



Bill Number: S.B. 1516

Driggs Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Requires an entity that makes a ballot measure expenditure of over \$1,000 to file an expenditure report.
2. Fills in the blanks related to the campaign finance reporting periods.
3. Limits candidate committee reporting to the 12-month period preceding the general election.
4. Prohibits candidate committees from accepting contributions above the limits.
5. Eliminates the exemptions from *contributions* and *expenditures* related to paid internet advertisements or paid fundraising solicitations.
6. Removes the exemption for an individual and a committee from filing independent expenditure reports for expenditures of over \$1,000.
7. Allows a candidate committee to contribute up to the contribution limits to another candidate's candidate committee, by removing the restriction.
8. Removes the exemption from public records requests for information gathered by the enforcement officer in the course of a committee status investigation.
9. Requires the initiation of an investigation to be based on a third-party complaint.
10. Removes the presumption that an entity is organized for the primary purpose of influencing an election if it had its tax-exempt status revoked at *any* time. Instead, establishes that presumption if it is revoked at the time of making the contribution or expenditure.

Amendment explanation prepared by Amber Witter

3/8/2016

- 11. Permits political parties to commingle monies pursuant to federal regulations.**
- 12. Requires recall-related contributions to be segregated from other election contributions. Prohibits them from being used in those other elections.**
- 13. Adds affiliates to those who may take various actions related to separate segregated funds.**
- 14. Specifies an expenditure is not an independent expenditure if it is based on *non-public* information about the candidate's plans or needs.**
- 15. Removes terms from the Clean Elections statutes that are no longer defined under the campaign finance statutes.**
- 16. Expands the itemized list of disbursements in a campaign finance report related to recall elections.**
- 17. Clarifies that a person is not eligible to be a candidate or serve simultaneously in more than one statewide or legislative office.**
- 18. Clarifies that laws outside these articles may also limit contributions and expenditures.**
- 19. Adds and modifies definitions.**
- 20. Establishes a delayed effective date of January 1, 2017.**

DRIGGS FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1516
(Reference to printed bill)

1 Page 6, line 18, after the period strike remainder of line

2 Line 19, strike "NOMINATION PAPER IN A CALENDAR YEAR."

3 After line 45, insert:

4 "Sec. 6. Section 16-314, Arizona Revised Statutes, is amended to read:

5 16-314. Filing and form of nomination petitions; definition

6 A. Any person desiring to become a candidate at any election and to
7 have the person's name printed on the official ballot shall file, ~~within the~~
8 ~~same time~~ NOT LESS THAN NINETY NOR MORE THAN ONE HUNDRED TWENTY DAYS BEFORE
9 THE PRIMARY ELECTION and with the same officer as provided by section 16-311,
10 a nomination petition in addition to the nomination paper required.

11 B. For the purposes of this title, "nomination petition" means the
12 form or forms used for obtaining the required number of signatures of
13 qualified electors, which is circulated by or on behalf of the person wishing
14 to become a candidate for a political office.

15 C. Nomination petitions shall be captioned "partisan nomination
16 petition" or "nonpartisan nomination petition", followed by the language of
17 the petition in substantially the following form:

18 Partisan Nomination Petition

19 I, the undersigned, a qualified elector of the county of
20 _____, state of Arizona, and of (here name political
21 division or district from which the nomination is sought) and a
22 member of the _____ party or a person who is registered
23 as no party preference or independent as the party preference or
24 who is registered with a political party that is not qualified
25 for representation on the ballot, hereby nominate _____ who
26 resides at _____ in the county of _____ for the
27 party nomination for the office of _____ to be voted at

1 the primary election to be held _____ as representing
2 the principles of such party, and I hereby declare that I am
3 qualified to vote for this office and that I have not signed, and
4 will not sign, any nomination petition for more persons than the
5 number of candidates necessary to fill such office at the next
6 ensuing election. I further declare that if I choose to use a
7 post office box address on this petition, my residence address
8 has not changed since I last reported it to the county recorder
9 for purposes of updating my voter registration file.

