

COMMITTEE ON APPROPRIATIONS  
SENATE AMENDMENTS TO H.B. 2269  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-124, Arizona Revised Statutes, is amended to  
3 read:

4 16-124. Public officer residing in county of post of duty

5 A. Any public officer of ~~the~~ THIS state, including a judge of the  
6 court of appeals, whose post of duty is located in a county other than in  
7 the county from which elected or appointed,~~;~~ and who is physically residing  
8 where ~~his~~ THE OFFICER'S post of duty is located,~~;~~ shall be deemed a  
9 qualified elector and resident of the county from which elected or  
10 appointed if ~~he~~ THE OFFICER registers,~~;~~ or remains registered,~~;~~ to vote in  
11 a precinct in such county. This section ~~shall~~ also ~~apply~~ APPLIES to the  
12 spouse and any dependents of ~~such~~ THE public officer if otherwise qualified  
13 to vote and actually residing with the public officer.

14 B. FOR A PERSON WHO IS ELECTED OR APPOINTED TO THE LEGISLATURE AND  
15 WHOSE LEGISLATIVE DISTRICT RESIDENCE IS OUTSIDE OF MARICOPA COUNTY, ANY  
16 TEMPORARY DOMICILE IN MARICOPA COUNTY IS DEEMED TO CONSTITUTE A PORTION OF  
17 THE SEVENTY-FIVE PERCENT OF THE ONE-YEAR PERIOD PRESCRIBED FOR RESIDENCY IN  
18 SECTIONS 16-311 AND 16-341.

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

21 16-311. Nomination papers; filing; definitions

22 A. Any person desiring to become a candidate at a primary election  
23 for a political party and to have the person's name printed on the official  
24 ballot shall be a qualified elector of ~~such~~ THE party and, not less than  
25 ninety nor more than one hundred twenty days before the primary election,

1 shall sign and cause to be filed a nomination paper giving the person's  
2 actual residence address or description of place of residence and post  
3 office address, naming the party of which the person desires to become a  
4 candidate, stating the office and district or precinct, if any, for which  
5 the person offers the person's candidacy, stating the exact manner in which  
6 the person desires to have the person's name printed on the official ballot  
7 pursuant to subsection G of this section, and giving the date of the  
8 primary election and, if nominated, the date of the general election at  
9 which the person desires to become a candidate. Except for a candidate for  
10 United States senator or representative in Congress, a candidate for public  
11 office shall be a qualified elector at the time of filing and shall reside  
12 in the county, district or precinct that the person proposes to represent.  
13 A CANDIDATE FOR LEGISLATIVE OFFICE SHALL BE A QUALIFIED ELECTOR OF AND  
14 SHALL RESIDE FOR ONE YEAR BEFORE THE DATE OF FILING IN THE LEGISLATIVE  
15 DISTRICT THAT THE PERSON PROPOSES TO REPRESENT AND SHALL BE PHYSICALLY  
16 DOMICILED IN THAT RESIDENCE FOR AT LEAST SEVENTY-FIVE PERCENT OF THAT  
17 ONE-YEAR PERIOD. A candidate for partisan public office shall be  
18 continuously registered with the political party of which the person  
19 desires to be a candidate beginning no later than the date of the first  
20 petition signature on the candidate's petition through the date of the  
21 general election at which the person is a candidate.

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

1 candidate for office shall reside at the time of filing in the county,  
2 city, town, district, ward or precinct that the person proposes to  
3 represent.

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

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

20 E. The nomination paper of a candidate for the office of United  
21 States senator or representative in Congress, for the office of  
22 presidential elector or for a state office, including a member of the  
23 legislature, or for any other office for which the electors of the entire  
24 state or a subdivision of the state greater than a county are entitled to  
25 vote, shall be filed with the secretary of state no later than 5:00 p.m. on  
26 the last date for filing.

27 F. The nomination paper of a candidate for superior court judge or  
28 for a county, district and precinct office for which the electors of a  
29 county or a subdivision of a county other than an incorporated city or town  
30 are entitled to vote shall be filed with the county elections officer no  
31 later than 5:00 p.m. on the last date for filing as prescribed by  
32 subsection A of this section. The nomination paper of a candidate for a

1 city or town office shall be filed with the city or town clerk no later  
2 than 5:00 p.m. on the last date for filing. The nomination paper of a  
3 candidate for school district office shall be filed with the county school  
4 superintendent no later than 5:00 p.m. on the last date for filing.

5 G. The nomination paper shall include the exact manner in which the  
6 candidate desires to have the person's name printed on the official ballot  
7 and shall be limited to the candidate's surname and given name or names, an  
8 abbreviated version of such names or appropriate initials such as "Bob" for  
9 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".  
10 Nicknames are permissible, but in no event shall nicknames, abbreviated  
11 versions or initials of given names suggest reference to professional,  
12 fraternal, religious or military titles. No other descriptive name or  
13 names shall be printed on the official ballot, except as provided in this  
14 section. Candidates' abbreviated names or nicknames may be printed within  
15 quotation marks. The candidate's surname shall be printed first, followed  
16 by the given name or names.

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

22 1. The financial disclosure statement as prescribed for candidates  
23 for that office.

24 2. The declaration of qualification and eligibility as prescribed in  
25 subsection D of this section.

