

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

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 A PRIMARY ELECTION SHALL BE HELD:

5 1. ON THE FIRST TUESDAY IN AUGUST IN ANY YEAR IN WHICH A GENERAL
6 ELECTION IS HELD AND AT WHICH CANDIDATES FOR PUBLIC OFFICE ARE TO BE
7 ELECTED.

8 2. On the tenth Tuesday ~~prior to~~ BEFORE a ~~general or~~ special
9 election at which candidates for public office are to be elected, ~~a~~
10 ~~primary election shall be held.~~

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

13 16-204. Declaration of statewide concern; consolidated
14 election dates; definition

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

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

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

33 (a) The second Tuesday in March.

34 (b) The third Tuesday in May.

35 (c) The tenth Tuesday before the first Tuesday after the first
36 Monday in November.

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

43 2. For regular elections that are only for candidates in a city or
44 town with a population of one hundred seventy-five thousand or more

1 persons and not including recall elections and special elections to fill
2 vacancies in those cities or towns, elections shall be held on:

3 (a) The tenth Tuesday before the first Tuesday after the first
4 Monday in November.

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

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

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

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

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

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

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

42 1. The second Tuesday in March.

43 2. The third Tuesday in May.

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

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

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

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

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

27 16-206. Election day

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

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

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

37 16-226. Nonpartisan elections; local elections; time of
38 calling; definition

39 A. Nonpartisan elections and elections held by a school district, a
40 city or a town ~~and~~ that are not held concurrently ~~to~~ ~~WITH~~ a general
41 election shall be called no later than one hundred ~~twenty~~ ~~FIFTY~~ days
42 before the date of holding the election.

43 B. For the purposes of this article, "nonpartisan" means an
44 election that is held by a special district established pursuant to title
45 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.

1 Sec. 14. Section 16-821, Arizona Revised Statutes, is amended to
2 read:

3 16-821. County committee; vacancy in office of precinct
4 committeeman

5 A. At the primary election the members of a political party
6 entitled to representation pursuant to section 16-804 residing in each
7 precinct shall choose one of their number as a county precinct
8 committeeman, and the members shall choose one additional precinct
9 committeeman for each one hundred twenty-five voters or major fraction
10 thereof registered in the party in the precinct as reported pursuant to
11 section 16-168, subsection G on ~~March 1~~ JANUARY 2 of the year in which the
12 general election is held. The whole number of precinct committeemen of a
13 political party shall constitute the county committee of the party.

14 B. The board of supervisors upon the recommendation of the county
15 chairman, or the recommendation of a committee designated in the bylaws of
16 the county committee for that purpose, shall determine when a vacancy
17 exists in the office of precinct committeeman. If a vacancy exists, the
18 vacancy shall be filled by the board of supervisors from a list of names
19 submitted by the county chairman of the appropriate political party. Only
20 a precinct committeeman elected at the primary election prior to the date
21 of a state or county committee organizing meeting shall be permitted to
22 vote at such meeting. The criteria used to establish when a vacancy
23 exists in the office of precinct committeeman shall be as established in
24 section 38-291.