10 Nonpartisan Nomination Petition

11 I, the undersigned, a qualified elector of the county of
12 _____, state of Arizona, and of (here name political
13 division or district from which the nomination is sought) hereby
14 nominate _____ who resides at _____ in the
15 county of _____ for the office of _____ to be
16 voted at the _____ election to be held _____,
17 and hereby declare that I am qualified to vote for this office
18 and that I have not signed and will not sign any nomination
19 petitions for more persons than the number of candidates
20 necessary to fill such office at the next ensuing election. I
21 further declare that if I choose to use a post office box address
22 on this petition, my residence address has not changed since I
23 last reported it to the county recorder for purposes of updating
24 my voter registration file.

25 D. The nomination petition of a person seeking to fill an unexpired
26 vacant term for any public office shall designate the expiration date of the
27 term following the name of the office being sought.

28 Sec. 7. Section 16-341, Arizona Revised Statutes, is amended to read:
29 16-341. Nomination petition; method and time of filing; form;
30 qualifications and number of petitioners required

31 A. Any qualified elector who is not a registered member of a political
32 party that is recognized pursuant to this title may be nominated as a

1 candidate for public office otherwise than by primary election or by party
2 committee pursuant to this section.

3 B. This article shall not be used to place on the general election
4 ballot the name of a political party that fails to meet the qualifications
5 specified in section 16-802 or 16-804, or the name of any candidate
6 representing such party or the name of a candidate who has filed a nomination
7 petition in the immediately preceding primary election and has failed to
8 qualify as the result of an insufficient number of valid signatures.

9 C. A nomination petition stating the name of the office to be filled,
10 the name and residence of the candidate and other information required by
11 this section shall be filed with the same officer with whom primary
12 nomination papers and petitions are required to be filed as prescribed in
13 section 16-311. Except for candidates for the office of presidential elector
14 filed pursuant to this section, the petition shall be filed ~~at the same time~~
15 ~~as primary nomination papers and petitions are required to be filed as~~
16 ~~prescribed by section 16-311~~ NOT LESS THAN NINETY NOR MORE THAN ONE HUNDRED
17 TWENTY DAYS BEFORE THE PRIMARY ELECTION. The petition shall be signed only
18 by voters who have not signed the nomination petitions of a candidate for the
19 office to be voted for at that primary election.

20 D. The nomination petition shall be in substantially the following
21 form:

22 The undersigned, qualified electors of _____ county,
23 state of Arizona, do hereby nominate _____, who resides at
24 _____ in the county of _____, as a candidate for the
25 office of _____ at the general (or special, as the case may be)
26 election to be held on the _____ day of _____, ____.

27 I hereby declare that I have not signed the nomination
28 petitions of any candidate for the office to be voted for at this
29 primary election, and I do hereby select the following
30 designation under which name the said candidate shall be placed
31 on the official ballot (here insert such designation not
32 exceeding three words in length as the signers may select).

1 E. The nomination petition shall conform as nearly as possible to the
2 provisions relating to nomination petitions of candidates to be voted for at
3 primary elections and shall be signed by at least the number of persons who
4 are registered to vote determined by calculating three per cent of the
5 persons who are registered to vote of the state, county, subdivision or
6 district for which the candidate is nominated who are not members of a
7 political party that is qualified to be represented by an official party
8 ballot at the next ensuing primary election and accorded representation on
9 the general election ballot.

10 F. The percentage of persons who are registered to vote necessary to
11 sign the nomination petition shall be determined by the total number of
12 registered voters from other than political parties that are qualified to be
13 represented by an official party ballot at the next ensuing primary election
14 and accorded representation on the general election ballot in the state,
15 county, subdivision or district on March 1 of the year in which the general
16 election is held. Notwithstanding the method prescribed by subsection E of
17 this section and this subsection for calculating the minimum number of
18 signatures necessary, any person who is registered to vote in the state,
19 county, subdivision or district for which the candidate is nominated is
20 eligible to sign the nomination petition without regard to the signer's party
21 affiliation.

