

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)

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

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

4 16-311. Nomination papers; statement of interest; filing;
5 definitions

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

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

41 C. Notwithstanding subsection B of this section, any city or town
42 may adopt by ordinance for its elections the time frame provided in
43 subsection A of this section for filing nomination petitions. ~~Such~~ THE

1 ordinance shall be adopted not less than one hundred twenty days before
2 the first election to which it applies.

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

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

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

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

43 H. NOT LATER THAN THE DATE OF THE FIRST PETITION SIGNATURE ON A
44 NOMINATION PETITION, A PERSON WHO MAY BE A CANDIDATE FOR OFFICE PURSUANT

1 TO THIS SECTION SHALL FILE A STATEMENT OF INTEREST WITH THE APPROPRIATE
2 FILING OFFICER FOR THAT OFFICE. THE STATEMENT OF INTEREST SHALL CONTAIN
3 THE NAME OF THE PERSON, THE POLITICAL PARTY, IF ANY, AND THE NAME OF THE
4 OFFICE THAT MAY BE SOUGHT. ANY NOMINATION PETITION SIGNATURES COLLECTED
5 BEFORE THE DATE THE STATEMENT OF INTEREST IS FILED ARE INVALID AND SUBJECT
6 TO CHALLENGE. THIS SUBSECTION DOES NOT APPLY TO:

7 1. CANDIDATES FOR ELECTED OFFICE FOR SPECIAL TAXING DISTRICTS THAT
8 ARE ESTABLISHED PURSUANT TO TITLE 48, CHAPTERS 2, 3, 11, 12, 15, 17, 18,
9 19, 20, 22, 27 AND 32.

10 2. CANDIDATES FOR PRECINCT COMMITTEEMAN.

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

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

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

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

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

29 ~~J.~~ K. For the purposes of this title:

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

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

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

40 16-341. Nomination petition; method and time of filing; form;
41 qualifications and number of petitioners required;
42 statement of interest

43 A. Any qualified elector who is not a registered member of a
44 political party that is recognized pursuant to this title may be nominated

1 as a candidate for public office otherwise than by primary election or by
2 party committee pursuant to this section.

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

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

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

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

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

35 E. The nomination petition shall conform as nearly as possible to
36 the provisions relating to nomination petitions of candidates to be voted
37 for at primary elections and shall be signed by at least the number of
38 persons who are registered to vote determined by calculating three percent
39 of the persons who are registered to vote of the state, county,
40 subdivision or district for which the candidate is nominated who are not
41 members of a political party that is qualified to be represented by an
42 official party ballot at the next ensuing primary election and accorded
43 representation on the general election ballot.

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

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

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

41 I. NOT LATER THAN THE DATE OF THE FIRST PETITION SIGNATURE ON A
42 NOMINATION PETITION, A PERSON WHO MAY BE A CANDIDATE FOR OFFICE PURSUANT
43 TO THIS SECTION SHALL FILE A STATEMENT OF INTEREST WITH THE APPROPRIATE
44 FILING OFFICER FOR THAT OFFICE. THE STATEMENT OF INTEREST SHALL CONTAIN

1 THE NAME OF THE PERSON, THE POLITICAL PARTY, IF ANY, AND THE NAME OF THE
2 OFFICE THAT MAY BE SOUGHT. ANY NOMINATION PETITION SIGNATURES COLLECTED
3 BEFORE THE DATE THE STATEMENT OF INTEREST IS FILED ARE INVALID AND SUBJECT
4 TO CHALLENGE. THIS SUBSECTION DOES NOT APPLY TO:

5 1. CANDIDATES FOR ELECTED OFFICE FOR SPECIAL TAXING DISTRICTS THAT
6 ARE ESTABLISHED PURSUANT TO TITLE 48, CHAPTERS 2, 3, 11, 12, 15, 17, 18,
7 19, 20, 22, 27 AND 32.

8 2. CANDIDATES FOR PRECINCT COMMITTEEMAN.

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

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

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

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

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

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

38 ~~M.~~ M. The secretary of state may authorize for statewide and
39 legislative offices the creation, use and submission of petitions
40 prescribed by this section in electronic form if those petitions provide
41 for an appropriate method to verify signatures of petition circulators and
42 signers. The secretary of state may require use of a unique marking
43 system for petition pages, including a bar code, a quick response code or
44 another similar marking system.

