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

CHAPTER 246

SENATE BILL 1154

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

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

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

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

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

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

   1. Name in full and appropriate title.
   2. Party preference.
   3. Date of registration.
   4. Residence address.
   5. Mailing address, if different from residence address.
7. Telephone number if given.
8. Birth year.
9. Occupation if given.
10. Voting history for all elections in the prior four years and any other information regarding registered voters that the county recorder or city or town clerk maintains electronically and that is public information.
11. All data relating to permanent early voters and nonpermanent early voters, including ballot requests and ballot returns.

D. The names on the precinct lists shall be in alphabetical order and the precinct lists in their entirety, unless otherwise agreed, shall be delivered to each county chairman and each state chairman within ten business days of the close of each date for counting registered voters prescribed by subsection G of this section other than the primary and general election registered voter counts in the same format and media as prescribed by subsection C of this section. During the thirty-three days immediately preceding an election and on request from a county or state chairman, the county recorder shall provide at no cost a daily list of persons who have requested an early ballot and shall provide at no cost a weekly listing of persons who have returned their early ballots. The recorder shall provide the daily and weekly information through the Friday preceding the election. On request from a county chairman or state chairman, the county recorder of a county with a population of more than eight hundred thousand persons shall provide at no cost a daily listing of persons who have returned their early ballots. The daily listing shall be provided Mondays through Fridays, beginning with the first Monday following the start of early voting and ending on the Monday before the election.

E. Precinct registers and other lists and information derived from registration forms may be used only for purposes relating to a political or political party activity, a political campaign or an election, for revising election district boundaries or for any other purpose specifically authorized by law and may not be used for a commercial purpose as defined in section 39-121.03. The sale of registers, lists and information derived from registration forms to a candidate or a registered political committee for a use specifically authorized by this subsection does not constitute use for a commercial purpose. The county recorder, the secretary of state and other officers in charge of elections, on a request for an authorized use and within thirty days from receipt of the request, shall prepare additional copies of an official precinct list and furnish them to any person requesting them on payment of a fee equal to the following amounts for the following number of voter registration records provided:

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

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

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

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

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

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

G. The county recorder shall count the registered voters by political party by precinct, legislative district and congressional district as follows:
1. In even numbered years, the county recorder shall count all persons who are registered to vote as of:
   (a) January 1.
   (b) March 1 - April 1.
   (c) The last day on which a person may register to be eligible to vote in the next primary election.
   (d) The last day on which a person may register to be eligible to vote in the next general election.
   (e) The last day on which a person may register to be eligible to vote in the next presidential preference election.

2. In odd numbered years, the county recorder shall count all persons who are registered to vote as of:
   (a) January 1.
   (b) April 1.
   (c) July 1.
   (d) October 1.

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

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

J. The secretary of state shall develop and administer a statewide database of voter registration information that contains the name and registration information of every registered voter in this state. The statewide database is a matter of statewide concern and is not subject to modification or further regulation by a political subdivision. The database shall include an identifier that is unique for each individual voter. The database shall provide for access by voter registration officials and shall allow expedited entry of voter registration information after it is received by county recorders. As a part of the statewide voter registration database, county recorders shall provide for the electronic transmittal of that information to the secretary of state on a real time basis. The secretary of state shall provide for maintenance of the database, including provisions regarding removal of ineligible voters that are consistent with the national voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections
20501 through 20511) and the help America vote act of 2002 (P.L. 107-252; 116 Stat. 1666; 52 United States Code sections 20901 through 21145), provisions regarding removal of duplicate registrations and provisions to ensure that eligible voters are not removed in error. For the purpose of maintaining compliance with the help America vote act of 2002, each county voter registration system is subject to approval by the secretary of state for compatibility with the statewide voter registration database system.

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

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

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

N. The county recorders and the secretary of state shall not prohibit any person or entity prescribed in subsection C of this section from distributing a precinct list to any person or entity that is deemed to be using the precinct list in a lawful manner as prescribed in subsections E and F of this section.
Sec. 2. Section 16-201, Arizona Revised Statutes, is amended to read:

16-201. Primary elections

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

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

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

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

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

1. Except for regular elections for candidates in a city or town with a population of one hundred seventy-five thousand or more persons, all elections, including recall elections and special elections to fill vacancies, shall be held on:
   (a) The second Tuesday in March.
   (b) The third Tuesday in May.
   (c) The tenth Tuesday before the first Tuesday after the first Monday in November.
   (d) The first Tuesday after the first Monday in November. Notwithstanding any other law, an election must be held on this date for the approval of an obligation or other authorization requiring or authorizing the assessment of secondary property taxes by a county, city, town, school district, community college district or special taxing district, except as provided by title 48.