22 G. A nomination petition for any candidate may be circulated by a
23 person who is not a resident of this state but who is otherwise eligible to
24 register to vote in this state if that person registers as a circulator with
25 the secretary of state before circulating petitions. The nomination petition
26 for the office of presidential elector shall include a group of names of
27 candidates equal to the number of United States senators and representatives
28 in Congress from this state instead of separate nomination petitions for each
29 candidate for the office of presidential elector. A valid signature on a
30 petition containing a group of presidential electors candidates is counted as
31 a signature for the nomination of each of the candidates. The presidential
32 candidate whom the candidates for presidential elector will represent shall

1 designate in writing to the secretary of state the names of the candidates
2 who will represent the presidential candidate before any signatures for the
3 candidate can be accepted for filing. A nomination petition for the office
4 of presidential elector shall be filed not less than sixty nor more than
5 ninety days before the general election. The petition shall be signed only
6 by qualified electors who have not signed the nomination petitions of a
7 candidate for the office of presidential elector to be voted for at that
8 election.

9 H. The secretary of state shall require in the instructions and
10 procedures manual issued pursuant to section 16-452 that persons who
11 circulate nomination petitions pursuant to this section and who are not
12 residents of this state but who are otherwise eligible to register to vote in
13 this state shall register as circulators with the office of the secretary of
14 state before circulating petitions. The secretary of state shall provide for
15 a method of receiving service of process for those petition circulators who
16 are registered.

17 I. A person who files a nomination paper pursuant to this section for
18 the office of president of the United States shall designate in writing to
19 the secretary of state at the time of filing the name of the candidate's
20 vice-presidential running mate, the names of the presidential electors who
21 will represent that candidate and a statement that is signed by the
22 vice-presidential running mate and the designated presidential electors and
23 that indicates their consent to be designated. A nomination paper for each
24 presidential elector designated shall be filed with the candidate's
25 nomination paper. The number of presidential electors shall equal the number
26 of United States senators and representatives in Congress from this state.

27 J. A candidate who does not file a timely nomination petition that
28 complies with this section is not eligible to have the candidate's name
29 printed on the official ballot for that office. The filing officer shall not
30 accept the nomination paper of a candidate for state or local office unless
31 the candidate provides or has provided all of the following:

- 32 ~~1. The nomination petition required by this title.~~

1 ~~2. A political committee statement of organization or the five hundred~~
2 ~~dollar threshold exemption statement for that office.~~

3 ~~3.~~ 1. The financial disclosure statement as prescribed for candidates
4 for that office.

5 2. THE DECLARATION OF QUALIFICATION AND ELIGIBILITY AS PRESCRIBED IN
6 SECTION 16-311.

7 K. Except in cases where the liability is being appealed, the filing
8 officer shall not accept the nomination paper of a candidate for state or
9 local office if the person is liable for an aggregation of one thousand
10 dollars or more in fines, penalties, late fees or administrative or civil
11 judgments, including any interest or costs, in any combination, that have not
12 been fully satisfied at the time of the attempted filing of the nomination
13 paper and the liability arose from failure to comply with or enforcement of
14 chapter 6 of this title."

15 Renumber to conform

16 Page 8, between lines 40 and 41, insert:

17 "2. "AFFILIATE" MEANS ANY ORGANIZATION THAT CONTROLS, IS CONTROLLED BY
18 OR IS UNDER COMMON CONTROL WITH A CORPORATION, LIMITED LIABILITY COMPANY OR
19 LABOR ORGANIZATION."

20 Renumber to conform

21 Between lines 42 and 43, insert:

22 "4. "BALLOT MEASURE EXPENDITURE" MEANS AN EXPENDITURE MADE BY A PERSON
23 THAT EXPRESSLY ADVOCATES THE SUPPORT OR OPPOSITION OF A CLEARLY IDENTIFIED
24 BALLOT MEASURE."

