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

SENATE BILL 1451

AN ACT

AMENDING SECTIONS 16-311, 16-341, 19-118, 19-121 AND 19-121.01, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
S.B. 1451

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

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

16-311. Nomination papers; statement of interest; filing; definitions

A. Any person desiring to become a candidate at a primary election for a political party and to have the person's name printed on the official ballot shall be a qualified elector of such party and, not less than ninety nor more than one hundred twenty days before the primary election, shall sign and cause to be filed a nomination paper giving the person's actual residence address or description of place of residence and post office address, naming the party of which the person desires to become a candidate, stating the office and district or precinct, if any, for which the person offers the person's candidacy, stating the exact manner in which the person desires to have the person's name printed on the official ballot pursuant to subsection G of this section, and giving the date of the primary election and, if nominated, the date of the general election at which the person desires to become a candidate. Except for a candidate for United States senator or representative in Congress, a candidate for public office shall be a qualified elector at the time of filing and shall reside in the county, district or precinct that the person proposes to represent. A candidate for partisan public office shall be continuously registered with the political party of which the person desires to be a candidate beginning no later than the date of the first petition signature on the candidate's petition through the date of the general election at which the person is a candidate.

B. Any person desiring to become a candidate at any nonpartisan election and to have the person's name printed on the official ballot shall be at the time of filing a qualified elector at the time of filing and shall reside in the county, city, town, district or ward that the person proposes to represent. A candidate for partisan public office shall be continuously registered with the political party of which the person desires to be a candidate beginning no later than the date of the first petition signature on the candidate's petition through the date of the general election at which the person is a candidate.

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

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

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

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

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

H. NOT LATER THAN THE DATE OF THE FIRST PETITION SIGNATURE ON A
NOMINATION PETITION, A PERSON WHO MAY BE A CANDIDATE FOR OFFICE PURSUANT
TO THIS SECTION SHALL FILE A STATEMENT OF INTEREST WITH THE APPROPRIATE
FILING OFFICER FOR THAT OFFICE. THE STATEMENT OF INTEREST SHALL CONTAIN
OFFICE THAT MAY BE SOUGHT. ANY NOMINATION PETITION SIGNATURES COLLECTED
BEFORE THE DATE THE STATEMENT OF INTEREST IS FILED ARE INVALID AND SUBJECT
TO CHALLENGE. THIS SUBSECTION DOES NOT APPLY TO:

1. CANDIDATES FOR ELECTED OFFICE FOR SPECIAL TAXING DISTRICTS THAT
   ARE ESTABLISHED PURSUANT TO TITLE 48, CHAPTERS 2, 3, 11, 12, 15, 17, 18,
   19, 20, 22, 27 AND 32.

2. CANDIDATES FOR PRECINCT COMMITTEEMAN.

3. CANDIDATES FOR PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES.

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

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

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

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

K. For the purposes of this title:

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

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

Sec. 2. Section 16-341, Arizona Revised Statutes, is amended to
read:

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

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

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

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

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

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

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

E. The nomination petition shall conform as nearly as possible to
the provisions relating to nomination petitions of candidates to be voted
for at primary elections and shall be signed by at least the number of
persons who are registered to vote determined by calculating three percent
of the persons who are registered to vote of the state, county,
subdivision or district for which the candidate is nominated who are not
members of a political party that is qualified to be represented by an
official party ballot at the next ensuing primary election and accorded
representation on the general election ballot.
F. The percentage of persons who are registered to vote necessary to sign the nomination petition shall be determined by the total number of registered voters from other than political parties that are qualified to be represented by an official party ballot at the next ensuing primary election and accorded representation on the general election ballot in the state, county, subdivision or district on March 1 of the year in which the general election is held. Notwithstanding the method prescribed by subsection E of this section and this subsection for calculating the minimum number of signatures necessary, any person who is registered to vote in the state, county, subdivision or district for which the candidate is nominated is eligible to sign the nomination petition without regard to the signer's party affiliation.

