

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

HOUSE BILL 2107

AN ACT

AMENDING SECTIONS 16-241 AND 16-243, ARIZONA REVISED STATUTES; 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 19-112, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2011, CHAPTER 332, SECTION 24; AMENDING SECTION 19-118, ARIZONA REVISED STATUTES; AMENDING SECTION 19-121.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2010, CHAPTER 209, SECTION 22; AMENDING SECTION 19-204, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-241, Arizona Revised Statutes, is amended to
3 read:

4 16-241. Presidential preference election; conduct of election

5 A. A presidential preference election shall be held on the ~~fourth~~
6 Tuesday ~~in February~~ IMMEDIATELY FOLLOWING MARCH 15 of each year in which the
7 President of the United States is elected to give qualified electors the
8 opportunity to express their preference for the presidential candidate of the
9 political party indicated as their preference by the record of their
10 registration. No other election may appear on the same ballot as the
11 presidential preference election.

12 B. Notwithstanding subsection A of this section, the governor may
13 issue a proclamation that the presidential preference election is to be held
14 on a date ~~earlier than the fourth Tuesday in February~~ LATER THAN THE DATE
15 PRESCRIBED IN SUBSECTION A OF THIS SECTION. The proclamation shall be issued
16 no later than one hundred eighty days before the date of the election as set
17 forth in the proclamation. The governor shall transmit a copy of the
18 election proclamation to the clerks of the county boards of supervisors.

19 C. Except as otherwise provided in this article, the presidential
20 preference election shall be conducted and canvassed in the same manner as
21 prescribed in this title for the primary election held pursuant to section
22 16-201. All provisions of other laws that govern elections and that are not
23 in conflict with this article apply to a presidential preference election,
24 including laws relating to registration and qualifications of electors.

25 D. Unless otherwise specifically prescribed by this article, the
26 powers and duties conferred by law on boards of supervisors, officers in
27 charge of elections, county recorders, precinct boards and central counting
28 boards in connection with a primary election are conferred on those persons
29 for purposes of a presidential preference election and shall be exercised by
30 them for a presidential preference election.

31 E. Every act that is an offense pursuant to the election laws of this
32 state is an offense for purposes of a presidential preference election, and a
33 person is subject to the penalties prescribed by those laws.

34 Sec. 2. Section 16-243, Arizona Revised Statutes, is amended to read:

35 16-243. National convention delegates; vote for candidates

36 A. The selection of delegates to the political party national
37 conventions shall be as provided in the bylaws of each state party.

38 B. AT THE POLITICAL PARTY NATIONAL CONVENTION, each delegate to the
39 national convention shall ~~use his best efforts at the convention~~ VOTE for the
40 party's presidential nominee candidate who received the greatest number of
41 votes in the presidential preference election until the candidate is
42 nominated for the office of president of the United States by the convention,
43 until the candidate releases the delegate from ~~his~~ THE DELEGATE'S obligation,
44 until a candidate withdraws from the race or until one convention nominating

1 ballot has been taken. After a candidate is nominated, withdraws from the
2 race, delegates are released or one ballot is taken, each delegate is free to
3 vote as ~~he~~ THE DELEGATE chooses, and no rule may be adopted by a delegation
4 requiring the delegation to vote as a body or causing the vote of any
5 delegate to go uncounted or unreported.

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

9 16-316. Secure online signature collection; candidate
10 petitions; five dollar contributions; statewide and
11 legislative candidates

12 A. NOTWITHSTANDING ANY OTHER STATUTE IN THIS TITLE, THE SECRETARY OF
13 STATE SHALL PROVIDE A SYSTEM FOR QUALIFIED ELECTORS TO SIGN A NOMINATION
14 PETITION AND TO SIGN AND SUBMIT A CITIZENS CLEAN ELECTIONS FIVE DOLLAR
15 CONTRIBUTION QUALIFICATION FORM FOR A CANDIDATE BY WAY OF A SECURE INTERNET
16 PORTAL. THE SYSTEM SHALL ALLOW ONLY THOSE QUALIFIED ELECTORS WHO ARE
17 ELIGIBLE TO SIGN A PETITION FOR A PARTICULAR CANDIDATE TO SIGN THE PETITION
18 AND ONLY THOSE QUALIFIED ELECTORS WHO ARE ELIGIBLE TO GIVE A QUALIFYING
19 CONTRIBUTION TO THAT CANDIDATE TO DO SO AND SHALL PROVIDE A METHOD FOR THE
20 QUALIFIED ELECTOR'S IDENTITY TO BE PROPERLY VERIFIED. A CANDIDATE MAY CHOOSE
21 TO COLLECT UP TO AN AMOUNT EQUAL TO ONE-HALF OF THE NUMBER OF REQUIRED
22 NOMINATION PETITION SIGNATURES OR UP TO AN AMOUNT EQUAL TO ONE-HALF OF THE
23 NUMBER OF REQUIRED CONTRIBUTION QUALIFICATION FORMS, OR BOTH, BY USE OF THE
24 ONLINE SIGNATURE COLLECTION SYSTEM PRESCRIBED BY THIS SECTION.

