AN ACT

AMENDING TITLE 16, CHAPTER 1.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-193; AMENDING SECTIONS 16-321 AND 16-322, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 16, chapter 1.1, article 1, Arizona Revised Statutes, is amended by adding section 16-193, to read:

16-193. Active registered voters; applicability

The terms "registered voters", "persons who are registered to vote", "registered electors" and "voters registered" as used in the following sections include only active registered voters for purposes of the following:

1. Calculating petition signature requirements pursuant to sections 11-133, 16-322, 16-341, 45-415, 45-433, 48-4433 and 48-4832.


3. Providing voting machines pursuant to section 16-430.

4. Furnishing ballots pursuant to sections 16-508 and 48-685.

5. Determining qualification for political parties' continued representation on the ballot pursuant to sections 16-244 and 16-804.

6. Choosing political party officers pursuant to sections 16-821 and 16-823.

Sec. 2. Section 16-321, Arizona Revised Statutes, is amended to read:

16-321. Signing and certification of nomination petition;

A. Each signer of a nomination petition shall sign only one petition for the same office unless more than one candidate is to be elected to such office, and in that case not more than the number of nomination petitions equal to the number of candidates to be elected to the office. A signature shall not be counted on a nomination petition unless the signature is on a sheet bearing the form prescribed by section 16-314.

B. For the purposes of petitions filed pursuant to sections 16-312, 16-313, 16-314 and 16-341, each signer of a nomination petition shall be a voter who at the time of signing is a registered voter in the electoral district of the office the candidate is seeking.

C. If an elector signs more nomination petitions than permitted by subsection A of this section, the earlier signatures of the elector are deemed valid, as determined by the date of the signature as shown on the petitions. If the signatures by the elector are dated on the same day, all signatures by that elector on that day are deemed invalid. Any signature by that elector on a nomination petition on or after the date of the last otherwise valid signature is deemed invalid and shall not be counted.

D. The person before whom the signatures were written on the signature sheet is not required to be a resident of this state but otherwise shall be qualified to register to vote in this state pursuant to section 16-101 and, if not a resident of this state, shall register as a circulator with the secretary of state. A circulator shall verify that each of the names on the petition was signed in his presence on the date indicated, and that in his
belief each signer was a qualified elector who resides at the address given
as the signer's residence on the date indicated and, if for a partisan
election, that each signer is a member of the party from which the candidate
is seeking nomination, or the signer is a member of a political party that is
not entitled to continued representation on the ballot pursuant to section
16-804 or the signer is registered as independent or no party preferred
QUALIFIED SIGNER. The way the name appears on the petition shall be the name
used in determining the validity of the name for any legal purpose pursuant
to the election laws of this state. Signature and handwriting comparisons
may be made.

E. A person who signs a nominating petition must use that person's
actual residence address unless there is no actual residence address assigned
by an official governmental entity or the person's actual residence is
protected pursuant to section 16-153. The signature of a person who signs a
nominating petition and who uses only a description of the place of residence
or an Arizona post office box address is valid if the person is otherwise
properly registered to vote, has not moved since registering to vote and is
eligible to sign the nominating petition.

F. FOR THE PURPOSES OF THIS ARTICLE, "QUALIFIED SIGNER" MEANS ANY OF
THE FOLLOWING:

1. A QUALIFIED ELECTOR WHO IS A REGISTERED MEMBER OF THE PARTY FROM
WHICH THE CANDIDATE IS SEEKING NOMINATION.

2. A QUALIFIED ELECTOR WHO IS A REGISTERED MEMBER OF A POLITICAL PARTY
THAT IS NOT ENTITLED TO CONTINUED REPRESENTATION ON THE BALLOT PURSUANT TO
SECTION 16-804.

3. A QUALIFIED ELECTOR WHO IS REGISTERED AS INDEPENDENT OR NO PARTY
PREFERRED.

Sec. 3. Section 16-322, Arizona Revised Statutes, is amended to read:

16-322. Number of signatures required on nomination petitions
A. Nomination petitions shall be signed BY A NUMBER OF QUALIFIED
ELECTORS WHO ARE QUALIFIED TO VOTE FOR THE CANDIDATE WHOSE NOMINATION
PETITION THEY ARE SIGNING EQUAL TO:

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

2. If for a candidate for the office of representative in Congress, by
a number of qualified electors who are qualified to vote for the candidate
whose nomination petition they are signing equal to at least ONE-HALF OF one
per cent PERCENT but not more than ten per cent PERCENT of the total voter
registration of the party designated NUMBER OF QUALIFIED SIGNERS in the
district from which such representative shall be elected except that if for a
candidate for a special election to fill a vacancy in the office of
representative in congress, by a number of qualified electors who are
qualified to vote for the candidate whose nomination petition they are
signing equal to at least one-half ONE-FOURTH of one per cent PERCENT but not
more than ten per cent PERCENT of the total voter registration of the party
designated NUMBER OF QUALIFIED SIGNERS in the district from which such
representative shall be elected.

