

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

CHAPTER 45
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
45 ballot has been taken. After a candidate is nominated, withdraws from the

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

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

8 16-316. Secure online signature collection; candidate
9 petitions; five dollar contributions; statewide and
10 legislative candidates

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

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

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

27 19-101. Referendum petition; circulators; violation;
28 classification

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

33 Referendum Description

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

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

41 Petition for Referendum

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

44 We, the undersigned citizens and qualified electors of the state
45 of Arizona, respectfully order that the senate (or house) bill

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

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

18 "Warning

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

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

36 (Fifteen lines for signatures which shall be numbered)

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

40 Number _____

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

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

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

9 "_____ paid circulator" "_____ volunteer".

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

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

19 Sec. 5. Section 19-102, Arizona Revised Statutes, is amended to read:

20 19-102. Initiative petition; circulators

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

27 Initiative description

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

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

36 Initiative Measure to be Submitted Directly to Electors

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

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

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

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

9 " _____ paid circulator" " _____ volunteer".

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

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

19 Sec. 6. Section 19-111, Arizona Revised Statutes, as amended by Laws
20 2009, chapter 114, section 10, is amended to read:

21 19-111. Number for petition; training materials

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

40 B. On receipt of the application, the secretary of state shall assign
41 an official serial number to the petition, which number shall appear in the
42 lower right-hand corner of each side of each copy thereof, and issue that
43 number to the applicant. ~~THE SECRETARY OF STATE SHALL ASSIGN~~ numbers ~~shall~~
44 ~~be assigned~~ to petitions ~~by the secretary of state~~ in numerical sequence, and

1 a record shall be maintained in ~~his~~ THE SECRETARY OF STATE'S office of each
2 application received and of the numbers assigned and issued to the applicant.

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

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

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

35 Sec. 7. Section 19-112, Arizona Revised Statutes, as amended by Laws
36 2011, chapter 332, section 24, is amended to read:

37 19-112. Signatures and verification; attachment; registration
38 of circulators

39 A. Every qualified elector signing a petition shall do so in the
40 presence of the person who is circulating the petition and who is to execute
41 the affidavit of verification. At the time of signing, the qualified elector
42 shall sign his first and last names in the spaces provided and the elector so
43 signing shall print his first and last names and write, in the appropriate
44 spaces following the signature, the signer's residence address, giving street
45 and number, and if he has no street address, a description of his residence

1 location. The elector so signing shall write, in the appropriate spaces
2 following the elector's address, the date on which the elector signed the
3 petition.

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

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

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

35 Affidavit of Circulator
36 State of Arizona)
37) ss.:
38 County of _____)
39 (Where notarized)
40 I, _____(print name)_____, a person who is not required to
41 be a resident of this state but who is otherwise qualified to
42 register to vote in the county of _____, in the state of
43 Arizona at all times during my circulation of this petition
44 sheet, and under the penalty of a class 1 misdemeanor, depose
45 and say that subject to section 19-115, Arizona Revised

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

11 (Signature of affiant) _____
12 (Residence address, street
13 and number of affiant, or
14 if no street address, a
15 description of residence
16 location) _____
17 _____

18 Subscribed and sworn to before me on _____.
19 (date)

20 _____
21 Notary Public
22 _____, Arizona.

23 My commission expires on _____.
24 (date)

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

27 Sec. 8. Section 19-118, Arizona Revised Statutes, is amended to read:
28 19-118. Registered circulators; requirements; definition

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

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

43 1. THE CIRCULATOR CONSENTS TO THE JURISDICTION OF THE COURTS OF THIS
44 STATE IN RESOLVING ANY DISPUTES CONCERNING THE CIRCULATION OF PETITIONS BY
45 THAT CIRCULATOR.

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

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

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

26 E. THE REMOVAL OR DISQUALIFICATION OF ANY ONE OR MORE CIRCULATORS DOES
27 NOT INVALIDATE THE RANDOM SAMPLE OF SIGNATURES MADE PURSUANT TO SECTION
28 19-121.01 AND THE SECRETARY OF STATE SHALL NOT BE REQUIRED TO CONDUCT ANY
29 ADDITIONAL RANDOM SAMPLING OF SIGNATURES.

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

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

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

40 2. Does not include a paid employee of any political committee
41 organized pursuant to title 16, chapter 6, unless that employee's primary
42 responsibility is circulating petitions to obtain signatures.

43 Sec. 9. Section 19-121.01, Arizona Revised Statutes, as amended by
44 Laws 2010, chapter 209, section 22, is amended to read:

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

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

4 (d) Signatures in excess of the fifteen signatures permitted per
5 petition.

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

7 (f) ~~Beginning after November 2, 2010,~~ Signatures for which the
8 secretary of state determines that the petition circulator has printed the
9 elector's first and last names or other information in violation of section
10 19-112.

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

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

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

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

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

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

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

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

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

20 Sec. 10. Section 19-204, Arizona Revised Statutes, is amended to read:
21 19-204. Form of petition

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

24 Recall Petition

25 We, the qualified electors of the electoral district from
26 which _____ (name and title
27 of office) was elected, demand his recall
28 The grounds of this demand for recall are as follows:
29 (State in two hundred words or less the grounds of the demand)

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

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

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

38 "_____ PAID CIRCULATOR" "_____ VOLUNTEER".

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

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

1 Sec. 11. Requirements for enactment: three-fourths vote
2 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
3 section 16-316, Arizona Revised Statutes, as added by this act, is effective
4 only on the affirmative vote of at least three-fourths of the members of each
5 house of the legislature.

APPROVED BY THE GOVERNOR APRIL 16, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2014.