2. For regular elections that are only for candidates in a city or town with a population of one hundred seventy-five thousand or more persons and not including recall elections and special elections to fill vacancies in those cities or towns, elections shall be held on:
(a) The tenth Tuesday before the first Tuesday after the first
Monday in November.
(b) The first Tuesday after the first Monday in November.

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

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

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

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

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

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

1. The second Tuesday in March.

2. The third Tuesday in May.

3. THROUGH 2019, the tenth Tuesday before the first Tuesday after
the first Monday in November. BEGINNING IN 2020 AND LATER, THE ELECTION
SHALL BE HELD ON THE FIRST TUESDAY IN AUGUST.
4. The first Tuesday after the first Monday in November. Notwithstanding any other law, an election must be held on this date for the approval of an obligation or other authorization requiring or authorizing the assessment of secondary property taxes by a county, city, town, school district, community college district or special taxing district, except as provided by title 48. Notwithstanding any other law, an election must be held on the date specified in this paragraph and only in even-numbered years for the approval of or authorizing the assessment of transaction privilege taxes by a county, city or town.

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

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

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

16-206. Election day
A. The biennial primary election day on the tenth FIRST Tuesday before IN AUGUST IN THE YEAR the general election IS HELD and the biennial general election day on the first Tuesday after the first Monday in November of every even-numbered year are not legal holidays.

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

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

16-226. Nonpartisan elections; local elections; time of calling; definition
A. Nonpartisan elections and elections held by a school district, a city or a town and that are not held concurrently with a general election shall be called no later than one hundred twenty FIFTY days before the date of holding the election. THIS SUBSECTION DOES NOT APPLY TO AN ELECTION CALLED PURSUANT TO SECTION 19-209.

B. For the purposes of this article, "nonpartisan" means an election that is held by a special district established pursuant to title 48 and that is not held concurrently with the general election.
Sec. 6. Section 16-311, Arizona Revised Statutes, is amended to read:

16-311. Nomination papers; 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 the party and, not less than ninety one hundred twenty nor more than one hundred twenty fifty 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 of such the county, city, town or district and, not less than ninety one hundred twenty nor more than one hundred twenty fifty days before the 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, stating the office and county, city, town or district and ward 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 election. A candidate for office shall reside at the time of filing in the county, city, town, district, ward or precinct that the person proposes to represent.

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. Such the ordinance shall be adopted not less than one hundred twenty fifty 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 I 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 I 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. 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.

I. 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.

J. 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. 7. Section 16-314, Arizona Revised Statutes, is amended to read:

16-314. Filing and form of nomination petitions; definition
A. Any person desiring to become a candidate at any election and to have the person's name printed on the official ballot shall file, not less than ninety ONE HUNDRED TWENTY nor more than one hundred twenty FIFTY days before the primary election and with the same officer as provided by section 16-311, a nomination petition in addition to the nomination paper required.

B. For the purposes of this title, "nomination petition" means the form or forms used for obtaining the required number of signatures of qualified electors, which is circulated by or on behalf of the person wishing to become a candidate for a political office.

C. Nomination petitions shall be captioned "partisan nomination petition" or "nonpartisan nomination petition", followed by the language of the petition in substantially the following form:

Partisan Nomination Petition
I, the undersigned, a qualified elector of the county of ____________, state of Arizona, and of (here name political division or district from which the nomination is sought) and a member of the ____________ party or a person who is registered as no party preference or independent as the party preference or who is registered with a political party that is not qualified for representation on the ballot, hereby
nominate ___________ who resides at _____________ in the county of ____________ for the party nomination for the office of _______________ to be voted at the primary election to be held __________ as representing the principles of such party, and I hereby declare that I am qualified to vote for this office and that I have not signed, and will not sign, any nomination petition for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

Nonpartisan Nomination Petition

I, the undersigned, a qualified elector of the county of ______________, state of Arizona, and of (here name political division or district from which the nomination is sought) hereby nominate _______________ who resides at _______________ in the county of _______________ for the office of _______________ to be voted at the _______________ election to be held _____________, and hereby declare that I am qualified to vote for this office and that I have not signed and will not sign any nomination petitions for more persons than the number of candidates necessary to fill such office at the next ensuing election. I further declare that if I choose to use a post office box address on this petition, my residence address has not changed since I last reported it to the county recorder for purposes of updating my voter registration file.