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

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

I. NOT LATER THAN THE DATE OF THE FIRST PETITION SIGNATURE ON A NOMINATION PETITION, A PERSON WHO MAY BE A CANDIDATE FOR OFFICE PURSUANT TO THIS SECTION SHALL FILE A STATEMENT OF INTEREST WITH THE APPROPRIATE FILING OFFICER FOR THAT OFFICE. THE STATEMENT OF INTEREST SHALL CONTAIN
OFFICE THAT MAY BE SOUGHT. ANY NOMINATION PETITION SIGNATURES COLLECTED
BEFORE THE DATE THE STATEMENT OF INTEREST IS FILED ARE INVALID AND SUBJECT
TO CHALLENGE. THIS SUBSECTION DOES NOT APPLY TO:

1. CANDIDATES FOR ELECTED OFFICE FOR SPECIAL TAXING DISTRICTS THAT
ARE ESTABLISHED PURSUANT TO TITLE 48, CHAPTERS 2, 3, 11, 12, 15, 17, 18,
19, 20, 22, 27 AND 32.

2. CANDIDATES FOR PRECINCT COMMITTEEMAN.

3. CANDIDATES FOR PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES.

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

K. A candidate who does not file a timely nomination petition
that complies with this section is not eligible to have the candidate's
name printed on the official ballot for that office. The filing officer
shall not accept the nomination paper of a candidate for state or local
office unless the candidate provides or has provided all of the following:
1. The financial disclosure statement as prescribed for candidates
for that office.
2. The declaration of qualification and eligibility as prescribed
in section 16-311.

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

M. The secretary of state may authorize for statewide and
legislative offices the creation, use and submission of petitions
prescribed by this section in electronic form if those petitions provide
for an appropriate method to verify signatures of petition circulators and
signers. The secretary of state may require use of a unique marking
system for petition pages, including a bar code, a quick response code or
another similar marking system.
Sec. 3. Section 19-118, Arizona Revised Statutes, is amended to read:

19-118. Registered circulators; requirements; violation; classification; definition

A. All circulators who are not residents of this state and, for statewide ballot INITIATIVE AND REFERENDUM measures only, ALL CIRCULATORS WHO ARE NOT RESIDENTS OF THIS STATE AND all paid circulators must register as circulators with the secretary of state before circulating petitions pursuant to this title. The political committee that is circulating the petition shall collect and submit the registrations COMPLETED REGISTRATION APPLICATIONS to the secretary of state. The secretary of state shall establish in the instructions and procedures manual issued pursuant to section 16-452 a procedure for registering circulators, INCLUDING CIRCULATOR REGISTRATION APPLICATIONS, and shall publish on a website maintained by the secretary of state all information regarding circulators that is required pursuant to this section. The secretary of state shall disqualify all signatures collected by a circulator who fails to register pursuant to this subsection as provided for in section 19-121.01, subsection A.

B. The CIRCULATOR registration APPLICATION required by subsection A of this section shall include the following provisions:

1. THE CIRCULATOR'S FULL NAME, RESIDENCE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS.
2. THE INITIATIVE OR REFERENDUM PETITION ON WHICH THE CIRCULATOR WILL GATHER SIGNATURES.
3. A STATEMENT THAT the circulator consents to the jurisdiction of the courts of this state in resolving any disputes concerning the circulation of petitions by that circulator.
4. The circulator shall designate an address OF THE COMMITTEE in this state FOR WHICH THE CIRCULATOR IS GATHERING SIGNATURES AND at which the circulator will accept service of process related to disputes concerning circulation of that circulator's petitions. Service of process is effected under this section by delivering a copy of the subpoena to that person individually, or by leaving a copy of the subpoena at the address designated by the circulator with a person of suitable age OR BY MAILING A COPY OF THE SUBPOENA TO THE COMMITTEE BY CERTIFIED MAIL TO THE ADDRESS PROVIDED.
5. AN AFFIDAVIT FROM THE REGISTERED CIRCULATOR THAT IS SIGNED BY THE CIRCULATOR BEFORE A NOTARY PUBLIC AND THAT INCLUDES THE FOLLOWING DECLARATION:

I, ____ (PRINT NAME)____, UNDER PENALTY OF A CLASS 1 MISDEMEANOR, ACKNOWLEDGE THAT I AM ELIGIBLE TO REGISTER AS A CIRCULATOR IN THE STATE OF ARIZONA, THAT ALL OF THE INFORMATION PROVIDED IS CORRECT TO THE BEST OF MY KNOWLEDGE.
AND THAT I HAVE READ AND UNDERSTAND ARIZONA ELECTION LAWS APPLICABLE TO THE COLLECTION OF SIGNATURES FOR A STATEWIDE INITIATIVE OR REFERENDUM.

