

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 246**  
**SENATE BILL 1154**

AN ACT

AMENDING SECTIONS 16-168, 16-201, 16-204, 16-206, 16-226, 16-311, 16-314, 16-322, 16-341, 16-411, 16-412, 16-803, 16-804 AND 16-821, ARIZONA REVISED STATUTES; RELATING TO ELECTION DATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-168, Arizona Revised Statutes, is amended to  
3 read:

4 16-168. Precinct registers; date of preparation; contents;  
5 copies; reports; statewide database; violation;  
6 classification

7 A. By the tenth day preceding the primary and general elections the  
8 county recorder shall prepare from the original registration forms or from  
9 electronic media at least four lists that are printed or typed on paper,  
10 or at least two electronic media poll lists, or any combination of both,  
11 of all qualified electors in each precinct in the county, and the lists  
12 shall be the official precinct registers.

13 B. The official precinct registers for use at the polling place  
14 shall contain at least the names in full, party preference, date of  
15 registration and residence address of each qualified elector in the  
16 respective precincts. The names shall be in alphabetical order and, in a  
17 column to the left of the names, shall be numbered consecutively beginning  
18 with number 1 in each precinct register.

19 C. For the purposes of transmitting voter registration information  
20 as prescribed by this subsection, electronic media shall be the principal  
21 media. A county or state chairman who is eligible to receive copies of  
22 precinct lists as prescribed by this subsection may request that the  
23 recorder provide a paper copy of the precinct lists. In addition to  
24 preparing the official precinct lists, the county recorder shall provide a  
25 means for electronically reproducing the precinct lists. Unless otherwise  
26 agreed, the county recorder shall deliver one electronic media copy of  
27 each precinct list in the county without charge and on the same day within  
28 eight days after the close of registration for the primary and general  
29 elections to the county chairman and one electronic media copy to the  
30 state chairman of each party that has at least four candidates other than  
31 presidential electors appearing on the ballot in that county at the  
32 current election. The secretary of state shall establish a single format  
33 that prescribes the manner and template in which all county recorders  
34 provide this data to the secretary of state to ensure that the submissions  
35 are uniform from all counties in this state, that all submissions are  
36 identical in format, including the level of detail for voting history, and  
37 that information may readily be combined from two or more counties. The  
38 electronic media copies of the precinct lists that are delivered to the  
39 party chairmen shall include for each elector the following information:

- 40 1. Name in full and appropriate title.
- 41 2. Party preference.
- 42 3. Date of registration.
- 43 4. Residence address.
- 44 5. Mailing address, if different from residence address.

1           6. Zip code.  
2           7. Telephone number if given.  
3           8. Birth year.  
4           9. Occupation if given.  
5           10. Voting history for all elections in the prior four years and  
6 any other information regarding registered voters that the county recorder  
7 or city or town clerk maintains electronically and that is public  
8 information.  
9           11. All data relating to permanent early voters and nonpermanent  
10 early voters, including ballot requests and ballot returns.  
11           D. The names on the precinct lists shall be in alphabetical order  
12 and the precinct lists in their entirety, unless otherwise agreed, shall  
13 be delivered to each county chairman and each state chairman within ten  
14 business days of the close of each date for counting registered voters  
15 prescribed by subsection G of this section other than the primary and  
16 general election registered voter counts in the same format and media as  
17 prescribed by subsection C of this section. During the thirty-three days  
18 immediately preceding an election and on request from a county or state  
19 chairman, the county recorder shall provide at no cost a daily list of  
20 persons who have requested an early ballot and shall provide at no cost a  
21 weekly listing of persons who have returned their early ballots. The  
22 recorder shall provide the daily and weekly information through the Friday  
23 preceding the election. On request from a county chairman or state  
24 chairman, the county recorder of a county with a population of more than  
25 eight hundred thousand persons shall provide at no cost a daily listing of  
26 persons who have returned their early ballots. The daily listing shall be  
27 provided Mondays through Fridays, beginning with the first Monday  
28 following the start of early voting and ending on the Monday before the  
29 election.  
30           E. Precinct registers and other lists and information derived from  
31 registration forms may be used only for purposes relating to a political  
32 or political party activity, a political campaign or an election, for  
33 revising election district boundaries or for any other purpose  
34 specifically authorized by law and may not be used for a commercial  
35 purpose as defined in section 39-121.03. The sale of registers, lists and  
36 information derived from registration forms to a candidate or a registered  
37 political committee for a use specifically authorized by this subsection  
38 does not constitute use for a commercial purpose. The county recorder,  
39 the secretary of state and other officers in charge of elections, on a  
40 request for an authorized use and within thirty days from receipt of the  
41 request, shall prepare additional copies of an official precinct list and  
42 furnish them to any person requesting them on payment of a fee equal to  
43 the following amounts for the following number of voter registration  
44 records provided:

1           1. For one to one hundred twenty-four thousand nine hundred  
2 ninety-nine records, ninety-three dollars seventy-five cents plus \$0.0005  
3 per record.

4           2. For one hundred twenty-five thousand to two hundred forty-nine  
5 thousand nine hundred ninety-nine records, one hundred fifty-six dollars  
6 twenty-five cents plus \$0.000375 per record.

7           3. For two hundred fifty thousand to four hundred ninety-nine  
8 thousand nine hundred ninety-nine records, two hundred three dollars  
9 thirteen cents plus \$0.00025 per record.

10          4. For five hundred thousand to nine hundred ninety-nine thousand  
11 nine hundred ninety-nine records, two hundred sixty-five dollars  
12 sixty-three cents plus \$0.000125 per record.

13          5. For one million or more records, three hundred twenty-eight  
14 dollars thirteen cents plus \$0.0000625 per record.

