title of act or ordinance, and if the petition is against less than the whole act or ordinance then set forth here the item, section, or part, of any measure on which the referendum is used), passed by the _____ session of the legislature of the state of Arizona, at the general (or special, as the case may be) session of said legislature, (or by a

county, city or town legislative body) shall be referred to a vote of the qualified electors of the state, (county, city or town) for their approval or rejection at the next regular general election (or county, city or town election) and each for himself says:

I have personally signed this petition with my first and last names. I have not signed any other petition for the same measure. I am a qualified elector of the state of Arizona, county of (or city or town and county of, as the case may be) _____.

"Warning

It is a class 1 misdemeanor for any person to knowingly sign an initiative or referendum petition with a name other than his own, except in a circumstance where he signs for a person, in the presence of and at the specific request of such person, who is incapable of signing his own name because of physical infirmity, or to knowingly sign his name more than once for the same measure, or to knowingly sign such petition when he is not a qualified elector."

Signature	Name (first and last name printed)	Actual address (street & no. and if no street address, describe residence location)	Arizona post office address & zip code	City or town (if any)	Date signed

(Fifteen lines for signatures which shall be numbered)

The validity of signatures on this sheet must be sworn to by the circulator before a notary public on the form appearing on the back of the sheet.

Number _____

B. EACH PETITION SHEET SHALL HAVE PRINTED ON THE TOP OF EACH SHEET THE FOLLOWING:

"IT IS UNLAWFUL TO SIGN THIS PETITION BEFORE IT HAS A SERIAL NUMBER".

~~B.~~ C. Each petition sheet shall have printed in capital letters in no less than twelve point bold-faced type in the upper right-hand corner of the face of the petition sheet AND BELOW THE STATEMENT PRESCRIBED IN SUBSECTION B OF THIS SECTION the following:

"_____ paid circulator" "_____ volunteer".

~~C.~~ D. A circulator of a referendum petition shall state whether he is a paid circulator or volunteer by checking the appropriate line on the petition form before circulating the petition for signatures.

~~D.~~ E. Signatures obtained on referendum petitions in violation of subsection ~~C~~ D OF THIS SECTION are void and shall not be counted in determining the legal sufficiency of the petition. The presence of signatures that are invalidated under this subsection on a petition does not invalidate other signatures on the petition that were obtained as prescribed by this section.

Sec. 3. Section 19-102, Arizona Revised Statutes, is amended to read:

19-102. Initiative petition; circulators

A. The form of petition for a law or amendment to the constitution of this state or county legislative measure, or city or town ordinance, or amendment to a city or town charter proposed by the initiative to be submitted directly to the electors, shall be substantially in the form prescribed in section 19-101, except that the title and body of such petition shall read:

Initiative description

(Insert a description of no more than one hundred words of the principal provisions of the proposed measure or constitutional amendment.)

Notice: This is only a description of the proposed measure (or constitutional amendment) prepared by the sponsor of the measure. It may not include every provision contained in the measure. Before signing, make sure the title and text of the measure are attached. You have the right to read or examine the title and text before signing.

Initiative Measure to be Submitted Directly to Electors

We, the undersigned, citizens and qualified electors of the state of Arizona, respectfully demand that the following proposed law (or amendment to the constitution, or other initiative measure), shall be submitted to the qualified electors of the state of Arizona (county, city or town of _____) for their approval or rejection at the next regular general election (or county, city or town election) and each for himself says: (terminate form same as a referendum petition.)

B. EACH PETITION SHEET SHALL HAVE PRINTED ON THE TOP OF EACH SHEET THE FOLLOWING:

"IT IS UNLAWFUL TO SIGN THIS PETITION BEFORE IT HAS A SERIAL NUMBER".

~~B.~~ C. Each petition sheet shall have printed in capital letters in no less than twelve point bold-faced type in the upper right-hand corner of the face of the petition sheet AND BELOW THE STATEMENT PRESCRIBED IN SUBSECTION B OF THIS SECTION the following:

"_____ paid circulator" " _____ volunteer".

~~C.~~ D. A circulator of an initiative petition shall state whether he is a paid circulator or volunteer by checking the appropriate line on the petition form before circulating the petition for signatures.