C. WITHIN FIVE BUSINESS DAYS AFTER SUBMISSION AND REVIEW OF A COMPLETE AND CORRECT CIRCULATOR REGISTRATION APPLICATION THAT COMPLIES WITH THIS SECTION, THE SECRETARY OF STATE SHALL REGISTER AND ASSIGN A CIRCULATOR REGISTRATION NUMBER TO THE CIRCULATOR.

D. A PERSON MAY NOT REGISTER AS A CIRCULATOR PURSUANT TO THIS SECTION IF THE PERSON:

1. HAS HAD A CIVIL OR CRIMINAL PENALTY IMPOSED FOR A VIOLATION OF TITLE 16 OR THIS TITLE WITHIN THE IMMEDIATELY PRECEDING FIVE YEARS.

2. HAS BEEN CONVICTED OF TREASON OR A FELONY AND HAS NOT BEEN RESTORED TO CIVIL RIGHTS AS DESCRIBED IN SECTION 16-101, SUBSECTION A, PARAGRAPH 5.

3. HAS BEEN CONVICTED OF ANY CRIMINAL OFFENSE INVOLVING FRAUD, FORGERY OR IDENTITY THEFT.

E. If a registered circulator is properly served with a subpoena to provide evidence in an action regarding circulation of petitions and fails to appear or produce documents as provided for in the subpoena, all signatures collected by that circulator are deemed invalid. The party serving the subpoena may request an order from the court directing the secretary of state to remove any signatures collected by the circulator as provided for in section 19-121.01, subsection A.

F. Any person may challenge the lawful registration of circulators in the superior court of the county in which the circulator is registered. A challenge may not be commenced more than ten business days after the date on which the petitions for which the circulator is required to be registered are filed with the secretary of state THAT THE SECRETARY OF STATE'S OFFICE HAS RECEIVED, PROCESSED AND MADE AVAILABLE ALL FINAL PETITION SHEETS INDIVIDUALLY NUMBERED. The person challenging signatures may amend that complaint after the secretary of state has removed signatures and signature sheets as prescribed in section 19-121.01. An action pursuant to this section shall be advanced on the calendar and decided by the court as soon as possible. Either party may appeal to the supreme court within five calendar days after entry of judgment. The prevailing party in an action to challenge the registration of a circulator under this section is entitled to reasonable attorney fees.

G. The removal or disqualification of any one or more circulators does not invalidate the random sample of signatures made pursuant to section 19-121.01, and the secretary of state shall not be required to conduct any additional random sampling of signatures.

H. A PERSON WHO KNOWINGLY OMITS OR MISREPRESENTS INFORMATION OR PROVIDES FALSE INFORMATION ON A CIRCULATOR REGISTRATION APPLICATION OR WHO Registers IN VIOLATION OF THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.
I. For the purposes of this title, "paid circulator":
1. Means a natural person who receives monetary or other compensation for obtaining signatures on a STATEWIDE INITIATIVE OR REFERENDUM petition or for circulating STATEWIDE INITIATIVE OR REFERENDUM petitions for signatures.
2. Does not include a paid employee of any political committee organized pursuant to title 16, chapter 6, unless that employee has or will obtain two hundred or more signatures on an initiative, referendum or recall petition in an election cycle.