15          F. Any person in possession of a precinct register or list, in  
16 whole or part, or any reproduction of a precinct register or list, shall  
17 not permit the register or list to be used, bought, sold or otherwise  
18 transferred for any purpose except for uses otherwise authorized by this  
19 section. A person in possession of information derived from voter  
20 registration forms or precinct registers shall not distribute, post or  
21 otherwise provide access to any portion of that information through the  
22 internet except as authorized by subsection I of this section. Nothing in  
23 this section shall preclude public inspection of voter registration  
24 records at the office of the county recorder for the purposes prescribed  
25 by this section, except that the month and day of birth date, the social  
26 security number or any portion thereof, the driver license number or  
27 nonoperating identification license number, the Indian census number, the  
28 father's name or mother's maiden name, the state or country of birth and  
29 the records containing a voter's signature and a voter's e-mail address  
30 shall not be accessible or reproduced by any person other than the voter,  
31 by an authorized government official in the scope of the official's  
32 duties, for any purpose by an entity designated by the secretary of state  
33 as a voter registration agency pursuant to the national voter registration  
34 act of 1993 (P.L. 103-31; 107 Stat. 77), for signature verification on  
35 petitions and candidate filings, for election purposes and for news  
36 gathering purposes by a person engaged in newspaper, radio, television or  
37 reportorial work, or connected with or employed by a newspaper, radio or  
38 television station or pursuant to a court order. Notwithstanding any  
39 other law, a voter's e-mail address may not be released for any purpose.  
40 A person who violates this subsection or subsection E of this section is  
41 guilty of a class 6 felony.

42          G. The county recorder shall count the registered voters by  
43 political party by precinct, legislative district and congressional  
44 district as follows:

1           1. In even numbered years, the county recorder shall count all  
2 persons who are registered to vote as of:

3           (a) January ~~1~~ 2.

4           (b) ~~March 1~~ APRIL 1.

5           (c) The last day on which a person may register to be eligible to  
6 vote in the next primary election.

7           (d) The last day on which a person may register to be eligible to  
8 vote in the next general election.

9           (e) The last day on which a person may register to be eligible to  
10 vote in the next presidential preference election.

11          2. In odd numbered years, the county recorder shall count all  
12 persons who are registered to vote as of:

13          (a) January ~~1~~ 2.

14          (b) April 1.

15          (c) July 1.

16          (d) October 1.

17          H. The county recorder shall report the totals to the secretary of  
18 state as soon as is practicable following each of the dates prescribed in  
19 subsection G of this section. The report shall include completed  
20 registration forms returned in accordance with section 16-134,  
21 subsection B. The county recorder shall also provide the report in a  
22 uniform electronic computer media format that shall be agreed on between  
23 the secretary of state and all county recorders. The secretary of state  
24 shall then prepare a summary report for the state and shall maintain that  
25 report as a permanent record.

26          I. The county recorder and the secretary of state shall protect  
27 access to voter registration information in an auditable format and method  
28 specified in the secretary of state's electronic voting system  
29 instructions and procedures manual that is adopted pursuant to section  
30 16-452.

31          J. The secretary of state shall develop and administer a statewide  
32 database of voter registration information that contains the name and  
33 registration information of every registered voter in this state. The  
34 statewide database is a matter of statewide concern and is not subject to  
35 modification or further regulation by a political subdivision. The  
36 database shall include an identifier that is unique for each individual  
37 voter. The database shall provide for access by voter registration  
38 officials and shall allow expedited entry of voter registration  
39 information after it is received by county recorders. As a part of the  
40 statewide voter registration database, county recorders shall provide for  
41 the electronic transmittal of that information to the secretary of state  
42 on a real time basis. The secretary of state shall provide for  
43 maintenance of the database, including provisions regarding removal of  
44 ineligible voters that are consistent with the national voter registration  
45 act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections

1 20501 through 20511) and the help America vote act of 2002 (P.L. 107-252;  
2 116 Stat. 1666; 52 United States Code sections 20901 through 21145),  
3 provisions regarding removal of duplicate registrations and provisions to  
4 ensure that eligible voters are not removed in error. For the purpose of  
5 maintaining compliance with the help America vote act of 2002, each county  
6 voter registration system is subject to approval by the secretary of state  
7 for compatibility with the statewide voter registration database system.

8 K. Except as provided in subsection L of this section, for requests  
9 for the use of registration forms and access to information as provided in  
10 subsections E and F of this section, the county recorder shall receive and  
11 respond to requests regarding federal, state and county elections.

12 L. Beginning January 1, 2008, recognized political parties shall  
13 request precinct lists and access to information as provided in  
14 subsections E and F of this section during the time periods prescribed in  
15 subsection C or D of this section and the county recorder shall receive  
16 and respond to those requests. If the county recorder does not provide  
17 the requested materials within the applicable time prescribed for the  
18 county recorder pursuant to subsection C or D of this section, a  
19 recognized political party may request that the secretary of state provide  
20 precinct lists and access to information as provided in subsections E and  
21 F of this section for federal, state and county elections. The secretary  
22 of state shall not provide access to precinct lists and information for  
23 recognized political parties unless the county recorder has failed or  
24 refused to provide the lists and materials as prescribed by this section.  
25 The secretary of state may charge the county recorder a fee determined by  
26 rule for each name or record produced.

27 M. For municipal registration information in those municipalities  
28 in which the county administers the municipal elections, county and state  
29 party chairmen shall request and obtain voter registration information and  
30 precinct lists from the city or town clerk during the time periods  
31 prescribed in subsection C or D of this section. If the city or town  
32 clerk does not provide that information within the same time prescribed  
33 for county recorders pursuant to subsection C or D of this section, the  
34 county or state party chairman may request and obtain the information from  
35 the county recorder. The county recorder shall provide the municipal  
36 voter registration and precinct lists within the time prescribed in  
37 subsection C or D of this section.

38 N. The county recorders and the secretary of state shall not  
39 prohibit any person or entity prescribed in subsection C of this section  
40 from distributing a precinct list to any person or entity that is deemed  
41 to be using the precinct list in a lawful manner as prescribed in  
42 subsections E and F of this section.