~~D.~~ E. Signatures obtained on initiative petitions in violation of subsection ~~C~~ D of this section are void and shall not be counted in determining the legal sufficiency of the petition. The presence of signatures that are invalidated under this subsection on a petition does not invalidate other signatures on the petition that were obtained as prescribed by this section.

Sec. 4. Section 19-111, Arizona Revised Statutes, as amended by Laws 2009, chapter 114, section 10, is amended to read:

19-111. Number for petition; training materials

A. A person or organization intending to propose a law or constitutional amendment by initiative petition or to file a referendum petition against a measure, item, section or part of a measure, before causing the petition to be printed and circulated, shall file with the secretary of state an application, on a form to be provided by the secretary of state, setting forth ~~his~~ THE PERSON'S name or, if an organization, its name and the names and titles of its officers, THE PERSON'S OR ORGANIZATION'S address, ~~his~~ THE PERSON'S OR ORGANIZATION'S intention to circulate and file a petition, a description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure and the text of the proposed law, constitutional amendment or measure to be initiated or referred in no less than eight point type, and applying for issuance of an official serial number. At the same time as the person or organization files its application, the person or organization shall file with the secretary of state its statement of organization or its signed exemption statement as prescribed by section 16-902.01. The secretary of state shall not accept an application for initiative or referendum without an accompanying statement of organization or signed exemption statement as prescribed by this subsection.

B. On receipt of the application, the secretary of state shall assign an official serial number to the petition, which number shall appear in the lower right-hand corner of each side of each copy thereof, and issue that number to the applicant. THE SECRETARY OF STATE SHALL ASSIGN numbers ~~shall be assigned~~ to petitions ~~by the secretary of state~~ in numerical sequence, and a record shall be maintained in ~~his~~ THE SECRETARY OF STATE'S office of each application received and of the numbers assigned and issued to the applicant.

C. The secretary of state shall make available to each applicant by electronic means a copy of the text of this article governing the initiative and referendum and all rules adopted by the secretary of state pursuant to this title. In addition, the secretary of state shall provide the applicant by electronic means the ability to file a statement of organization or five hundred dollar threshold exemption statement and a notice stating: "This statement must be filed before valid signatures can be collected." The secretary of state shall make available by electronic means a copy of the text of this article governing the initiative and referendum and all rules adopted by the secretary of state pursuant to this title to the county, city and town clerks who shall similarly furnish a copy to each applicant by electronic means. If a member of the public so requests, the secretary of

state and the county, city and town clerks shall provide a copy in pamphlet form.

D. THE SECRETARY OF STATE SHALL MAKE AVAILABLE TO EACH PERSON OR ORGANIZATION CIRCULATING A STATEWIDE INITIATIVE, REFERENDUM OR RECALL PETITION A COPY OF CIRCULATOR TRAINING MATERIALS CREATED BY THE SECRETARY OF STATE. CIRCULATOR TRAINING MATERIALS MAY BE PROVIDED ON PAPER OR IN ELECTRONIC FORMAT AND SHALL ALSO BE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE. A PERSON OR ORGANIZATION CIRCULATING A STATEWIDE PETITION SHALL PROVIDE EACH CIRCULATOR WITH THE SECRETARY OF STATE'S CIRCULATOR TRAINING MATERIALS AND SHALL COLLECT AND SUBMIT TO THE SECRETARY OF STATE EACH OF ITS CIRCULATORS' TRAINING MATERIALS RECEIPTS BEFORE THE FILING OF COMPLETED PETITIONS. EACH PERSON WHO IS A STATEWIDE CIRCULATOR SHALL ACKNOWLEDGE IN WRITING RECEIPT OF THE TRAINING MATERIALS BEFORE CIRCULATING A PETITION FOR SIGNATURES. FAILURE TO PROVIDE CIRCULATOR TRAINING MATERIALS OR FAILURE TO SUBMIT CIRCULATORS' TRAINING MATERIALS RECEIPTS IS NOT GROUNDS FOR REMOVAL OF SIGNATURES OR SIGNATURE SHEETS. NOTWITHSTANDING SECTION 19-141, THIS SUBSECTION DOES NOT APPLY TO INITIATIVE, REFERENDUM OR RECALL PETITIONS FOR CITIES, TOWNS AND COUNTIES.