Sec. 4. Section 19-121, Arizona Revised Statutes, is amended to read:
19-121. Signature sheets; petitions; form; procedure for filing
A. Signature sheets filed shall:
1. Be in the form prescribed by law.
2. Have printed in their lower right-hand corner, on each side of such sheets, the official serial number assigned to the petition by the secretary of state AND, IF APPLICABLE, THE REGISTRATION NUMBER ASSIGNED TO THE CIRCULATOR.
3. Be attached to a full and correct copy of the title and text of the measure, or amendment to the constitution, proposed or referred by the petition.
4. Be printed in at least eight-point type.
5. Be printed in black ink on white or recycled white pages fourteen inches in width by eight and one-half inches in length, with a margin of at least one-half inch at the top and one-fourth inch at the bottom of each page. Notwithstanding this subsection, the secretary of state may prescribe an alternative page width and length in the election INSTRUCTIONS AND procedures manual adopted pursuant to section 16-452.
B. For the purposes of this chapter, a petition is filed when the petition sheets are tendered to the secretary of state, who shall issue a receipt based on an estimate made to the secretary of state of the purported number of sheets and signatures filed. A receipt may be electronically issued. After the issuance of the receipt, no additional petition sheets may be accepted for filing.
C. Petitions may be filed with the secretary of state in numbered sections for convenience in handling. The secretary of state may prescribe the method of filing, including electronic filing. Not more than fifteen signatures on one sheet shall be counted. For petitions filed regarding city, town or county matters, the political committee that is the proponent of the petition and that files the petitions shall organize the signature sheets and group them by circulator and is solely responsible for compliance with this subsection. The local filing officer
may return as unfiled any signature sheets that are not so organized and
grouped.

D. Initiative petitions that have not been filed with the secretary
of state as of 5:00 p.m. on the day required by the constitution before
the ensuing general election after their issuance shall be null and void,
but in no event shall the secretary of state accept an initiative petition
that was issued for circulation more than twenty-four months before the
general election at which the measure is to be included on the ballot.

E. For the purposes of this article and article 4 of this chapter,
the measure to be attached to the petition as enacted by the legislative
body of an incorporated city, town or county means the adopted ordinance
or resolution signed by the mayor or the chairman of the board of
supervisors, as appropriate, and signed by the clerk of the municipality
or the clerk of the board, as appropriate, or, in the absence of a written
ordinance or resolution, that portion of the minutes of the legislative
body that is approved by the governing body and filed with the clerk of
the governing body and that reflects the action taken by that body when
adopting the measure. In the case of zoning measures, the measure shall
also include a legal description of the property and any amendments made
to the ordinance by the legislative body.

Sec. 5. Section 19-121.01, Arizona Revised Statutes, is amended to
read:

19-121.01. Secretary of state; removal of petition and
ineligible signatures; sheets copies; random
sample; presumption

A. Within twenty days, excluding Saturdays, Sundays and other legal
holidays, after the date of filing of an initiative or referendum petition
and issuance of the receipt, the secretary of state shall:

1. Remove the following:
   (a) Those sheets not attached to a copy of the complete title and
text of the measure as prescribed in this chapter.
   (b) The copy of the title and text from the remaining petition
sheets.
   (c) Those sheets not bearing the correct petition serial number
AND, IF APPLICABLE, THE PAID CIRCULATOR REGISTRATION NUMBER in the lower
right-hand corner of each side.
   (d) Those sheets containing a circulator's affidavit that is not
completed or signed or that has been modified.
   (e) Those sheets on which the affidavit of the circulator is not
notarized, the notary's signature is missing, the notary's commission has
expired or the notary's seal is not affixed.
   (f) Those sheets on which the signatures of the circulator or the
notary are dated earlier than the dates on which the electors signed the
face of the petition sheet.
(g) Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.

(h) Those sheets on which the circulator is required to be registered with the secretary of state pursuant to section 19-118 and the circulator is not properly registered at the time the petitions were circulated.

2. After completing the steps in paragraph 1 of this subsection, review each sheet to determine the county of the majority of the signers and shall:
   (a) Place a three or four letter abbreviation designating that county on the face of the petition.
   (b) Remove all signatures of those not in the county of the majority on each sheet BY placing an adjacent mark or striking through the signature line.
   (c) Cause all signature sheets to be grouped together by county of registration of the majority of those signing. The detached copies of the title and text of the measure shall be made available to the applicant but may be disposed of after a reasonable period of time.