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

27 Sec. 4. Section 19-101, Arizona Revised Statutes, is amended to read:

28 19-101. Referendum petition; circulators; violation;
29 classification

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

34 Referendum Description

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

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

42 Petition for Referendum

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

1 We, the undersigned citizens and qualified electors of the state
 2 of Arizona, respectfully order that the senate (or house) bill
 3 No. ____ (or other local, county, city or town measure) entitled
 4 (title of act or ordinance, and if the petition is against less
 5 than the whole act or ordinance then set forth here the item,
 6 section, or part, of any measure on which the referendum is
 7 used), passed by the _____ session of the
 8 legislature of the state of Arizona, at the general (or special,
 9 as the case may be) session of said legislature, (or by a
 10 county, city or town legislative body) shall be referred to a
 11 vote of the qualified electors of the state, (county, city or
 12 town) for their approval or rejection at the next regular
 13 general election (or county, city or town election) and each for
 14 himself says:

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

20 "Warning

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

29	Signature	Name	Actual	Arizona	City or	Date
30		(first and	address	post office	town	signed
31		last name	(street &	address	(if any)	
32		printed)	no. and if	& zip		
33			no street	code		
34			address,			
35			describe			
36			residence			
37			location)			

38 (Fifteen lines for signatures which shall be numbered)

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

42 Number _____

1 each for himself says: (terminate form same as a referendum
2 petition.)

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

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

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

11 "_____ paid circulator" "_____ volunteer".

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

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

21 Sec. 6. Section 19-111, Arizona Revised Statutes, as amended by Laws
22 2009, chapter 114, section 10, is amended to read:

23 19-111. Number for petition; training materials

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

42 B. On receipt of the application, the secretary of state shall assign
43 an official serial number to the petition, which number shall appear in the
44 lower right-hand corner of each side of each copy thereof, and issue that

1 number to the applicant. THE SECRETARY OF STATE SHALL ASSIGN numbers ~~shall~~
2 ~~be assigned~~ to petitions ~~by the secretary of state~~ in numerical sequence, and
3 a record shall be maintained in ~~his~~ THE SECRETARY OF STATE'S office of each
4 application received and of the numbers assigned and issued to the applicant.

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

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

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

37 Sec. 7. Section 19-112, Arizona Revised Statutes, as amended by Laws
38 2011, chapter 332, section 24, is amended to read:

39 19-112. Signatures and verification; attachment; registration
40 of circulators

41 A. Every qualified elector signing a petition shall do so in the
42 presence of the person who is circulating the petition and who is to execute
43 the affidavit of verification. At the time of signing, the qualified elector
44 shall sign his first and last names in the spaces provided and the elector so

1 signing shall print his first and last names and write, in the appropriate
2 spaces following the signature, the signer's residence address, giving street
3 and number, and if he has no street address, a description of his residence
4 location. The elector so signing shall write, in the appropriate spaces
5 following the elector's address, the date on which the elector signed the
6 petition.

7 B. The signature sheets shall be attached at all times during
8 circulation to a full and correct copy of the title and text of the measure
9 or constitutional amendment proposed or referred by the petition. The title
10 and text shall be in at least eight point type and shall include both the
11 original and the amended text. The text shall indicate material deleted, if
12 any, by printing the material with a line drawn through the center of the
13 letters of the material and shall indicate material added or new material by
14 printing the letters of the material in capital letters.

15 C. The person before whom the signatures, names and addresses were
16 written on the signature sheet ~~shall~~, on the affidavit form pursuant to this
17 section, ~~SHALL~~ subscribe and swear before a notary public that each of the
18 names on the sheet was signed and the name and address were printed by the
19 elector and the circulator on the date indicated, ~~and~~ that in his belief each
20 signer was a qualified elector of a certain county of the state, or, in the
21 case of a city, town or county measure, of the city, town or county affected
22 by the measure on the date indicated, and that at all times during
23 circulation of the signature sheet a copy of the title and text was attached
24 to the signature sheet. ~~Circulators who are not residents of this state must
25 be registered as circulators with the secretary of state before circulating
26 petitions. The secretary of state shall provide for a method of receiving
27 service of process for those petition circulators who register pursuant to
28 this subsection. The secretary of state shall establish in the instructions
29 and procedures manual issued pursuant to section 16 452 a procedure for
30 registering circulators and receiving service of process.~~ All signatures of
31 petitioners on a signature sheet shall be those of qualified electors who are
32 registered to vote in the same county. However, if signatures from more than
33 one county appear on the same signature sheet, only the valid signatures from
34 the same county that are most numerous on the signature sheet shall be
35 counted. Signature and handwriting comparisons may be made.