~~D.~~ E. The eight point type required by subsection A of this section shall not apply to maps, charts or other graphics.

Sec. 5. Section 19-111, Arizona Revised Statutes, as amended by Laws 2013, chapter 209, section 7, is amended to read:

19-111. Number for petition; training materials

A. A person or organization intending to propose a law or constitutional amendment by initiative petition or to file a referendum petition against a measure, item, section or part of a measure, before causing the petition to be printed and circulated, shall file with the secretary of state an application, on a form to be provided by the secretary of state, setting forth the person's name or, if an organization, its name and the names and titles of its officers, the person's or organization's address, the person's or organization's intention to circulate and file a petition, a description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure and the text of the proposed law, constitutional amendment or measure to be initiated or referred in no less than eight point type, and applying for issuance of an official serial number. At the same time as the person or organization files its application, the person or organization shall file with the secretary of state its statement of organization or its signed exemption statement as prescribed by section 16-902.01. The secretary of state shall not accept an application for initiative or referendum without an accompanying statement of organization or signed exemption statement as prescribed by this subsection.

B. On receipt of the application, the secretary of state shall assign an official serial number to the petition, which number shall appear in the lower right-hand corner of each side of each copy thereof, and issue that number to the applicant. The secretary of state shall assign numbers to petitions in numerical sequence, and a record shall be maintained in the

secretary of state's office of each application received and of the numbers assigned and issued to the applicant. When the application is received by the secretary of state and marked by the secretary of state with an official time and date of receipt, the time-and-date-marked text that accompanied the application constitutes the official copy of the text of the measure or constitutional amendment and shall be used in all instances as the text of the measure or constitutional amendment. For any subsequent change in the text of the measure or constitutional amendment by the applicant, the applicant shall file a new application and text, shall be assigned a new official serial number and shall use as the text of the measure or constitutional amendment the time-and-date-marked text that accompanied the new application.

C. The secretary of state shall make available to each applicant by electronic means a copy of the text of this article governing the initiative and referendum and all rules adopted by the secretary of state pursuant to this title. In addition, the secretary of state shall provide the applicant by electronic means the ability to file a statement of organization or five hundred dollar threshold exemption statement and a notice stating: "This statement must be filed before valid signatures can be collected." The secretary of state shall make available by electronic means a copy of the text of this article governing the initiative and referendum and all rules adopted by the secretary of state pursuant to this title to the county, city and town clerks who shall similarly furnish a copy to each applicant by electronic means. If a member of the public so requests, the secretary of state and the county, city and town clerks shall provide a copy in pamphlet form.

D. THE SECRETARY OF STATE SHALL MAKE AVAILABLE TO EACH PERSON OR ORGANIZATION CIRCULATING A STATEWIDE INITIATIVE, REFERENDUM OR RECALL PETITION A COPY OF CIRCULATOR TRAINING MATERIALS CREATED BY THE SECRETARY OF STATE. CIRCULATOR TRAINING MATERIALS MAY BE PROVIDED ON PAPER OR IN ELECTRONIC FORMAT AND SHALL ALSO BE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE. A PERSON OR ORGANIZATION CIRCULATING A STATEWIDE PETITION SHALL PROVIDE EACH CIRCULATOR WITH THE SECRETARY OF STATE'S CIRCULATOR TRAINING MATERIALS AND SHALL COLLECT AND SUBMIT TO THE SECRETARY OF STATE EACH OF ITS CIRCULATORS' TRAINING MATERIALS RECEIPTS BEFORE THE FILING OF COMPLETED PETITIONS. EACH PERSON WHO IS A STATEWIDE CIRCULATOR SHALL ACKNOWLEDGE IN WRITING RECEIPT OF THE TRAINING MATERIALS BEFORE CIRCULATING A PETITION FOR SIGNATURES. FAILURE TO PROVIDE CIRCULATOR TRAINING MATERIALS OR FAILURE TO SUBMIT CIRCULATORS' TRAINING MATERIALS RECEIPTS IS NOT GROUNDS FOR REMOVAL OF SIGNATURES OR SIGNATURE SHEETS. NOTWITHSTANDING SECTION 19-141, THIS SUBSECTION DOES NOT APPLY TO INITIATIVE, REFERENDUM OR RECALL PETITIONS FOR CITIES, TOWNS AND COUNTIES.