1           Sec. 2. Section 16-201, Arizona Revised Statutes, is amended to  
2 read:

3           16-201. Primary elections

4           ~~On the tenth Tuesday prior to a general or special election at which~~  
5 ~~candidates for public office are to be elected, a primary election shall~~  
6 ~~be held.~~ A PRIMARY ELECTION SHALL BE HELD ON THE FIRST TUESDAY IN AUGUST  
7 IN ANY YEAR IN WHICH A GENERAL ELECTION OR SPECIAL ELECTION IS HELD AND AT  
8 WHICH CANDIDATES FOR PUBLIC OFFICE ARE TO BE ELECTED.

9           Sec. 3. Section 16-204, Arizona Revised Statutes, is amended to  
10 read:

11           16-204. Declaration of statewide concern; consolidated  
12 election dates; definition

13           A. The legislature finds and determines that for the purposes of  
14 increasing voter participation and for decreasing the costs to the  
15 taxpayers it is a matter of statewide concern that all elections in this  
16 state be conducted on a limited number of days and, therefore, the  
17 legislature finds and declares that the holding of all elections on  
18 certain specific consolidated days is a matter of statewide concern. This  
19 section preempts all local laws, ordinances and charter provisions to the  
20 contrary.

21           B. For elections held before 2014 and notwithstanding any other law  
22 or any charter or ordinance of any county, city or town to the contrary,  
23 an election held for or on behalf of a county, city or town, a school  
24 district, a community college district or special districts organized  
25 pursuant to title 48, chapters 5, 6, 8, 10, 13 through 16 and 33 may only  
26 be held on the following dates:

27           1. Except for regular elections for candidates in a city or town  
28 with a population of one hundred seventy-five thousand or more persons,  
29 all elections, including recall elections and special elections to fill  
30 vacancies, shall be held on:

31           (a) The second Tuesday in March.

32           (b) The third Tuesday in May.

33           (c) The tenth Tuesday before the first Tuesday after the first  
34 Monday in November.

35           (d) The first Tuesday after the first Monday in November.  
36 Notwithstanding any other law, an election must be held on this date for  
37 the approval of an obligation or other authorization requiring or  
38 authorizing the assessment of secondary property taxes by a county, city,  
39 town, school district, community college district or special taxing  
40 district, except as provided by title 48.

41           2. For regular elections that are only for candidates in a city or  
42 town with a population of one hundred seventy-five thousand or more  
43 persons and not including recall elections and special elections to fill  
44 vacancies in those cities or towns, elections shall be held on:

1 (a) The tenth Tuesday before the first Tuesday after the first  
2 Monday in November.

3 (b) The first Tuesday after the first Monday in November.

4 C. For elections held before 2014, for any city or town, including  
5 a charter city, that holds its regularly scheduled candidate elections in  
6 even-numbered years pursuant to subsection B, paragraph 2 of this section,  
7 the term of office for a member of the city council or for the office of  
8 mayor begins on or after the second Tuesday in January in the year  
9 following the election.

10 D. Subsections B and C of this section do not apply to an election  
11 regarding a county or city charter committee or county or city charter  
12 proposal that is conducted pursuant to article XIII, section 2 or 3 or  
13 article XII, section 5, Constitution of Arizona.

14 E. Beginning with elections held in 2014 and later and  
15 notwithstanding any other law or any charter or ordinance to the contrary,  
16 a candidate election held for or on behalf of any political subdivision of  
17 this state other than a special election to fill a vacancy or a recall  
18 election may only be held on the following dates and only in even-numbered  
19 years:

20 1. THROUGH 2019, the tenth Tuesday before the first Tuesday after  
21 the first Monday in November. BEGINNING IN 2020 AND LATER, THE ELECTION  
22 SHALL BE HELD ON THE FIRST TUESDAY IN AUGUST. If the political  
23 subdivision holds a primary or first election and a general or runoff  
24 election is either required or optional for that political subdivision,  
25 the first election shall be held on this date, without regard to whether  
26 the political subdivision designates the election a primary election, a  
27 first election, a preliminary election or any other descriptive term.

28 2. The first Tuesday after the first Monday in November. If the  
29 political subdivision holds a general election or a runoff election, the  
30 second election held shall be held on this date. If the political  
31 subdivision holds only a single election and no preliminary or primary or  
32 other election is ever held for the purpose of reducing the number of  
33 candidates, or receiving a partisan nomination or designation or for any  
34 other purpose for that political subdivision, the single election shall be  
35 held on this date.

36 F. Beginning with elections held in 2014 and later that are not  
37 candidate elections, an election held for or on behalf of any political  
38 subdivision of this state, and including a special election to fill a  
39 vacancy or a recall election, may only be held on the following dates:

40 1. The second Tuesday in March.

41 2. The third Tuesday in May.

42 3. THROUGH 2019, the tenth Tuesday before the first Tuesday after  
43 the first Monday in November. BEGINNING IN 2020 AND LATER, THE ELECTION  
44 SHALL BE HELD ON THE FIRST TUESDAY IN AUGUST.



1           4. The first Tuesday after the first Monday in November.  
2 Notwithstanding any other law, an election must be held on this date for  
3 the approval of an obligation or other authorization requiring or  
4 authorizing the assessment of secondary property taxes by a county, city,  
5 town, school district, community college district or special taxing  
6 district, except as provided by title 48. Notwithstanding any other law,  
7 an election must be held on the date specified in this paragraph and only  
8 in even-numbered years for the approval of or authorizing the assessment  
9 of transaction privilege taxes by a county, city or town.

10           G. Notwithstanding any other law, for an election administered by a  
11 county recorder or other officer in charge of elections on behalf of a  
12 city, town or school district and that is an all mail ballot election for  
13 that city, town or school district, the county recorder or other officer  
14 in charge of elections may use a unified ballot format that combines all  
15 of the issues applicable to the voters in the city, town or school  
16 district requesting the all mail ballot election.

17           H. For the purposes of this section, "political subdivision" means  
18 any governmental entity operating under the authority of this state and  
19 governed by an elected body, including a city, town, county, school  
20 district or community college district or any other district organized  
21 under state law but not including a special taxing district.