36 D. The affidavit shall be in the following form printed on the reverse
37 side of each signature sheet:

38 Affidavit of Circulator
39 State of Arizona)
40) ss.:
41 County of _____)
42 (Where notarized)
43 I, _____ (print name), a person who is not required to
44 be a resident of this state but who is otherwise qualified to

1 register to vote in the county of _____, in the state of
 2 Arizona at all times during my circulation of this petition
 3 sheet, and under the penalty of a class 1 misdemeanor, depose
 4 and say that subject to section 19-115, Arizona Revised
 5 Statutes, each individual printed the individual's own name and
 6 address and signed this sheet of the foregoing petition in my
 7 presence on the date indicated and I believe that each signer's
 8 name and residence address or post office address are correctly
 9 stated and that each signer is a qualified elector of the state
 10 of Arizona (or in the case of a city, town or county measure, of
 11 the city, town or county affected by the measure proposed to be
 12 initiated or referred to the people) and that at all times
 13 during circulation of this signature sheet a copy of the title
 14 and text was attached to the signature sheet.

15 (Signature of affiant) _____
 16 (Residence address, street
 17 and number of affiant, or
 18 if no street address, a
 19 description of residence
 20 location) _____

21 _____
 22 Subscribed and sworn to before me on _____.
 23 (date)

24 _____
 25 Notary Public
 26 _____, Arizona.

27 My commission expires on _____.
 28 (date)

29 E. The eight point type required by subsection B OF THIS SECTION shall
 30 not apply to maps, charts or other graphics.

31 Sec. 8. Section 19-118, Arizona Revised Statutes, is amended to read:
 32 19-118. Registered circulators; requirements; definition

33 A. ALL CIRCULATORS WHO ARE NOT RESIDENTS OF THIS STATE AND, FOR
 34 STATEWIDE BALLOT MEASURES ONLY, ALL PAID CIRCULATORS MUST REGISTER AS
 35 CIRCULATORS WITH THE SECRETARY OF STATE BEFORE CIRCULATING PETITIONS PURSUANT
 36 TO THIS TITLE. THE POLITICAL COMMITTEE THAT IS CIRCULATING THE PETITION
 37 SHALL COLLECT AND SUBMIT THE REGISTRATIONS TO THE SECRETARY OF STATE. THE
 38 SECRETARY OF STATE SHALL ESTABLISH IN THE INSTRUCTIONS AND PROCEDURES MANUAL
 39 ISSUED PURSUANT TO SECTION 16-452 A PROCEDURE FOR REGISTERING CIRCULATORS AND
 40 SHALL PUBLISH ON A WEBSITE MAINTAINED BY THE SECRETARY OF STATE ALL
 41 INFORMATION REGARDING CIRCULATORS THAT IS REQUIRED PURSUANT TO THIS SECTION.
 42 FOR STATEWIDE BALLOT MEASURES ONLY, THE SECRETARY OF STATE SHALL DISQUALIFY
 43 ALL SIGNATURES COLLECTED BY A CIRCULATOR WHO FAILS TO REGISTER PURSUANT TO
 44 THIS SUBSECTION AS PROVIDED FOR IN SECTION 19-121.01, SUBSECTION A.

1 B. THE REGISTRATION REQUIRED BY SUBSECTION A OF THIS SECTION SHALL
2 INCLUDE THE FOLLOWING PROVISIONS:

3 1. THE CIRCULATOR CONSENTS TO THE JURISDICTION OF THE COURTS OF THIS
4 STATE IN RESOLVING ANY DISPUTES CONCERNING THE CIRCULATION OF PETITIONS BY
5 THAT CIRCULATOR.

6 2. THE CIRCULATOR SHALL DESIGNATE AN ADDRESS IN THIS STATE AT WHICH
7 THE CIRCULATOR WILL ACCEPT SERVICE OF PROCESS RELATED TO DISPUTES CONCERNING
8 CIRCULATION OF THAT CIRCULATOR'S PETITIONS. SERVICE OF PROCESS IS EFFECTED
9 UNDER THIS SECTION BY DELIVERING A COPY OF THE SUBPOENA TO THAT PERSON
10 INDIVIDUALLY OR BY LEAVING A COPY OF THE SUBPOENA AT THE ADDRESS DESIGNATED
11 BY THE CIRCULATOR WITH A PERSON OF SUITABLE AGE.