26 I. Except in cases where the liability is being appealed, the filing  
27 officer shall not accept the nomination paper of a candidate for state or  
28 local office if the person is liable for an aggregation of ~~one thousand~~  
29 ~~dollars~~ \$1,000 or more in fines, penalties, late fees or administrative or  
30 civil judgments, including any interest or costs, in any combination, that  
31 have not been fully satisfied at the time of the attempted filing of the

1 nomination paper and the liability arose from failure to comply with or  
2 enforcement of chapter 6 of this title.

3 J. For the purposes of this title:

4 1. "Election district" means the state, any county, city, town,  
5 precinct or other political subdivision or a special district that is not a  
6 political subdivision, that is authorized by statute to conduct an election  
7 and that is authorized or required to conduct its election in accordance  
8 with this title.

9 2. "Nomination paper" means the form filed with the appropriate  
10 office by a person wishing to declare the person's intent to become a  
11 candidate for a particular political office.

12 Sec. 3. 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. **A CANDIDATE FOR LEGISLATIVE**  
20 **OFFICE SHALL BE A QUALIFIED ELECTOR OF AND SHALL RESIDE FOR ONE YEAR BEFORE**  
21 **THE DATE OF FILING IN THE LEGISLATIVE DISTRICT THAT THE PERSON PROPOSES TO**  
22 **REPRESENT AND SHALL BE PHYSICALLY DOMICILED IN THAT RESIDENCE FOR AT LEAST**  
23 **SEVENTY-FIVE PERCENT OF THAT ONE-YEAR PERIOD.**

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

31 C. A nomination petition stating the name of the office to be  
32 filled, the name and residence of the candidate and other information

1 required by this section shall be filed with the same officer with whom  
2 primary nomination papers and petitions are required to be filed as  
3 prescribed in section 16-311. Except for candidates for the office of  
4 presidential elector filed pursuant to this section, the petition shall be  
5 filed not less than ninety nor more than one hundred twenty days before the  
6 primary election. The petition shall be signed only by voters who have not  
7 signed the nomination petitions of a candidate for the office to be voted  
8 for at that primary election.

9 D. The nomination petition shall be in substantially the following  
10 form:

11 The undersigned, qualified electors of \_\_\_\_\_ county,  
12 state of Arizona, do hereby nominate \_\_\_\_\_, who resides at  
13 \_\_\_\_\_ in the county of \_\_\_\_\_, as a candidate for the  
14 office of \_\_\_\_\_ at the general (or special, as the case may  
15 be) election to be held on the \_\_\_\_\_ day of \_\_\_\_\_,  
16 \_\_\_\_\_.

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

23 E. The nomination petition shall conform as nearly as possible to  
24 the provisions relating to nomination petitions of candidates to be voted  
25 for at primary elections and shall be signed by at least the number of  
26 persons who are registered to vote determined by calculating three percent  
27 of the persons who are registered to vote of the state, county, subdivision  
28 or district for which the candidate is nominated who are not members of a  
29 political party that is qualified to be represented by an official party  
30 ballot at the next ensuing primary election and accorded representation on  
31 the general election ballot.

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

13           G. A nomination petition for any candidate may be circulated by a  
14 person who is not a resident of this state but who is otherwise eligible to  
15 register to vote in this state if that person registers as a circulator  
16 with the secretary of state before circulating petitions. The nomination  
17 petition for the office of presidential elector shall include a group of  
18 names of candidates equal to the number of United States senators and  
19 representatives in Congress from this state instead of separate nomination  
20 petitions for each candidate for the office of presidential elector. A  
21 valid signature on a petition containing a group of presidential electors  
22 candidates is counted as a signature for the nomination of each of the  
23 candidates. The presidential candidate whom the candidates for  
24 presidential elector will represent shall designate in writing to the  
25 secretary of state the names of the candidates who will represent the  
26 presidential candidate before any signatures for the candidate can be  
27 accepted for filing. A nomination petition for the office of presidential  
28 elector shall be filed not less than sixty nor more than ninety days before  
29 the general election. The petition shall be signed only by qualified  
30 electors who have not signed the nomination petitions of a candidate for  
31 the office of presidential elector to be voted for at that election.

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

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

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

25           1. The financial disclosure statement as prescribed for candidates  
26 for that office.

27           2. The declaration of qualification and eligibility as prescribed in  
28 section 16-311.

29           K. Except in cases where the liability is being appealed, the filing  
30 officer shall not accept the nomination paper of a candidate for state or  
31 local office if the person is liable for an aggregation of ~~one thousand~~  
32 ~~dollars~~ \$1,000 or more in fines, penalties, late fees or administrative or



1 civil judgments, including any interest or costs, in any combination, that  
2 have not been fully satisfied at the time of the attempted filing of the  
3 nomination paper and the liability arose from failure to comply with or  
4 enforcement of chapter 6 of this title.

5 L. The secretary of state may authorize for statewide and  
6 legislative offices the creation, use and submission of petitions  
7 prescribed by this section in electronic form if those petitions provide  
8 for an appropriate method to verify signatures of petition circulators and  
9 signers. The secretary of state may require use of a unique marking system  
10 for petition pages, including a bar code, a quick response code or another  
11 similar marking system."

12 Amend title to conform

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