~~D.~~ E. The eight point type required by subsection A of this section shall not apply to maps, charts or other graphics.

Sec. 6. Section 19-121.01, Arizona Revised Statutes, as amended by Laws 2010, chapter 209, section 22, is amended to read:

19-121.01. Secretary of state; removal of petition and ineligible signatures; facsimile sheets; random sample

A. Within twenty days, excluding Saturdays, Sundays and other legal holidays, of the date of filing of an initiative or referendum petition and issuance of the receipt, the secretary of state shall:

1. Remove the following:

(a) Those sheets not attached to a copy of the title and text of the measure.

(b) The copy of the title and text from the remaining petition sheets.

(c) Those sheets not bearing the petition serial number in the lower right-hand corner of each side.

(d) Those sheets containing a circulator's affidavit that is not completed or signed.

(e) Those sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed.

~~(f) Those sheets on which the signatures of the circulator or the notary are dated earlier than the dates on which the electors signed the face of the petition sheet.~~

~~(g)~~ (f) ~~Beginning after November 2, 2010,~~ Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.

2. After completing the steps in paragraph 1 of this subsection, review each sheet to determine the county of the majority of the signers and shall:

(a) Place a three or four letter abbreviation designating that county in the upper right-hand corner of the face of the petition.

(b) Remove all signatures of those not in the county of the majority on each sheet by marking an "SS" in red ink in the margin to the right of the signature line.

(c) Cause all signature sheets to be grouped together by county of registration of the majority of those signing and attach them to one or more copies of the title and text of the measure. If the sheets are too bulky for convenient grouping by the secretary of state in one volume by county, they may be bound in two or more volumes with those in each volume attached to a single printed copy of the measure. The remaining detached copies of the title and text of the measure shall be delivered to the applicant.

3. After completing the steps in paragraph 2 of this subsection, remove the following signatures that are not eligible for verification by marking an "SS" in red ink in the margin to the right of the signature line:

(a) If the signature of the qualified elector is missing.

(b) If the residence address or the description of residence location is missing.

~~(c) If the date on which the petitioner signed is missing.~~

~~(d)~~ (c) Signatures in excess of the fifteen signatures permitted per petition.

~~(e)~~ (d) Signatures withdrawn pursuant to section 19-113.

~~(f)~~ (e) ~~Beginning after November 2, 2010,~~ Signatures for which the secretary of state determines that the petition circulator has printed the elector's first and last names or other information in violation of section 19-112.

4. After the removal of petition sheets and signatures, count the number of signatures for verification on the remaining petition sheets and note that number in the upper right-hand corner of the face of each petition sheet immediately above the county designation.

5. Number the remaining petition sheets that were not previously removed and that contain signatures eligible for verification in consecutive order on the front side of each petition sheet in the upper left-hand corner.

6. Count all remaining petition sheets and signatures not previously removed and issue a receipt to the applicant of this total number eligible for verification.

B. If the total number of signatures for verification as determined pursuant to subsection A, paragraph 6 of this section equals or exceeds the constitutional minimum, the secretary of state, during the same twenty day period provided in subsection A of this section, shall select, at random, five per cent of the total signatures eligible for verification by the county recorders of the counties in which the persons signing the petition claim to be qualified electors. The random sample of signatures to be verified shall be drawn in such a manner that every signature eligible for verification has an equal chance of being included in the sample. The random sample produced shall identify each signature selected by petition page and line number. The signatures selected shall be marked according to the following procedure:

1. Using red ink, mark the selected signature by circling the line number and drawing a line from the base of the circle extending into the left margin.

2. If a signature line selected for the random sample is found to be blank or was removed from the verification process pursuant to subsection A of this section and is marked with an "SS", then the next line down, even if that requires going to the next petition sheet in sequence, on which an eligible signature appears shall be selected as a substitute if that line has not already been selected for the random sample. If the next eligible line is already being used in the random sample, the secretary of state shall proceed back up the page from the signature line originally selected for the random sample to the next previous signature line eligible for verification. If that line is already being used in the random sample, the secretary of state shall continue moving down the page or to the next page from the line originally selected for the random sample and shall select the next eligible

signature as its substitute for the random sample. The secretary of state shall use this process of alternately moving forward and backward until a signature eligible for verification and not already included in the random sample can be selected and substituted.