1 Sec. 3. Section 19-118, Arizona Revised Statutes, is amended to
2 read:

3 19-118. Registered circulators; requirements; violation;
4 classification; definition

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

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

22 1. THE CIRCULATOR'S FULL NAME, RESIDENCE ADDRESS, TELEPHONE NUMBER
23 AND E-MAIL ADDRESS.

24 2. THE INITIATIVE OR REFERENDUM PETITION ON WHICH THE CIRCULATOR
25 WILL GATHER SIGNATURES.

26 ~~3.~~ 3. A STATEMENT THAT the circulator consents to the jurisdiction
27 of the courts of this state in resolving any disputes concerning the
28 circulation of petitions by that circulator.

29 ~~4.~~ 4. The ~~circulator shall designate an~~ address OF THE COMMITTEE
30 in this state FOR WHICH THE CIRCULATOR IS GATHERING SIGNATURES AND at
31 which the circulator will accept service of process related to disputes
32 concerning circulation of that circulator's petitions. Service of process
33 is effected under this section by delivering a copy of the subpoena to
34 that person individually, ~~or~~ by leaving a copy of the subpoena ~~at the~~
35 ~~address designated by the circulator~~ with a person of suitable age OR BY
36 MAILING A COPY OF THE SUBPOENA TO THE COMMITTEE BY CERTIFIED MAIL TO THE
37 ADDRESS PROVIDED.

38 5. AN AFFIDAVIT FROM THE REGISTERED CIRCULATOR THAT IS SIGNED BY
39 THE CIRCULATOR BEFORE A NOTARY PUBLIC AND THAT INCLUDES THE FOLLOWING
40 DECLARATION:

41 I, _____ (PRINT NAME) _____, UNDER PENALTY OF A CLASS 1
42 MISDEMEANOR, ACKNOWLEDGE THAT I AM ELIGIBLE TO REGISTER AS A
43 CIRCULATOR IN THE STATE OF ARIZONA, THAT ALL OF THE
44 INFORMATION PROVIDED IS CORRECT TO THE BEST OF MY KNOWLEDGE

1 AND THAT I HAVE READ AND UNDERSTAND ARIZONA ELECTION LAWS
2 APPLICABLE TO THE COLLECTION OF SIGNATURES FOR A STATEWIDE
3 INITIATIVE OR REFERENDUM.

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

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

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

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

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

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

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

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

42 H. A PERSON WHO KNOWINGLY OMITS OR MISREPRESENTS INFORMATION OR
43 PROVIDES FALSE INFORMATION ON A CIRCULATOR REGISTRATION APPLICATION OR WHO
44 REGISTERS IN VIOLATION OF THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

1 ~~F.~~ I. For the purposes of this title, "paid circulator":
2 1. Means a natural person who receives monetary or other
3 compensation for obtaining signatures on a STATEWIDE INITIATIVE OR
4 REFERENDUM petition or for circulating STATEWIDE INITIATIVE OR REFERENDUM
5 petitions for signatures.
6 2. Does not include a paid employee of any political committee
7 organized pursuant to title 16, chapter 6, unless that employee has or
8 will obtain two hundred or more signatures on an initiative, referendum or
9 recall petition in an election cycle.
10 Sec. 4. Section 19-121, Arizona Revised Statutes, is amended to
11 read:
12 19-121. Signature sheets; petitions; form; procedure for
13 filing
14 A. Signature sheets filed shall:
15 1. Be in the form prescribed by law.
16 2. Have printed in their lower right-hand corner, on each side of
17 such sheets, the official serial number assigned to the petition by the
18 secretary of state AND, IF APPLICABLE, THE REGISTRATION NUMBER ASSIGNED TO
19 THE CIRCULATOR.
20 3. Be attached to a full and correct copy of the title and text of
21 the measure, or amendment to the constitution, proposed or referred by the
22 petition.
23 4. Be printed in at least eight-point type.
24 5. Be printed in black ink on white or recycled white pages
25 fourteen inches in width by eight and one-half inches in length, with a
26 margin of at least one-half inch at the top and one-fourth inch at the
27 bottom of each page. Notwithstanding this ~~subsection~~ PARAGRAPH, the
28 secretary of state may prescribe an alternative page width and length in
29 the ~~election~~ INSTRUCTIONS AND procedures manual adopted pursuant to
30 section 16-452.
31 B. For the purposes of this chapter, a petition is filed when the
32 petition sheets are tendered to the secretary of state, who shall issue a
33 receipt based on an estimate made to the secretary of state of the
34 purported number of sheets and signatures filed. A receipt may be
35 electronically issued. After the issuance of the receipt, no additional
36 petition sheets may be accepted for filing.
37 C. ~~Petitions may be filed with the secretary of state in numbered~~
38 ~~sections for convenience in handling.~~ The secretary of state may
39 prescribe the method of filing, including electronic filing. Not more
40 than fifteen signatures on one sheet shall be counted. For petitions
41 filed regarding city, town or county matters, the ~~political~~ committee that
42 is the proponent of the petition and that files the petitions shall
43 organize the signature sheets and group them by circulator and is solely
44 responsible for compliance with this subsection. The local filing officer