25 Renumber to conform

26 Page 9, between lines 8 and 9, insert:

27 "8. "CANDIDATE COMMITTEE" INCLUDES THE CANDIDATE."

28 Renumber to conform

29 Line 37, after "CONTRIBUTION" insert "TO A CLEARLY IDENTIFIED CANDIDATE"

30 Page 10, line 2, after the period insert "FOR PURPOSES OF A RECALL ELECTION,
31 "ELECTION CYCLE" MEANS THE PERIOD BETWEEN ISSUANCE OF A RECALL PETITION
32 SERIAL NUMBER AND THE LATEST OF THE FOLLOWING:

1 (a) THE DATE OF THE RECALL ELECTION THAT IS CALLED PURSUANT TO SECTION
2 19-209.

3 (b) THE DATE THAT A RESIGNATION IS ACCEPTED PURSUANT TO SECTION
4 19-208.

5 (c) THE DATE THAT THE RECEIVING OFFICER PROVIDES NOTICE PURSUANT TO
6 SECTION 19-208.01 THAT THE NUMBER OF SIGNATURES IS INSUFFICIENT."

7 Page 10, line 11, after "ASSOCIATION," insert "ORGANIZATION,"

8 Page 11, line 26, after "ASSOCIATION," insert "ORGANIZATION,"

9 Page 12, line 12, after "SERVICE" insert "OR THE EQUIVALENT SUCCESSOR FORM
10 DESIGNATED BY THE INTERNAL REVENUE SERVICE"

11 Line 13, strike "ENTITY REMAINS IN GOOD STANDING WITH" insert "ENTITY'S TAX
12 EXEMPT STATUS HAS NOT BEEN DENIED OR REVOKED BY"

13 Line 18, after "SERVICE" insert "OR THE EQUIVALENT SUCCESSOR FORM DESIGNATED BY
14 THE INTERNAL REVENUE SERVICE"

15 Page 13, line 23, after "SERVICE" insert ", OR THE EQUIVALENT SUCCESSOR FORM
16 DESIGNATED BY THE INTERNAL REVENUE SERVICE,"

17 Lines 24 and 26, strike "ANY" insert "THAT"

18 Line 27, after "SERVICE" insert ", OR THE EQUIVALENT SUCCESSOR FORM DESIGNATED
19 BY THE INTERNAL REVENUE SERVICE,"

20 Page 14, line 16, after "COMMITTEE" insert "FOR A PARTISAN OFFICE"; strike ", IF"

21 Line 17, strike "ANY"

22 Page 15, between lines 12 and 13, insert:

23 "4. FOR A COMMITTEE THAT IS A POLITICAL PARTY, THE COMMITTEE MAY
24 COMMINGLE MONIES FROM ANY SOURCE IN A SINGLE BANK ACCOUNT IF THE ACCOUNT IS
25 MAINTAINED AS PRESCRIBED IN 11 CODE OF FEDERAL REGULATIONS SECTION 106.7.

26 5. FOR CONTRIBUTIONS INTENDED TO INFLUENCE A RECALL ELECTION, THE
27 COMMITTEE SHALL SEGREGATE THOSE CONTRIBUTIONS INTO BANK ACCOUNTS THAT ARE
28 DIFFERENT FROM THOSE INTENDED TO INFLUENCE ANY OTHER ELECTION AND THOSE
29 RECALL CONTRIBUTIONS MAY NOT BE USED TO INFLUENCE ANY OTHER ELECTION."

1 Page 16, line 20, strike "THIS"

2 Line 21, strike "ARTICLE" insert "LAW"

3 Line 29, after "MESSAGES" insert ", ONLY IF THE INDIVIDUAL'S USE IS NOT PAID FOR
4 BY THE INDIVIDUAL OR ANY OTHER PERSON AND IF THE E-MAILS, SOCIAL MEDIA
5 MESSAGES OR OTHER INTERNET ACTIVITIES DO NOT CONTAIN OR INCLUDE TRANSMITTAL
6 OF A PAID ADVERTISEMENT OR PAID FUND-RAISING SOLICITATION"