C. After the selection of the random sample and the marking of the signatures selected on the original petition sheets pursuant to subsection B of this section, the secretary of state shall reproduce a facsimile of the front of each signature sheet on which a signature included in the random sample appears. The secretary of state shall clearly identify those signatures marked for verification by color highlighting or other similar method and shall transmit by personal delivery or certified mail to each county recorder a facsimile sheet of each signature sheet on which a signature appears of any individual who claims to be a qualified elector of that county and whose signature was selected for verification as part of the random sample.

D. The secretary of state shall retain in custody all signature sheets removed pursuant to this section except as otherwise prescribed in this title.

Sec. 7. Section 19-121.01, Arizona Revised Statutes, as amended by Laws 2013, chapter 209, section 10, is amended to read:

19-121.01. Secretary of state; removal of petition and ineligible signatures; facsimile sheets; random sample

A. Within twenty days, excluding Saturdays, Sundays and other legal holidays, of the date of filing of an initiative or referendum petition and issuance of the receipt, the secretary of state shall:

1. Remove the following:

(a) Those sheets not attached to a copy of the complete title and text of the measure that is marked by the official date and time of receipt by the secretary of state.

(b) The copy of the title and text from the remaining petition sheets.

(c) Those sheets not bearing the correct petition serial number in the lower right-hand corner of each side.

(d) Those sheets containing a circulator's affidavit that is not completed or signed.

(e) Those sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed.

~~(f) Those sheets on which the signatures of the circulator or the notary are dated earlier than the dates on which the electors signed the face of the petition sheet.~~

~~(g)~~ (f) Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.

2. After completing the steps in paragraph 1 of this subsection, review each sheet to determine the county of the majority of the signers and shall:

(a) Place a three or four letter abbreviation designating that county in the upper right-hand corner of the face of the petition.

(b) Remove all signatures of those not in the county of the majority on each sheet by marking an "SS" in red ink in the margin to the right of the signature line.

(c) Cause all signature sheets to be grouped together by county of registration of the majority of those signing and attach them to one or more copies of the title and text of the measure. If the sheets are too bulky for convenient grouping by the secretary of state in one volume by county, they may be bound in two or more volumes with those in each volume attached to a single printed copy of the measure. The remaining detached copies of the title and text of the measure shall be delivered to the applicant.

3. After completing the steps in paragraph 2 of this subsection, remove the following signatures that are not eligible for verification by marking an "SS" in red ink in the margin to the right of the signature line:

(a) If the signature of the qualified elector is missing.

(b) If the residence address or the description of residence location is missing.

~~(c) If the date on which the petitioner signed is missing.~~

~~(d)~~ (c) Signatures in excess of the fifteen signatures permitted per petition.

~~(e)~~ (d) Signatures withdrawn pursuant to section 19-113.

~~(f)~~ (e) Signatures for which the secretary of state determines that the petition circulator has printed the elector's first and last names or other information in violation of section 19-112.

4. After the removal of petition sheets and signatures, count the number of signatures for verification on the remaining petition sheets and note that number in the upper right-hand corner of the face of each petition sheet immediately above the county designation.

5. Number the remaining petition sheets that were not previously removed and that contain signatures eligible for verification in consecutive order on the front side of each petition sheet in the upper left-hand corner.

6. Count all remaining petition sheets and signatures not previously removed and issue a receipt to the applicant of this total number eligible for verification.

B. If the total number of signatures for verification as determined pursuant to subsection A, paragraph 6 of this section equals or exceeds the constitutional minimum, the secretary of state, during the same twenty day period provided in subsection A of this section, shall select, at random, five per cent of the total signatures eligible for verification by the county recorders of the counties in which the persons signing the petition claim to be qualified electors. The random sample of signatures to be verified shall be drawn in such a manner that every signature eligible for verification has

an equal chance of being included in the sample. The random sample produced shall identify each signature selected by petition page and line number. The signatures selected shall be marked according to the following procedure:

1. Using red ink, mark the selected signature by circling the line number and drawing a line from the base of the circle extending into the left margin.