22           Sec. 4. Section 16-206, Arizona Revised Statutes, is amended to  
23 read:

24           16-206. Election day

25           A. The biennial primary election day on the ~~tenth~~ FIRST Tuesday  
26 ~~before~~ IN AUGUST IN THE YEAR the general election IS HELD and the biennial  
27 general election day on the first Tuesday after the first Monday in  
28 November of every even-numbered year are not legal holidays.

29           B. Every public officer or employee is entitled to absence from  
30 service or employment for the purpose of voting pursuant to section 16-402  
31 on the biennial primary and general election days.

32           Sec. 5. Section 16-226, Arizona Revised Statutes, is amended to  
33 read:

34           16-226. Nonpartisan elections; local elections; time of  
35 calling; definition

36           A. Nonpartisan elections and elections held by a school district, a  
37 city or a town ~~and~~ that are not held concurrently ~~to~~ WITH a general  
38 election shall be called no later than one hundred ~~twenty~~ FIFTY days  
39 before the date of holding the election. THIS SUBSECTION DOES NOT APPLY  
40 TO AN ELECTION CALLED PURSUANT TO SECTION 19-209.

41           B. For the purposes of this article, "nonpartisan" means an  
42 election that is held by a special district established pursuant to title  
43 48 and that is not held concurrently with the general election.

1           Sec. 6. Section 16-311, Arizona Revised Statutes, is amended to  
2 read:

3           16-311. Nomination papers; filing; definitions

4           A. Any person desiring to become a candidate at a primary election  
5 for a political party and to have the person's name printed on the  
6 official ballot shall be a qualified elector of ~~such~~ THE party and, not  
7 less than ~~ninety~~ ONE HUNDRED TWENTY nor more than one hundred ~~twenty~~ FIFTY  
8 days before the primary election, shall sign and cause to be filed a  
9 nomination paper giving the person's actual residence address or  
10 description of place of residence and post office address, naming the  
11 party of which the person desires to become a candidate, stating the  
12 office and district or precinct, if any, for which the person offers the  
13 person's candidacy, stating the exact manner in which the person desires  
14 to have the person's name printed on the official ballot pursuant to  
15 subsection G of this section, and giving the date of the primary election  
16 and, if nominated, the date of the general election at which the person  
17 desires to become a candidate. Except for a candidate for United States  
18 senator or representative in Congress, a candidate for public office shall  
19 be a qualified elector at the time of filing and shall reside in the  
20 county, district or precinct that the person proposes to represent. A  
21 candidate for partisan public office shall be continuously registered with  
22 the political party of which the person desires to be a candidate  
23 beginning no later than the date of the first petition signature on the  
24 candidate's petition through the date of the general election at which the  
25 person is a candidate.

26           B. Any person desiring to become a candidate at any nonpartisan  
27 election and to have the person's name printed on the official ballot  
28 shall be at the time of filing a qualified elector of ~~such~~ THE county,  
29 city, town or district and, not less than ~~ninety~~ ONE HUNDRED TWENTY nor  
30 more than one hundred ~~twenty~~ FIFTY days before the election, shall sign  
31 and cause to be filed a nomination paper giving the person's actual  
32 residence address or description of place of residence and post office  
33 address, stating the office and county, city, town or district and ward or  
34 precinct, if any, for which the person offers the person's candidacy,  
35 stating the exact manner in which the person desires to have the person's  
36 name printed on the official ballot pursuant to subsection G of this  
37 section and giving the date of the election. A candidate for office shall  
38 reside at the time of filing in the county, city, town, district, ward or  
39 precinct that the person proposes to represent.

40           C. Notwithstanding subsection B of this section, any city or town  
41 may adopt by ordinance for its elections the time frame provided in  
42 subsection A of this section for filing nomination petitions. ~~Such~~ THE  
43 ordinance shall be adopted not less than one hundred ~~twenty~~ FIFTY days  
44 before the first election to which it applies.

1 D. All persons desiring to become a candidate shall file with the  
2 nomination paper provided for in subsection A of this section a  
3 declaration, which shall be printed in a form prescribed by the secretary  
4 of state. The declaration shall include facts sufficient to show that,  
5 other than the residency requirement provided in subsection A of this  
6 section and the satisfaction of any monetary penalties, fines or judgments  
7 as prescribed in subsection I of this section, the candidate will be  
8 qualified at the time of election to hold the office the person seeks, and  
9 that for any monetary penalties, fines or judgments as prescribed in  
10 subsection I of this section, the candidate has made complete payment  
11 before the time of filing.

12 E. The nomination paper of a candidate for the office of United  
13 States senator or representative in Congress, for the office of  
14 presidential elector or for a state office, including a member of the  
15 legislature, or for any other office for which the electors of the entire  
16 state or a subdivision of the state greater than a county are entitled to  
17 vote, shall be filed with the secretary of state no later than 5:00 p.m.  
18 on the last date for filing.

19 F. The nomination paper of a candidate for superior court judge or  
20 for a county, district and precinct office for which the electors of a  
21 county or a subdivision of a county other than an incorporated city or  
22 town are entitled to vote shall be filed with the county elections officer  
23 no later than 5:00 p.m. on the last date for filing as prescribed by  
24 subsection A of this section. The nomination paper of a candidate for a  
25 city or town office shall be filed with the city or town clerk no later  
26 than 5:00 p.m. on the last date for filing. The nomination paper of a  
27 candidate for school district office shall be filed with the county school  
28 superintendent no later than 5:00 p.m. on the last date for filing.

29 G. The nomination paper shall include the exact manner in which the  
30 candidate desires to have the person's name printed on the official ballot  
31 and shall be limited to the candidate's surname and given name or names,  
32 an abbreviated version of such names or appropriate initials such as "Bob"  
33 for "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".  
34 Nicknames are permissible, but in no event shall nicknames, abbreviated  
35 versions or initials of given names suggest reference to professional,  
36 fraternal, religious or military titles. No other descriptive name or  
37 names shall be printed on the official ballot, except as provided in this  
38 section. Candidates' abbreviated names or nicknames may be printed within  
39 quotation marks. The candidate's surname shall be printed first, followed  
40 by the given name or names.