7 Line 36, strike the first "THE" insert "ANY"; strike "BY ANY PERSON"

8 Page 17, line 28, strike "ENTITY" insert "SPONSOR OR ITS AFFILIATE"

9 Line 30, strike "ENTITY'S" insert "SPONSOR'S"

10 Line 32, strike the first "THE" insert "ANY"

11 Line 33, strike "OR ITS SUBSIDIARIES'"

12 Line 42, strike "PUBLIC"; after "ARENA" insert "THAT IS GENERALLY OPEN TO THE
13 PUBLIC"

14 Page 18, line 8, strike "THE PERSON PUBLISHING"

15 Line 9, strike "BY THAT PERSON"

16 Between lines 36 and 37, insert:

17 "A. A CANDIDATE COMMITTEE MAY NOT CONTRIBUTE MORE THAN THE FOLLOWING
18 AMOUNTS PER ELECTION CYCLE TO A CANDIDATE COMMITTEE FOR ANOTHER CANDIDATE:

19 1. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS TO A CANDIDATE COMMITTEE FOR
20 A CANDIDATE FOR CITY, TOWN, COUNTY OR DISTRICT OFFICE.

21 2. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS TO A CANDIDATE COMMITTEE FOR
22 A CANDIDATE FOR LEGISLATIVE OFFICE.

23 3. SIX THOUSAND TWO HUNDRED FIFTY DOLLARS TO A CANDIDATE COMMITTEE FOR
24 A CANDIDATE FOR STATEWIDE OFFICE."

25 Reletter to conform

26 Page 19, strike lines 8 and 9, insert:

27 "C. A CANDIDATE COMMITTEE SHALL NOT ACCEPT CONTRIBUTIONS IN EXCESS OF
28 THE CONTRIBUTION LIMITS PRESCRIBED BY LAW. A CANDIDATE COMMITTEE SHALL
29 REFUND OR REATTRIBUTE ANY EXCESS CONTRIBUTIONS WITHIN SIXTY DAYS AFTER
30 RECEIPT OF THE CONTRIBUTION."

- 1 Page 20, line 15, after "SUBSIDIARY" insert "OR AFFILIATE"
- 2 Line 20, after "SPONSOR" insert "OR ITS AFFILIATE"
- 3 Line 24, after the first "SPONSOR'S" insert ", SPONSOR'S AFFILIATES'"
- 4 Line 34, strike the comma insert "OR ITS AFFILIATE OR A"
- 5 Line 40, after "30118(b)" insert "AND RULES ADOPTED UNDER THAT SECTION"
- 6 Page 21, line 30, strike "THIS"
- 7 Line 31, strike "ARTICLE" insert "LAW"
- 8 Line 39, after "MESSAGES" insert ", ONLY IF THE INDIVIDUAL'S USE IS NOT PAID FOR
- 9 BY THE INDIVIDUAL OR ANY OTHER PERSON AND IF THE E-MAILS, SOCIAL MEDIA
- 10 MESSAGES OR OTHER INTERNET ACTIVITIES DO NOT CONTAIN OR INCLUDE TRANSMITTAL
- 11 OF A PAID ADVERTISEMENT OR PAID FUND-RAISING SOLICITATION"
- 12 Page 22, line 42, after "ON" insert "NONPUBLIC"
- 13 Page 23, line 1, after the second "THE" insert "NONPUBLIC"
- 14 Line 31, strike "A PERSON" insert "AN ENTITY"
- 15 Page 26, line 18, after "ADVOCATE" insert "FOR OR AGAINST THE"; after "ORDER"
- 16 insert "OR FOR THE ELECTION OR DEFEAT OF A CANDIDATE IN A RECALL ELECTION"
- 17 Line 19, after "RECALLED" insert "OR CANDIDATE SUPPORTED OR OPPOSED"
- 18 Page 27, line 2, after "EXPENDITURES" insert "OR BALLOT MEASURE EXPENDITURES"
- 19 Line 3, after "PERIOD" strike remainder of line
- 20 Line 4, strike "COMMITTEE,"; strike "INDEPENDENT"
- 21 Line 5, strike "INDEPENDENT"
- 22 Line 6, after "CANDIDATE" insert "OR BALLOT MEASURE"
- 23 Line 7, after the first comma insert "IF ANY,"
- 24 Line 10, after the first "A" insert "POLITICAL ACTION"; after "COMMITTEE" insert
- 25 "AND POLITICAL PARTY"
- 26 Line 12, strike the second "A" insert "THE POLITICAL ACTION"; after "COMMITTEE"
- 27 insert "OR POLITICAL PARTY"
- 28 Line 16, strike the second "A" insert "THE POLITICAL ACTION"; after "COMMITTEE"
- 29 insert "OR POLITICAL PARTY"
- 30 Line 19, strike "_____" insert "TEN"
- 31 Line 21, strike "_____" insert "SEVENTEENTH"
- 32 Line 25, strike "_____" insert "SIXTEENTH"