2. If a signature line selected for the random sample is found to be blank or was removed from the verification process pursuant to subsection A of this section and is marked with an "SS", then the next line down, even if that requires going to the next petition sheet in sequence, on which an eligible signature appears shall be selected as a substitute if that line has not already been selected for the random sample. If the next eligible line is already being used in the random sample, the secretary of state shall proceed back up the page from the signature line originally selected for the random sample to the next previous signature line eligible for verification. If that line is already being used in the random sample, the secretary of state shall continue moving down the page or to the next page from the line originally selected for the random sample and shall select the next eligible signature as its substitute for the random sample. The secretary of state shall use this process of alternately moving forward and backward until a signature eligible for verification and not already included in the random sample can be selected and substituted.

C. After the selection of the random sample and the marking of the signatures selected on the original petition sheets pursuant to subsection B of this section, the secretary of state shall reproduce a facsimile of the front of each signature sheet on which a signature included in the random sample appears. The secretary of state shall clearly identify those signatures marked for verification by color highlighting or other similar method and shall transmit by personal delivery or certified mail to each county recorder a facsimile sheet of each signature sheet on which a signature appears of any individual who claims to be a qualified elector of that county and whose signature was selected for verification as part of the random sample.

D. The secretary of state shall retain in custody all signature sheets removed pursuant to this section except as otherwise prescribed in this title.

Sec. 8. Section 19-204, Arizona Revised Statutes, is amended to read:

19-204. Form of petition

A. The caption and body of a recall petition shall be substantially as follows:

Recall Petition

We, the qualified electors of the electoral district from which _____ (name and title of office) was elected, demand his recall

The grounds of this demand for recall are as follows:

(State in two hundred words or less the grounds of the demand)

B. EACH PETITION SHEET SHALL HAVE PRINTED ON THE TOP OF EACH SHEET THE FOLLOWING:

"IT IS UNLAWFUL TO SIGN THIS PETITION BEFORE IT HAS A SERIAL NUMBER".

C. THE FOLLOWING SHALL BE PRINTED ON EACH PETITION SHEET IN CAPITAL LETTERS IN AT LEAST TWELVE POINT BOLD-FACED TYPE IN THE UPPER RIGHT-HAND CORNER OF THE FACE OF THE PETITION SHEET AND BELOW THE STATEMENT PRESCRIBED IN SUBSECTION B OF THIS SECTION:

"_____ PAID CIRCULATOR" "_____ VOLUNTEER".

D. A CIRCULATOR OF A RECALL PETITION SHALL STATE WHETHER HE IS A PAID CIRCULATOR OR VOLUNTEER BY CHECKING THE APPROPRIATE LINE ON THE PETITION FORM BEFORE CIRCULATING THE PETITION FOR SIGNATURES.

~~B.~~ E. The remaining portion of the petition shall be as prescribed for initiative and referendum ~~except that a designation for paid or volunteer circulators is not required on the petition and signatures are valid without regard to whether they were collected by a paid or volunteer circulator~~.

Sec. 9. Conditional enactment

A. The following sections are effective only if Laws 2013, chapter 209, the subject of referendum petition R-03-2014, is approved by a vote of the people at the next general election or if Laws 2013, chapter 209, the subject of referendum petition R-03-2014, fails to be referred to the voters at the next general election:

1. Section 19-111, Arizona Revised Statutes, as amended by Laws 2013, chapter 209, section 7 and section 5 of this act.

2. Section 19-121.01, Arizona Revised Statutes, as amended by Laws 2013, chapter 209, section 10 and section 7 of this act.

B. The following sections are effective only if Laws 2013, chapter 209, the subject of referendum petition R-03-2014, is rejected by a vote of the people at the next general election:

1. Section 19-111, Arizona Revised Statutes, as amended by Laws 2009, chapter 114, section 10 and section 4 of this act.

2. Section 19-121.01, Arizona Revised Statutes, as amended by Laws 2010, chapter 209, section 22 and section 6 of this act.

Sec. 10. Requirements for enactment; three-fourths vote

Pursuant to article IV, part 1, section 1, Constitution of Arizona, section 16-316, Arizona Revised Statutes, as added by this act, is effective only on the affirmative vote of at least three-fourths of the members of each house of the legislature.