

PROPOSED AMENDMENT
SENATE AMENDMENTS TO S.B. 1158
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-322, Arizona Revised Statutes, is amended to
3 read:

4 16-322. Number of signatures required on nomination petitions

5 A. Nomination petitions shall be signed:

6 1. If for a candidate for the office of United States senator or for a
7 state office, excepting members of the legislature and superior court judges,
8 by a number of qualified electors who are qualified to vote for the candidate
9 whose nomination petition they are signing equal to at least one-half of one
10 ~~per-cent~~ PERCENT of the voter registration of the party of the candidate in
11 at least three counties in the state, but not less than one-half of one ~~per~~
12 ~~cent~~ PERCENT nor more than ten ~~per-cent~~ PERCENT of the total voter
13 registration of the candidate's party in the state.

14 2. If for a candidate for the office of representative in Congress, by
15 a number of qualified electors who are qualified to vote for the candidate
16 whose nomination petition they are signing equal to at least one ~~per-cent~~
17 PERCENT but not more than ten ~~per-cent~~ PERCENT of the total voter
18 registration of the party designated in the district from which such
19 representative shall be elected except that if for a candidate for a special
20 election to fill a vacancy in the office of representative in congress, by a
21 number of qualified electors who are qualified to vote for the candidate
22 whose nomination petition they are signing equal to at least one-half of one
23 ~~per-cent~~ PERCENT but not more than ten ~~per-cent~~ PERCENT of the total voter
24 registration of the party designated in the district from which such
25 representative shall be elected.

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

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

18 5. If for a candidate for a community college district, by a number of
19 qualified electors who are qualified to vote for the candidate whose
20 nomination petition they are signing equal to at least:

21 (a) Through June 30, 2012, one-half of one ~~per-cent~~ PERCENT but not
22 more than ten ~~per-cent~~ PERCENT of the total voter registration in the
23 precinct as established pursuant to section 15-1441.

24 (b) Beginning July 1, 2012, one-quarter of one ~~per-cent~~ PERCENT but
25 not more than ten ~~per-cent~~ PERCENT of the total voter registration in the
26 precinct as established pursuant to section 15-1441. Notwithstanding the
27 total voter registration in the community college district, the maximum
28 number of signatures required by this subdivision is one thousand.

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

1 7. If for a candidate for justice of the peace or constable, by a
2 number of qualified electors who are qualified to vote for the candidate
3 whose nomination petition they are signing equal to at least two ~~per-cent~~
4 PERCENT but not more than ten ~~per-cent~~ PERCENT of the party voter
5 registration in the precinct.

6 8. If for a candidate for mayor or other office nominated by a city at
7 large, by a number of qualified electors who are qualified to vote for the
8 candidate whose nomination petition they are signing equal to at least five
9 ~~per-cent~~ PERCENT and not more than ten ~~per-cent~~ PERCENT of the designated
10 party vote in the city, except that a city that chooses to hold nonpartisan
11 elections may by ordinance provide that the minimum number of signatures
12 required for the candidate be one thousand signatures or five ~~per-cent~~
13 PERCENT of the vote in the city, whichever is less, but not more than ten ~~per~~
14 ~~cent~~ PERCENT of the vote in the city.

15 9. If for an office nominated by ward, precinct or other district of a
16 city, by a number of qualified electors who are qualified to vote for the
17 candidate whose nomination petition they are signing equal to at least five
18 ~~per-cent~~ PERCENT and not more than ten ~~per-cent~~ PERCENT of the designated
19 party vote in the ward, precinct or other district, except that a city that
20 chooses to hold nonpartisan elections may provide by ordinance that the
21 minimum number of signatures required for the candidate be two hundred fifty
22 signatures or five ~~per-cent~~ PERCENT of the vote in the district, whichever is
23 less, but not more than ten ~~per-cent~~ PERCENT of the vote in the district.

24 10. If for a candidate for an office nominated by a town at large, by a
25 number of qualified electors who are qualified to vote for the candidate
26 whose nomination petition they are signing equal to at least five ~~per-cent~~
27 PERCENT and not more than ten ~~per-cent~~ PERCENT of the vote in the town,
28 except that a town that chooses to hold nonpartisan elections may provide by
29 ordinance that the minimum number of signatures required for the candidate be
30 one thousand signatures or five ~~per-cent~~ PERCENT of the vote in the town,
31 whichever is less but not more than ten ~~per-cent~~ PERCENT of the vote in the
32 town.