41 H. A person who does not file a timely nomination paper that  
42 complies with this section is not eligible to have the person's name  
43 printed on the official ballot for that office. The filing officer shall  
44 not accept the nomination paper of a candidate for state or local office  
45 unless the person provides or has provided all of the following:





1 Congress, at least one-fourth of one percent but not more than ten percent  
2 of the total number of qualified signers in the district from which the  
3 representative shall be elected.

4 3. If for a candidate for the office of member of the legislature,  
5 at least one-half of one percent but not more than three percent of the  
6 total number of qualified signers in the district from which the member of  
7 the legislature may be elected.

8 4. If for a candidate for a county office or superior court judge,  
9 at least one percent but not more than ten percent of the total number of  
10 qualified signers in the county or district, except that if for a  
11 candidate from a county with a population of two hundred thousand persons  
12 or more, at least one-fourth of one percent but not more than ten percent  
13 of the total number of qualified signers in the county or district.

14 5. If for a candidate for a community college district, at least  
15 one-quarter of one percent but not more than ten percent of the total  
16 voter registration in the precinct as established pursuant to section  
17 15-1441. Notwithstanding the total voter registration in the community  
18 college district, the maximum number of signatures required by this  
19 paragraph is one thousand.

20 6. If for a candidate for county precinct committeeman, at least  
21 two percent but not more than ten percent of the party voter registration  
22 in the precinct or ten signatures, whichever is less.

23 7. If for a candidate for justice of the peace or constable, at  
24 least one percent but not more than ten percent of the number of qualified  
25 signers in the precinct.

26 8. If for a candidate for mayor or other office nominated by a city  
27 at large, at least five percent and not more than ten percent of the  
28 designated party vote in the city, except that a city that chooses to hold  
29 nonpartisan elections may provide by ordinance that the minimum number of  
30 signatures required for the candidate be one thousand signatures or five  
31 percent of the vote in the city, whichever is less, but not more than ten  
32 percent of the vote in the city.

33 9. If for an office nominated by ward, precinct or other district  
34 of a city, at least five percent and not more than ten percent of the  
35 designated party vote in the ward, precinct or other district, except that  
36 a city that chooses to hold nonpartisan elections may provide by ordinance  
37 that the minimum number of signatures required for the candidate be two  
38 hundred fifty signatures or five percent of the vote in the district,  
39 whichever is less, but not more than ten percent of the vote in the  
40 district.

41 10. If for a candidate for an office nominated by a town at large,  
42 by a number of qualified electors who are qualified to vote for the  
43 candidate whose nomination petition they are signing equal to at least  
44 five percent and not more than ten percent of the vote in the town, except  
45 that a town that chooses to hold nonpartisan elections may provide by

1 ordinance that the minimum number of signatures required for the candidate  
2 be one thousand signatures or five percent of the vote in the town,  
3 whichever is less, but not more than ten percent of the vote in the town.

4 11. If for a candidate for a governing board of a school district  
5 or a career technical education district, at least one-half of one percent  
6 of the total voter registration in the school district or career technical  
7 education district if the board members are elected at large or one  
8 percent of the total voter registration in the single member district if  
9 governing board members are elected from single member districts or  
10 one-half of one percent of the total voter registration in the single  
11 member district if career technical education district board members are  
12 elected from single member districts. Notwithstanding the total voter  
13 registration in the school district, career technical education district  
14 or single member district of the school district or career technical  
15 education district, the maximum number of signatures required by this  
16 paragraph is four hundred.

17 12. If for a candidate for a governing body of a special district  
18 as described in title 48, at least one-half of one percent of the vote in  
19 the special district but not more than two hundred fifty and not fewer  
20 than five signatures.

21 B. The basis of percentage in each instance referred to in  
22 subsection A of this section, except in cities, towns and school  
23 districts, shall be the number of qualified signers as determined from the  
24 voter registration totals as reported pursuant to section 16-168,  
25 subsection G on ~~March 1~~ JANUARY 2 of the year in which the general  
26 election is held. In cities, the basis of percentage shall be the vote of  
27 the party for mayor at the last preceding election at which a mayor was  
28 elected. In towns, the basis of percentage shall be the highest vote cast  
29 for an elected official of the town at the last preceding election at  
30 which an official of the town was elected. In school districts or career  
31 technical education districts, the basis of percentage shall be the total  
32 number of active registered voters in the school district or career  
33 technical education district or single member district, whichever applies.  
34 The total number of active registered voters for school districts or  
35 career technical education districts shall be calculated using the  
36 periodic reports prepared by the county recorder pursuant to section  
37 16-168, subsection G. The count that is reported on ~~March 1~~ JANUARY 2 of  
38 the year in which the general election is held shall be the basis for the  
39 calculation of total voter registration for school districts or career  
40 technical education districts.

41 C. In primary elections the signature requirement for party  
42 nominees, other than nominees of the parties entitled to continued  
43 representation pursuant to section 16-804, is at least one-tenth of one  
44 percent of the total vote for the winning candidate or candidates for  
45 governor or presidential electors at the last general election within the

1 district. Signatures must be obtained from qualified electors who are  
2 qualified to vote for the candidate whose nomination petition they are  
3 signing.

4 D. If new boundaries for congressional districts, legislative  
5 districts, supervisorial districts, justice precincts or election  
6 precincts are established and effective subsequent to ~~March 1~~ JANUARY 2 of  
7 the year of a general election and before the date for filing of  
8 nomination petitions, the basis for determining the required number of  
9 nomination petition signatures is the number of qualified signers in the  
10 elective office, district or precinct on the day the new districts or  
11 precincts are effective.

12 Sec. 9. Section 16-341, Arizona Revised Statutes, is amended to  
13 read:

14 16-341. Nomination petition; method and time of filing; form;  
15 qualifications and number of petitioners required

16 A. Any qualified elector who is not a registered member of a  
17 political party that is recognized pursuant to this title may be nominated  
18 as a candidate for public office otherwise than by primary election or by  
19 party committee pursuant to this section.