1 Page 27, between lines 26 and 27, insert:

2 "B. A CANDIDATE COMMITTEE SHALL FILE A CAMPAIGN FINANCE REPORT ONLY
3 DURING THE FOUR CALENDAR QUARTERS COMPRISING THE TWELVE-MONTH PERIOD
4 PRECEDING THE GENERAL ELECTION FOR THE OFFICE FOR WHICH THE CANDIDATE IS
5 SEEKING ELECTION, OR FOR CITIES AND TOWNS, THE CITY'S OR TOWN'S SECOND,
6 RUNOFF OR GENERAL ELECTION, HOWEVER DESIGNATED BY THE CITY OR TOWN."

7 Reletter to conform

8 Page 30, line 31, after "A." insert "ON RECEIPT OF A COMPLAINT FROM A THIRD PARTY,"

9 Page 31, line 37, after "ANY" insert "NONPUBLIC"

10 Line 39, after "ORDER" insert a period strike remainder of line

11 Strike line 40

12 Page 37, line 32, strike ""candidate's campaign committee,""

13 Line 33, strike ""exploratory committee,""

14 Line 34, strike the comma; strike ""political committee""

15 Line 35, strike "~~16-901~~ ____" insert "16-901"

16 Page 42, between lines 19 and 20, insert:

17 "Sec. 23. Section 38-296.01, Arizona Revised Statutes, is amended to
18 read:

19 38-296.01. Limitation on running for multiple offices

20 A. A person is not eligible to be a candidate for nomination or
21 election to more than one public office if the elections for those offices
22 are held on the same day and if the person would be prohibited from serving
23 in the offices simultaneously.

24 B. A PERSON IS NOT ELIGIBLE TO BE A CANDIDATE FOR NOMINATION OR
25 ELECTION TO AND IS NOT ELIGIBLE TO SERVE SIMULTANEOUSLY IN MORE THAN ONE
26 STATEWIDE OFFICE.

27 C. A PERSON IS NOT ELIGIBLE TO BE A CANDIDATE FOR NOMINATION OR
28 ELECTION TO AND IS NOT ELIGIBLE TO SERVE SIMULTANEOUSLY IN MORE THAN ONE
29 LEGISLATIVE OFFICE.

1 D. A PERSON IS NOT ELIGIBLE TO BE A CANDIDATE FOR NOMINATION OR
2 ELECTION TO AND IS NOT ELIGIBLE TO SERVE SIMULTANEOUSLY IN BOTH A LEGISLATIVE
3 OFFICE AND A STATEWIDE OFFICE.

4 ~~B.~~ E. A person is not eligible to be a candidate for nomination or
5 election to and is not eligible to serve simultaneously on more than one
6 school district governing board, except that a member of a governing board
7 may be a candidate for nomination or election for any other governing board
8 if the member is serving in the last year of a term of office."

9 Renumber to conform

10 Page 44, line 39, strike "_____" insert "December 31, 2016"

11 Amend title to conform

ADAM DRIGGS

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