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

4. If for a candidate for a county office or superior court judge, by
a number of qualified electors who are qualified to vote for the candidate
whose nomination petition they are signing equal to at least two per cent ONE
PERCENT but not more than ten per cent PERCENT of the total voter
registration of the party designated NUMBER OF QUALIFIED SIGNERS in the
county or district, provided that in counties EXCEPT THAT IF FOR A CANDIDATE
FROM A COUNTY with a population of two hundred thousand persons or more, a
candidate for a county office shall have nomination petitions signed by a
number of qualified electors who are qualified to vote for the candidate
whose nomination petition they are signing equal to at least one-half ONE-
FOURTH of one per cent PERCENT but not more than ten per cent PERCENT of the
total voter registration of the party designated NUMBER OF QUALIFIED SIGNERS
in the county or district.

5. If for a candidate for a community college district, by a number of
qualified electors who are qualified to vote for the candidate whose
nomination petition they are signing equal to at least:
(a) Through June 30, 2012, one-half of one per cent but not more than
ten per cent of the total voter registration in the precinct as established
pursuant to section 15-1441.
(b) Beginning July 1, 2012, one-quarter of one per cent PERCENT but
not more than ten per cent PERCENT of the total voter registration in the
precinct as established pursuant to section 15-1441. Notwithstanding the
total voter registration in the community college district, the maximum
number of signatures required by this subdivision is one thousand.

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

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7. If for a candidate for justice of the peace or constable, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least two per cent but not more than ten per cent of the total number of qualified signers in the precinct.

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

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

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

11. If for a candidate for a governing board of a school district, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least one-half of one per cent of the total voter registration in the school district if the governing board members are elected at large or one per cent of the total voter registration in the single member district if governing board members or joint technical education district board members are elected from single member districts. Notwithstanding the total voter registration in the school district or single member district, the maximum number of signatures required by this paragraph is four hundred.
12. If for a candidate for a governing body of a special district as
described in title 48, by a number of qualified electors who are qualified to
vote for the candidate whose nomination petition they are signing equal to at
least one-half of one percent of the vote in the special district
but not more than two hundred fifty and not fewer than five signatures.

B. The basis of percentage in each instance referred to in subsection
A of this section, except in cities, towns and school districts, shall be the
number of QUALIFIED SIGNERS AS DETERMINED FROM THE VOTER REGISTRATION TOTALS as
reported pursuant to section 16-168, subsection G on March 1 of the year in
which the general election is held. In cities, the basis of percentage shall
be the vote of the party for mayor at the last preceding election at which a
mayor was elected. In towns, the basis of percentage shall be the highest
vote cast for an elected official of the town at the last preceding election
at which an official of the town was elected. In school districts, the basis
of percentage shall be the total number of ACTIVE REGISTERED voters
registered in the school district or single member district, whichever
applies. The total number of ACTIVE REGISTERED voters registered for school
districts shall be calculated using the periodic reports prepared by the
county recorder pursuant to section 16-168, subsection G. The count that is
reported on March 1 of the year in which the general election is held shall
be the basis for the calculation of total voter registration for school
districts.

C. In primary elections the signature requirement for party nominees,
other than nominees of the parties entitled to continued representation
pursuant to section 16-804, is at least one-tenth of one percent of
the total vote for the winning candidate or candidates for governor or
presidential electors at the last general election within the district.
Signatures must be obtained from qualified electors who are qualified to vote
for the candidate whose nomination petition they are signing.

D. If new boundaries for congressional districts, legislative
districts, supervisorial districts, justice precincts or election precincts
are established and effective subsequent to March 1 of the year of a general
election and prior to the date for filing of nomination petitions, the basis
for determining the required number of nomination petition signatures is the
number of registered voters in the designated party of the candidate NUMBER
OF QUALIFIED SIGNERS in the elective office, district or precinct on the day
the new districts or precincts are effective.