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

27 C. A nomination petition stating the name of the office to be  
28 filled, the name and residence of the candidate and other information  
29 required by this section shall be filed with the same officer with whom  
30 primary nomination papers and petitions are required to be filed as  
31 prescribed in section 16-311. Except for candidates for the office of  
32 presidential elector filed pursuant to this section, the petition shall be  
33 filed not less than ~~ninety~~ ONE HUNDRED TWENTY DAYS nor more than one  
34 hundred ~~twenty~~ FIFTY days before the primary election. The petition shall  
35 be signed only by voters who have not signed the nomination petitions of a  
36 candidate for the office to be voted for at that primary election.

37 D. The nomination petition shall be in substantially the following  
38 form:

39 The undersigned, qualified electors of \_\_\_\_\_  
40 county, state of Arizona, do hereby nominate \_\_\_\_\_, who  
41 resides at \_\_\_\_\_ in the county of \_\_\_\_\_, as a  
42 candidate for the office of \_\_\_\_\_ at the general (or  
43 special, as the case may be) election to be held on the  
44 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.



1 I hereby declare that I have not signed the nomination  
2 petitions of any candidate for the office to be voted for at  
3 this primary election, and I do hereby select the following  
4 designation under which name the said candidate shall be  
5 placed on the official ballot (here insert such designation  
6 not exceeding three words in length as the signers may  
7 select).

8 E. The nomination petition shall conform as nearly as possible to  
9 the provisions relating to nomination petitions of candidates to be voted  
10 for at primary elections and shall be signed by at least the number of  
11 persons who are registered to vote determined by calculating three percent  
12 of the persons who are registered to vote of the state, county,  
13 subdivision or district for which the candidate is nominated who are not  
14 members of a political party that is qualified to be represented by an  
15 official party ballot at the next ensuing primary election and accorded  
16 representation on the general election ballot.

17 F. The percentage of persons who are registered to vote necessary  
18 to sign the nomination petition shall be determined by the total number of  
19 registered voters from other than political parties that are qualified to  
20 be represented by an official party ballot at the next ensuing primary  
21 election and accorded representation on the general election ballot in the  
22 state, county, subdivision or district on ~~March 1~~ JANUARY 2 of the year in  
23 which the general election is held. Notwithstanding the method prescribed  
24 by subsection E of this section and this subsection for calculating the  
25 minimum number of signatures necessary, any person who is registered to  
26 vote in the state, county, subdivision or district for which the candidate  
27 is nominated is eligible to sign the nomination petition without regard to  
28 the signer's party affiliation.

29 G. A nomination petition for any candidate may be circulated by a  
30 person who is not a resident of this state but who is otherwise eligible  
31 to register to vote in this state if that person registers as a circulator  
32 with the secretary of state before circulating petitions. The nomination  
33 petition for the office of presidential elector shall include a group of  
34 names of candidates equal to the number of United States senators and  
35 representatives in Congress from this state instead of separate nomination  
36 petitions for each candidate for the office of presidential elector. A  
37 valid signature on a petition containing a group of presidential electors  
38 candidates is counted as a signature for the nomination of each of the  
39 candidates. The presidential candidate whom the candidates for  
40 presidential elector will represent shall designate in writing to the  
41 secretary of state the names of the candidates who will represent the  
42 presidential candidate before any signatures for the candidate can be  
43 accepted for filing. A nomination petition for the office of presidential  
44 elector shall be filed not less than sixty nor more than ninety days  
45 before the general election. The petition shall be signed only by

1 qualified electors who have not signed the nomination petitions of a  
2 candidate for the office of presidential elector to be voted for at that  
3 election.

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

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

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

28 1. The financial disclosure statement as prescribed for candidates  
29 for that office.

30 2. The declaration of qualification and eligibility as prescribed  
31 in section 16-311.

32 K. Except in cases where the liability is being appealed, the  
33 filing officer shall not accept the nomination paper of a candidate for  
34 state or local office if the person is liable for an aggregation of ~~one~~  
35 ~~thousand dollars~~ \$1,000 or more in fines, penalties, late fees or  
36 administrative or civil judgments, including any interest or costs, in any  
37 combination, that have not been fully satisfied at the time of the  
38 attempted filing of the nomination paper and the liability arose from  
39 failure to comply with or enforcement of chapter 6 of this title.

40 L. The secretary of state may authorize for statewide and  
41 legislative offices the creation, use and submission of petitions  
42 prescribed by this section in electronic form if those petitions provide  
43 for an appropriate method to verify signatures of petition circulators and  
44 signers. The secretary of state may require use of a unique marking

1 system for petition pages, including a bar code, a quick response code or  
2 another similar marking system.

3 Sec. 10. Section 16-411, Arizona Revised Statutes, is amended to  
4 read:

5 16-411. Designation of election precincts and polling places;  
6 voting centers; electioneering; wait times

7 A. The board of supervisors of each county, on or before ~~December 1~~  
8 **OCTOBER 1** of each year preceding the year of a general election, by an  
9 order, shall establish a convenient number of election precincts in the  
10 county and define the boundaries of the precincts. The election precinct  
11 boundaries shall be so established as included within election districts  
12 prescribed by law for elected officers of the state and its political  
13 subdivisions including community college district precincts, except those  
14 elected officers provided for in titles 30 and 48.

15 B. Not less than twenty days before a general or primary election,  
16 and at least ten days before a special election, the board shall designate  
17 one polling place within each precinct where the election shall be held,  
18 except that:

19 1. On a specific finding of the board, included in the order or  
20 resolution designating polling places pursuant to this subsection, that no  
21 suitable polling place is available within a precinct, a polling place for  
22 that precinct may be designated within an adjacent precinct.

23 2. Adjacent precincts may be combined if boundaries so established  
24 are included in election districts prescribed by law for state elected  
25 officials and political subdivisions including community college districts  
26 but not including elected officials prescribed by titles 30 and 48. The  
27 officer in charge of elections may also split a precinct for  
28 administrative purposes. The polling places shall be listed in separate  
29 sections of the order or resolution.