1 11. If for a candidate for a governing board of a school district OR A
2 JOINT TECHNICAL EDUCATION DISTRICT, by a number of qualified electors who are
3 qualified to vote for the candidate whose nomination petition they are
4 signing equal to at least one-half of one ~~per-cent~~ PERCENT of the total voter
5 registration in the school district OR JOINT TECHNICAL EDUCATION DISTRICT if
6 the ~~governing~~ board members are elected at large or one ~~per-cent~~ PERCENT of
7 the total voter registration in the single member district if governing board
8 members ~~or joint technical education district board members~~ are elected from
9 single member districts OR ONE-HALF OF ONE PERCENT OF THE TOTAL VOTER
10 REGISTRATION IN THE SINGLE MEMBER DISTRICT IF JOINT TECHNICAL EDUCATION
11 DISTRICT BOARD MEMBERS ARE ELECTED FROM SINGLE MEMBER DISTRICTS.
12 Notwithstanding the total voter registration in the school district, JOINT
13 TECHNICAL EDUCATION DISTRICT or single member district OF THE SCHOOL DISTRICT
14 OR JOINT TECHNICAL EDUCATION DISTRICT, the maximum number of signatures
15 required by this paragraph is four hundred.

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

21 B. The basis of percentage in each instance referred to in subsection
22 A of this section, except in cities, towns and school districts, shall be the
23 number of voters registered in the designated party of the candidate as
24 reported pursuant to section 16-168, subsection G on March 1 of the year in
25 which the general election is held. In cities, the basis of percentage shall
26 be the vote of the party for mayor at the last preceding election at which a
27 mayor was elected. In towns, the basis of percentage shall be the highest
28 vote cast for an elected official of the town at the last preceding election
29 at which an official of the town was elected. In school districts OR JOINT
30 TECHNICAL EDUCATION DISTRICTS, the basis of percentage shall be the total
31 number of voters registered in the school district OR JOINT TECHNICAL
32 EDUCATION DISTRICT or single member district, whichever applies. The total
33 number of voters registered for school districts OR JOINT TECHNICAL EDUCATION

1 elections shall honor the request. For any partisan primary election, if the
2 elector is not registered as a member of a political party that is entitled
3 to continued representation on the ballot pursuant to section 16-804, the
4 elector shall designate the ballot of only one of the political parties that
5 is entitled to continued representation on the ballot and the elector may
6 receive and vote the ballot of only that one political party. The county
7 recorder may establish on-site early voting locations at the recorder's
8 office, which shall be open and available for use beginning the same day that
9 a county begins to send out the early ballots. The county recorder may also
10 establish any other early voting locations in the county the recorder deems
11 necessary.

12 B. Notwithstanding subsection A of this section, a request for an
13 official early ballot from an absent uniformed services voter or overseas
14 voter as defined in the uniformed and overseas citizens absentee voting act
15 of 1986 (P.L. 99-410; ~~42 52~~ United States Code section ~~1973ff-6~~ 20310) or a
16 voter whose information is protected pursuant to section 16-153 that is
17 received by the county recorder or other officer in charge of elections more
18 than ninety-three days before the election is valid. If requested by the
19 absent uniformed services or overseas voter, or a voter whose information is
20 protected pursuant to section 16-153, the county recorder or other officer in
21 charge of elections shall provide to the requesting voter early ballot
22 materials through the next regularly scheduled general election for federal
23 office immediately following receipt of the request unless a different period
24 of time, which does not exceed the next two regularly scheduled general
25 elections for federal office, is designated by the voter.

26 C. The county recorder or other officer in charge of elections shall
27 mail the early ballot and the envelope for its return postage prepaid to the
28 address provided by the requesting elector within five days after receipt of
29 the official early ballots from the officer charged by law with the duty of
30 preparing ballots pursuant to section 16-545, except that early ballot
31 distribution shall not begin more than ~~twenty-six~~ TWENTY-SEVEN days before
32 the election. If an early ballot request is received on or before the
33 ~~thirtieth~~ THIRTY-FIRST day before the election, the early ballot shall be

1 distributed ~~on~~ NO EARLIER THAN the ~~twenty-sixth~~ TWENTY-SEVENTH day before the
2 election AND NO LATER THAN THE TWENTY-FOURTH DAY BEFORE THE ELECTION.