1 may return as unfiled any signature sheets that are not so organized and
2 grouped.

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

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

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

23 19-121.01. Secretary of state; removal of petition and
24 ineligible signatures; sheets copies; random
25 sample; presumption

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

29 1. Remove the following:

30 (a) Those sheets not attached to a copy of the complete title and
31 text of the measure as prescribed in this chapter.

32 (b) The copy of the title and text from the remaining petition
33 sheets.

34 (c) Those sheets not bearing the correct petition serial number
35 **AND, IF APPLICABLE, THE PAID CIRCULATOR REGISTRATION NUMBER** in the lower
36 right-hand corner of each side.

37 (d) Those sheets containing a circulator's affidavit that is not
38 completed or signed or that has been modified.

39 (e) Those sheets on which the affidavit of the circulator is not
40 notarized, the notary's signature is missing, the notary's commission has
41 expired or the notary's seal is not affixed.

42 (f) Those sheets on which the signatures of the circulator or the
43 notary are dated earlier than the dates on which the electors signed the
44 face of the petition sheet.

1 (g) Those sheets that are circulated by a circulator who is
2 prohibited from participating in any election, initiative, referendum or
3 recall campaign pursuant to section 19-119.01.

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

8 2. After completing the steps in paragraph 1 of this subsection,
9 review each sheet to determine the county of the majority of the signers
10 and shall:

11 (a) Place a three or four letter abbreviation designating that
12 county on the face of the petition.

13 (b) Remove all signatures of those not in the county of the
14 majority on each sheet BY placing an adjacent mark or striking through the
15 signature line.

16 (c) Cause all signature sheets to be grouped together by county of
17 registration of the majority of those signing. The detached copies of the
18 title and text of the measure shall be made available to the applicant but
19 may be disposed of after a reasonable period of time.

20 3. After completing the steps in paragraph 2 of this subsection,
21 remove the following signatures that are not eligible for verification by
22 placing an adjacent mark or striking through the signature line:

23 (a) If the signature of the qualified elector is missing.

24 (b) If the residence address or the description of residence
25 location is missing.

26 (c) If the date on which the petitioner signed is missing, if the
27 date on which the petitioner signed the petition is before the date that
28 the serial number was assigned to the political committee that is filing
29 the petition or if the date on which the petitioner signed the petition is
30 after the date on which the affidavit was completed by the circulator and
31 notarized.

32 (d) Signatures in excess of the fifteen signatures permitted per
33 petition.

34 (e) Signatures withdrawn pursuant to section 19-113.

35 (f) Signatures for which the secretary of state determines that the
36 petition circulator has printed the elector's first and last names or
37 other information in violation of section 19-112.

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

41 5. Number the remaining petition sheets that were not previously
42 removed and that contain signatures eligible for verification in
43 consecutive order on the front side of each petition sheet.

1 6. Count all remaining petition sheets and signatures not
2 previously removed and notify the applicant of this total number eligible
3 for verification.

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

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

33 D. After the selection of the random sample and the marking of the
34 signatures selected on the petition sheets pursuant to subsection B of
35 this section, the secretary of state shall transmit a copy of the front of
36 each signature sheet on which a signature included in the random sample
37 appears. The secretary of state shall clearly identify those signatures
38 marked for verification and shall transmit by personal delivery, certified
39 mail, ~~electronic mail~~ E-MAIL or other electronic transfer method to each
40 county recorder a copy of each signature sheet on which a signature
41 appears of any individual who claims to be a qualified elector of that
42 county and whose signature was selected for verification as part of the
43 random sample.

1 E. The secretary of state shall presume that the date noted on the
2 petition for a petitioner's signature is the date on which the petitioner
3 signed the petition, and any person seeking to establish a different date
4 for the signature bears the burden of proof in overcoming the presumption.

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

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

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

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

24 Sec. 7. Severability

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