30 3. On a specific finding of the board that the number of persons  
31 who are listed as permanent early voters pursuant to section 16-544 is  
32 likely to substantially reduce the number of voters appearing at one or  
33 more specific polling places at that election, adjacent precincts may be  
34 consolidated by combining polling places and precinct boards for that  
35 election. The board of supervisors shall ensure that a reasonable and  
36 adequate number of polling places will be designated for that election.  
37 Any consolidated polling places shall be listed in separate sections of  
38 the order or resolution of the board.

39 4. On a specific resolution of the board, the board may authorize  
40 the use of voting centers in place of or in addition to specifically  
41 designated polling places. A voting center shall allow any voter in that  
42 county to receive the appropriate ballot for that voter on election day  
43 and lawfully cast the ballot. Voting centers may be established in  
44 coordination and consultation with the county recorder, at other county  
45 offices or at other locations in the county deemed appropriate.

1 C. If the board fails to designate the place for holding the  
2 election, or if it cannot be held at or about the place designated, the  
3 justice of the peace in the precinct, two days before the election, by an  
4 order, copies of which the justice of the peace shall immediately post in  
5 three public places in the precinct, shall designate the place within the  
6 precinct for holding the election. If there is no justice of the peace in  
7 the precinct, or if the justice of the peace fails to do so, the election  
8 board of the precinct shall designate and give notice of the place within  
9 the precinct of holding the election. For any election in which there are  
10 no candidates for elected office appearing on the ballot, the board may  
11 consolidate polling places and precinct boards and may consolidate the  
12 tabulation of results for that election if all of the following apply:

13 1. All affected voters are notified by mail of the change at least  
14 thirty-three days before the election.

15 2. Notice of the change in polling places includes notice of the  
16 new voting location, notice of the hours for voting on election day and  
17 notice of the telephone number to call for voter assistance.

18 3. All affected voters receive information on early voting that  
19 includes the application used to request an early voting ballot.

20 D. The board is not required to designate a polling place for  
21 special district mail ballot elections held pursuant to article 8.1 of  
22 this chapter, but the board may designate one or more sites for voters to  
23 deposit marked ballots until 7:00 p.m. on the day of the election.

24 E. Except as provided in subsection F of this section, a public  
25 school shall provide sufficient space for use as a polling place for any  
26 city, county or state election when requested by the officer in charge of  
27 elections.

28 F. The principal of the school may deny a request to provide space  
29 for use as a polling place for any city, county or state election if,  
30 within two weeks after a request has been made, the principal provides a  
31 written statement indicating a reason the election cannot be held in the  
32 school, including any of the following:

33 1. Space is not available at the school.

34 2. The safety or welfare of the children would be jeopardized.

35 G. The board shall make available to the public as a public record  
36 a list of the polling places for all precincts in which the election is to  
37 be held.

38 H. Except in the case of an emergency, any facility that is used as  
39 a polling place on election day or that is used as an early voting site  
40 during the period of early voting shall allow persons to electioneer and  
41 engage in other political activity outside of the seventy-five foot limit  
42 prescribed by section 16-515 in public areas and parking lots used by  
43 voters. This subsection shall not be construed to permit the temporary or  
44 permanent construction of structures in public areas and parking lots or  
45 the blocking or other impairment of access to parking spaces for

1 voters. The county recorder or other officer in charge of elections shall  
2 post on its website at least two weeks before election day a list of those  
3 polling places in which emergency conditions prevent electioneering and  
4 shall specify the reason the emergency designation was granted and the  
5 number of attempts that were made to find a polling place before granting  
6 an emergency designation. If the polling place is not on the website list  
7 of polling places with emergency designations, electioneering and other  
8 political activity shall be permitted outside of the seventy-five foot  
9 limit. If an emergency arises after the county recorder or other officer  
10 in charge of elections' initial website posting, the county recorder or  
11 other officer in charge of elections shall update the website as soon as  
12 is practicable to include any new polling places, shall highlight the  
13 polling place location on the website and shall specify the reason the  
14 emergency designation was granted and the number of attempts that were  
15 made to find a polling place before granting an emergency designation.

16 I. For the purposes of this section, a county recorder or other  
17 officer in charge of elections shall designate a polling place as an  
18 emergency polling place and thus prohibit persons from electioneering and  
19 engaging in other political activity outside of the seventy-five foot  
20 limit prescribed by section 16-515 but inside the property of the facility  
21 that is hosting the polling place if any of the following occurs:

22 1. An act of God renders a previously set polling place as  
23 unusable.

24 2. A county recorder or other officer in charge of elections has  
25 exhausted all options and there are no suitable facilities in a precinct  
26 that are willing to be a polling place unless a facility can be given an  
27 emergency designation.

28 J. The secretary of state shall provide through the instructions  
29 and procedures manual adopted pursuant to section 16-452 the maximum  
30 allowable wait time for any election that is subject to section 16-204 and  
31 provide for a method to reduce voter wait time at the polls in the primary  
32 and general elections. The method shall consider at least all of the  
33 following for primary and general elections in each precinct:

34 1. The number of ballots voted in the prior primary and general  
35 elections.

36 2. The number of registered voters who voted early in the prior  
37 primary and general elections.

38 3. The number of registered voters and the number of registered  
39 voters who cast an early ballot for the current primary or general  
40 election.

41 4. The number of election board members and clerks and the number  
42 of rosters that will reduce voter wait time at the polls.



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

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

6 4. Number the remaining petition sheets that were not previously  
7 removed and that contain signatures eligible for verification in  
8 consecutive order on the front side of each petition sheet in the upper  
9 left-hand corner.

10 5. Count all remaining petition sheets and signatures not  
11 previously removed and issue a receipt to the applicant of this total  
12 number eligible for verification.