12 C. IF A REGISTERED CIRCULATOR IS PROPERLY SERVED WITH A SUBPOENA TO
13 PROVIDE EVIDENCE IN AN ACTION REGARDING CIRCULATION OF PETITIONS AND FAILS TO
14 APPEAR OR PRODUCE DOCUMENTS AS PROVIDED FOR IN THE SUBPOENA, ALL SIGNATURES
15 COLLECTED BY THAT CIRCULATOR ARE DEEMED INVALID. THE PARTY SERVING THE
16 SUBPOENA MAY REQUEST AN ORDER FROM THE COURT DIRECTING THE SECRETARY OF STATE
17 TO REMOVE ANY SIGNATURES COLLECTED BY THE CIRCULATOR AS PROVIDED FOR IN
18 SECTION 19-121.01, SUBSECTION A.

19 D. ANY PERSON MAY CHALLENGE THE LAWFUL REGISTRATION OF CIRCULATORS IN
20 THE SUPERIOR COURT OF THE COUNTY IN WHICH THE CIRCULATOR IS REGISTERED. A
21 CHALLENGE MAY NOT BE COMMENCED MORE THAN FIVE DAYS AFTER THE DATE ON WHICH
22 THE PETITIONS FOR WHICH THE CIRCULATOR IS REQUIRED TO BE REGISTERED ARE FILED
23 WITH THE SECRETARY OF STATE. THE PERSON CHALLENGING SIGNATURES MAY AMEND
24 THAT COMPLAINT AFTER THE SECRETARY OF STATE HAS REMOVED SIGNATURES AND
25 SIGNATURE SHEETS AS PRESCRIBED IN SECTION 19-121.01. AN ACTION PURSUANT TO
26 THIS SECTION SHALL BE ADVANCED ON THE CALENDAR AND DECIDED BY THE COURT AS
27 SOON AS POSSIBLE. EITHER PARTY MAY APPEAL TO THE SUPREME COURT WITHIN FIVE
28 CALENDAR DAYS AFTER ENTRY OF JUDGMENT. THE PREVAILING PARTY IN AN ACTION TO
29 CHALLENGE THE REGISTRATION OF A CIRCULATOR UNDER THIS SECTION IS ENTITLED TO
30 REASONABLE ATTORNEY FEES.

31 E. THE REMOVAL OR DISQUALIFICATION OF ANY ONE OR MORE CIRCULATORS DOES
32 NOT INVALIDATE THE RANDOM SAMPLE OF SIGNATURES MADE PURSUANT TO SECTION
33 19-121.01 AND THE SECRETARY OF STATE SHALL NOT BE REQUIRED TO CONDUCT ANY
34 ADDITIONAL RANDOM SAMPLING OF SIGNATURES.

35 F. NOTWITHSTANDING SECTION 19-141, THIS SECTION DOES NOT APPLY TO
36 FILING OFFICERS FOR COUNTIES, CITIES AND TOWNS AND PAID CIRCULATORS FOR
37 COUNTY, CITY AND TOWN MEASURES ARE NOT REQUIRED TO REGISTER WITH THE
38 SECRETARY OF STATE OR WITH THE FILING OFFICER OF THE COUNTY, CITY OR TOWN.
39 CHALLENGES TO SIGNATURES AND CIRCULATORS OF COUNTY, CITY OR TOWN MEASURES
40 SHALL BE AS OTHERWISE PROVIDED BY LAW.

41 G. For the purposes of this title, "paid circulator":

42 1. Means a natural person who receives monetary or other compensation
43 that is based on the number of signatures obtained on a petition or on the
44 number of petitions circulated that contain signatures.

1 single printed copy of the measure. The remaining detached copies of the
2 title and text of the measure shall be delivered to the applicant.

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

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

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

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

10 (d) Signatures in excess of the fifteen signatures permitted per
11 petition.

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

13 (f) ~~Beginning after November 2, 2010,~~ Signatures for which the
14 secretary of state determines that the petition circulator has printed the
15 elector's first and last names or other information in violation of section
16 19-112.

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

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

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

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

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

41 2. If a signature line selected for the random sample is found to be
42 blank or was removed from the verification process pursuant to subsection A
43 of this section and is marked with an "SS", then the next line down, even if
44 that requires going to the next petition sheet in sequence, on which an

1 eligible signature appears shall be selected as a substitute if that line has
2 not already been selected for the random sample. If the next eligible line
3 is already being used in the random sample, the secretary of state shall
4 proceed back up the page from the signature line originally selected for the
5 random sample to the next previous signature line eligible for verification.
6 If that line is already being used in the random sample, the secretary of
7 state shall continue moving down the page or to the next page from the line
8 originally selected for the random sample and shall select the next eligible
9 signature as its substitute for the random sample. The secretary of state
10 shall use this process of alternately moving forward and backward until a
11 signature eligible for verification and not already included in the random
12 sample can be selected and substituted.

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

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

27 Sec. 10. Section 19-204, Arizona Revised Statutes, is amended to read:
28 19-204. Form of petition

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

31 Recall Petition

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

35 The grounds of this demand for recall are as follows:

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

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

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

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