3 D. Only the elector may be in possession of that elector's unvoted
4 early ballot. If a complete and correct request is made by the elector
5 within ~~twenty-six~~ TWENTY-SEVEN days before the election, the mailing must be
6 made within forty-eight hours after receipt of the request. Saturdays,
7 Sundays and other legal holidays are excluded from the computation of the
8 forty-eight hour period prescribed by this subsection. If a complete and
9 correct request is made by an absent uniformed services voter or an overseas
10 voter before the election, the regular early ballot shall be transmitted by
11 mail, by fax or by other electronic format approved by the secretary of state
12 within twenty-four hours after the early ballots are delivered pursuant to
13 section 16-545, subsection B, excluding Sundays.

14 E. In order to be complete and correct and to receive an early ballot
15 by mail, an elector's request that an early ballot be mailed to the elector's
16 residence or temporary address must include all of the information prescribed
17 by subsection A of this section and must be received by the county recorder
18 or other officer in charge of elections no later than 5:00 p.m. on the
19 eleventh day preceding the election. An elector who appears personally no
20 later than 5:00 p.m. on the Friday preceding the election at an on-site early
21 voting location that is established by the county recorder or other officer
22 in charge of elections shall be given a ballot and permitted to vote at the
23 on-site location. If an elector's request to receive an early ballot is not
24 complete and correct but complies with all other requirements of this
25 section, the county recorder or other officer in charge of elections shall
26 attempt to notify the elector of the deficiency of the request.

27 F. Unless an elector specifies that the address to which an early
28 ballot is to be sent is a temporary address, the recorder may use the
29 information from an early ballot request form to update voter registration
30 records.

31 G. The county recorder or other officer in charge of early balloting
32 shall provide an alphabetized list of all voters in the precinct who have
33 requested and have been sent an early ballot to the election board of the

1 precinct in which the voter is registered not later than the day ~~prior to~~
2 **BEFORE** the election.

3 H. As a result of an emergency occurring between 5:00 p.m. on the
4 second Friday preceding the election and 5:00 p.m. on the Monday preceding
5 the election, qualified electors may request to vote early in the manner
6 prescribed by the county recorder of their respective county. For the
7 purposes of this subsection, "emergency" means any unforeseen circumstances
8 that would prevent the elector from voting at the polls.

9 I. A candidate, political committee or other organization may
10 distribute early ballot request forms to voters. If the early ballot request
11 forms include a printed address for return, the addressee shall be the
12 political subdivision that will conduct the election. Failure to use the
13 political subdivision as the return addressee is punishable by a civil
14 penalty of up to three times the cost of the production and distribution of
15 the request.

16 J. All original and completed early ballot request forms that are
17 received by a candidate, ~~or~~ political committee **OR OTHER ORGANIZATION** shall
18 be submitted within six business days after receipt by a candidate, ~~or~~
19 political committee **OR OTHER ORGANIZATION** or eleven days before the election
20 day, whichever is earlier, to the political subdivision that will conduct the
21 election. Any person, political committee or other organization that fails
22 to submit a completed early ballot request form within the prescribed time is
23 subject to a civil penalty of up to twenty-five dollars per day for each
24 completed form withheld from submittal. Any person who knowingly fails to
25 submit a completed early ballot request form before the submission deadline
26 for the election immediately following the completion of the form is guilty
27 of a class 6 felony.

28 Sec. 3. Section 16-558.01, Arizona Revised Statutes, is amended to
29 read:

30 **16-558.01. Mailing of ballots**

31 Not more than ~~twenty-six~~ **TWENTY-SEVEN** days before the election and not
32 fewer than fifteen days before the election, the county recorder or other
33 officer in charge of elections for the special district shall send by

1 nonforwardable mail all official ballots with printed instructions and a
2 return envelope bearing a printed ballot affidavit as described in section
3 16-547 to each qualified elector entitled to vote in the election. The
4 envelope in which the ballot is mailed shall be clearly marked with the
5 statement required by the postmaster to receive an address correction and
6 notification. The district governing board shall determine whether the voter
7 or the district governing board will pay for the postage for the return of
8 electors' marked ballots. An elector who votes in a special district mail
9 ballot election shall return the elector's marked ballot to the recorder or
10 other officer in charge of the election or to a designated depository site as
11 provided in section 16-411 no later than 7:00 p.m. on the day of the
12 election."

13 Amend title to conform

ADAM DRIGGS

1158AD
02/16/2015
04:31 PM
C: myr