3. After completing the steps in paragraph 2 of this subsection, remove the following signatures that are not eligible for verification by placing an adjacent mark or striking through the signature line:
   (a) If the signature of the qualified elector is missing.
   (b) If the residence address or the description of residence location is missing.
   (c) If the date on which the petitioner signed is missing, if the date on which the petitioner signed the petition is before the date that the serial number was assigned to the political committee that is filing the petition or if the date on which the petitioner signed the petition is after the date on which the affidavit was completed by the circulator and notarized.
   (d) Signatures in excess of the fifteen signatures permitted per petition.
   (e) Signatures withdrawn pursuant to section 19-113.
   (f) Signatures for which the secretary of state determines that the petition circulator has printed the elector's first and last names or other information in violation of section 19-112.

4. After the removal of petition sheets and signatures, count the number of signatures for verification on the remaining petition sheets and note that number on the face of each petition sheet.

5. Number the remaining petition sheets that were not previously removed and that contain signatures eligible for verification in consecutive order on the front side of each petition sheet.
6. Count all remaining petition sheets and signatures not previously removed and notify the applicant of this total number eligible for verification.

B. If the total number of signatures for verification as determined pursuant to subsection A, paragraph 6 of this section equals or exceeds the constitutional minimum, during the same twenty day period provided in subsection A of this section, the secretary of state shall select, at random, five percent of the total signatures eligible for verification by the county recorders of the counties in which the persons signing the petition claim to be qualified electors. The random sample of signatures to be verified shall be drawn in such a manner that every signature eligible for verification has an equal chance of being included in the sample. The random sample produced shall identify each signature selected by petition page and line number. The signatures selected shall be marked in a clear manner.

C. If a signature line selected for the random sample is found to be blank or was removed from the verification process pursuant to subsection A of this section then the next line down, even if that requires going to the next petition sheet in sequence, on which an eligible signature appears shall be selected as a substitute if that line has not already been selected for the random sample. If the next eligible line is already being used in the random sample, the secretary of state shall proceed back up the page from the signature line originally selected for the random sample to the next previous signature line eligible for verification. If that line is already being used in the random sample, the secretary of state shall continue moving down the page or to the next page from the line originally selected for the random sample and shall select the next eligible signature as its substitute for the random sample. The secretary of state shall use this process of alternately moving forward and backward until a signature eligible for verification and not already included in the random sample can be selected and substituted.

D. After the selection of the random sample and the marking of the signatures selected on the petition sheets pursuant to subsection B of this section, the secretary of state shall transmit a copy of the front of each signature sheet on which a signature included in the random sample appears. The secretary of state shall clearly identify those signatures marked for verification and shall transmit by personal delivery, certified mail, electronic-mail E-MAIL or other electronic transfer method to each county recorder a copy of each signature sheet on which a signature appears of any individual who claims to be a qualified elector of that county and whose signature was selected for verification as part of the random sample.
E. The secretary of state shall presume that the date noted on the petition for a petitioner's signature is the date on which the petitioner signed the petition, and any person seeking to establish a different date for the signature bears the burden of proof in overcoming the presumption.

F. The secretary of state shall retain an electronic copy of all signature sheets except as otherwise prescribed in this title. After the time period for legal challenges has elapsed, the original sheets shall be made available to the applicant but may be disposed of after a reasonable period of time.

Sec. 6. Candidate statement of interest; applicability; filing; delayed repeal

A. Sections 16-311 and 16-341, Arizona Revised Statutes, as amended by this act, apply to elections held on and after the effective date of this act. Notwithstanding sections 16-311 and 16-341, Arizona Revised Statutes, as amended by this act, a candidate who collects signatures before the effective date of this act for an election held on or after the effective date of this act shall file a statement of interest with the appropriate filing officer not later than January 2, 2020. On timely filing of the statement of interest as prescribed by this section the candidate's otherwise legally sufficient signatures are valid and not subject to challenge on the basis of their collection before the filing date of the candidate's statement of interest.

B. This section is repealed from and after December 31, 2020.

Sec. 7. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.