13 C. The secretary of state, during the same seven business day  
14 period provided in subsection B, shall select, at random, twenty ~~per cent~~  
15 PERCENT of the total signatures eligible for verification by the county  
16 recorders of the counties in which the persons signing the petition claim  
17 to be qualified electors. The random sample of signatures to be verified  
18 shall be drawn in such a manner that every signature eligible for  
19 verification has an equal chance of being included in the sample. The  
20 random sample produced shall identify each signature selected by petition  
21 page and line number. The signatures selected shall be marked according  
22 to the following procedure:

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

26 2. If a signature line selected for the random sample is found to  
27 be blank or was removed from the verification process pursuant to  
28 subsection B, then the next line down, even if that requires going to the  
29 next petition sheet in sequence, on which an eligible signature appears  
30 shall be selected as a substitute if that line has not already been  
31 selected for the random sample. If the next eligible line is already  
32 being used in the random sample, the secretary of state shall proceed back  
33 up the page from the signature line originally selected for the random  
34 sample to the next previous signature line eligible for verification. If  
35 that line is already being used in the random sample, the secretary of  
36 state shall continue moving down the page or to the next page from the  
37 line originally selected for the random sample and shall select the next  
38 eligible signature as its substitute for the random sample. The secretary  
39 of state shall use this process of alternately moving forward and backward  
40 until a signature eligible for verification and not already included in  
41 the random sample can be selected and substituted.

42 D. After the selection of the random sample, the secretary of state  
43 shall reproduce a facsimile of the front of each signature sheet on which  
44 a signature included in the random sample appears. The secretary of state  
45 shall clearly identify those signatures marked for verification by color

1 highlighting or other similar method and shall transmit by personal  
2 delivery or certified mail to each county recorder a facsimile sheet of  
3 each signature sheet on which a signature appears of any individual who  
4 claims to be a qualified elector of that county and whose signature was  
5 selected for verification as part of the random sample.

6 E. Within ten business days after receiving the facsimile signature  
7 sheets from the secretary of state, the county recorder shall determine  
8 which signatures of individuals whose names were transmitted shall be  
9 disqualified for any of the following reasons:

10 1. No residence address or description of residence location is  
11 provided.

12 2. No date of signing is provided.

13 3. The signature is illegible and the signer is otherwise  
14 unidentifiable.

15 4. The address provided is illegible or nonexistent.

16 5. The individual was not a qualified elector on the date of  
17 signing the petition.

18 6. The individual was a registered voter but was not at least  
19 eighteen years of age on the date of signing the petition or affidavit.

20 7. The signature was disqualified after comparison with the  
21 signature on the affidavit of registration.

22 8. If a petitioner signed more than once, all but one otherwise  
23 valid signature shall be disqualified.

24 9. For the same reasons any signatures could have been removed by  
25 the secretary of state pursuant to this section.

26 F. Within the same time period provided in subsection E, the county  
27 recorder shall certify to the secretary of state the following:

28 1. The name of any individual whose signature was included in the  
29 random sample and disqualified by the county recorder together with the  
30 petition page and line number of the disqualified signature.

31 2. The total number of signatures selected for the random sample  
32 and transmitted to the county recorder for verification and the total  
33 number of random sample signatures disqualified.

34 G. At the time of the certification, the county recorder shall:

35 1. Return the facsimile signature sheets to the secretary of state.

36 2. Send notice of the results of the certification by mail to the  
37 person or organization that submitted the petitions and to the secretary  
38 of state.

39 H. Within seventy-two hours after receipt of the facsimile  
40 signature sheets and the certification of each county recorder, the  
41 secretary of state shall determine the total number of valid signatures by  
42 subtracting from the total number of eligible signatures in the following  
43 order:

44 1. All signatures that were found ineligible by the county  
45 recorders.



1           2. After determining the percentage of all signatures found to be  
2 invalid in the random sample, a like percentage from those signatures  
3 remaining after the subtractions performed pursuant to paragraph 1 of this  
4 subsection.

5           I. If the number of valid signatures as projected from the random  
6 sample pursuant to subsection H is at least one hundred per cent of the  
7 minimum number required by this section, the party shall be recognized.  
8 If the number of valid signatures as projected from the random sample is  
9 less than one hundred per cent of the minimum number, the party shall not  
10 be recognized.

11          Sec. 13. Section 16-804, Arizona Revised Statutes, is amended to  
12 read:

13           16-804. Continued representation on basis of votes cast at  
14                                   last preceding general election or registered  
15                                   electors

16           A. A political organization that at the last preceding general  
17 election cast for governor or presidential electors or for county attorney  
18 or for mayor, whichever applies, not less than five per cent of the total  
19 votes cast for governor or presidential electors, in the state or in such  
20 county, city or town, is entitled to representation as a political party  
21 on the official ballot for state officers or for officers of such county  
22 or local subdivision.

23           B. In lieu of subsection A, a political organization is entitled to  
24 continued representation as a political party on the official ballot for  
25 state, county, city or town officers if, on October 1 of the year  
26 immediately preceding the year in which the general election for state or  
27 county officers and for city or town officers one hundred fifty-five days  
28 immediately preceding the primary election in such jurisdiction, such  
29 party has registered electors in the party equal to at least two-thirds of  
30 one ~~per cent~~ PERCENT of the total registered electors in such  
31 jurisdiction.

32           C. The secretary of state shall determine the political parties  
33 qualified for continued representation on the state ballot pursuant to  
34 this section by ~~February 1~~ DECEMBER 1 of the appropriate year. Each  
35 county recorder shall furnish to the secretary of state such information  
36 as the secretary of state may require no later than October 31 of the  
37 preceding year.

38           D. Each county recorder shall determine the political parties  
39 qualified for the county ballot pursuant to this section by ~~February 1~~  
40 DECEMBER 1 of the appropriate year.

41           E. Each city or town clerk of a city or town providing for partisan  
42 elections shall determine the political parties qualified for such city or  
43 town ballot pursuant to this section one hundred forty days before the  
44 primary election.



S.B. 1154

APPROVED BY THE GOVERNOR MAY 22, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 22, 2019.