D. The nomination petition of a person seeking to fill an unexpired vacant term for any public office shall designate the expiration date of the term following the name of the office being sought.

Sec. 8. Section 16-322, Arizona Revised Statutes, is amended to read:

16-322. Number of signatures required on nomination petitions

A. Nomination petitions shall be signed by a number of qualified signers equal to:

1. If for a candidate for the office of United States senator or for a state office, excepting members of the legislature and superior court judges, at least one-fourth of one percent but not more than ten percent of the total number of qualified signers in the state.

2. If for a candidate for the office of representative in Congress, at least one-half of one percent but not more than ten percent of the total number of qualified signers in the district from which the representative shall be elected except that if for a candidate for a special election to fill a vacancy in the office of representative in
Congress, at least one-fourth of one percent but not more than ten percent of the total number of qualified signers in the district from which the representative shall be elected.

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

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

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

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

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

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

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

10. If for a candidate for an office nominated by a town at large, by a number of qualified electors who are qualified to vote for the candidate whose nomination petition they are signing equal to at least five percent and not more than ten percent of the vote in the town, except that a town that chooses to hold nonpartisan elections may provide by
ordinance that the minimum number of signatures required for the candidate be one thousand signatures or five percent of the vote in the town, whichever is less, but not more than ten percent of the vote in the town.

11. If for a candidate for a governing board of a school district or a career technical education district, at least one-half of one percent of the total voter registration in the school district or career technical education district if the board members are elected at large or one percent of the total voter registration in the single member district if governing board members are elected from single member districts or one-half of one percent of the total voter registration in the single member district if career technical education district board members are elected from single member districts. Notwithstanding the total voter registration in the school district, career technical education district or single member district of the school district or career technical education district, the maximum number of signatures required by this paragraph is four hundred.

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

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

C. In primary elections the signature requirement for party nominees, other than nominees of the parties entitled to continued representation pursuant to section 16-804, is at least one-tenth of one percent of the total vote for the winning candidate or candidates for governor or presidential electors at the last general election within the
district. Signatures must be obtained from qualified electors who are qualified to vote for the candidate whose nomination petition they are signing.

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

Sec. 9. 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

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 one hundred twenty days nor more than one hundred twenty fifty 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 January 2 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
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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. 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.

J. 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.

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 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.

L. 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. 10. Section 16-411, Arizona Revised Statutes, is amended to read:

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

A. The board of supervisors of each county, on or before December 1

OCTOBER 1 of each year preceding the year of a general election, by an order, shall establish a convenient number of election precincts in the county and define the boundaries of the precincts. The election precinct boundaries shall be so established as included within election districts prescribed by law for elected officers of the state and its political subdivisions including community college district precincts, except those elected officers provided for in titles 30 and 48.

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

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

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

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

4. On a specific resolution of the board, the board may authorize the use of voting centers in place of or in addition to specifically designated polling places. A voting center shall allow any voter in that county to receive the appropriate ballot for that voter on election day and lawfully cast the ballot. Voting centers may be established in coordination and consultation with the county recorder, at other county offices or at other locations in the county deemed appropriate.
C. If the board fails to designate the place for holding the
election, or if it cannot be held at or about the place designated, the
justice of the peace in the precinct, two days before the election, by an
order, copies of which the justice of the peace shall immediately post in
three public places in the precinct, shall designate the place within the
precinct for holding the election. If there is no justice of the peace in
the precinct, or if the justice of the peace fails to do so, the election
board of the precinct shall designate and give notice of the place within
the precinct of holding the election. For any election in which there are
no candidates for elected office appearing on the ballot, the board may
consolidate polling places and precinct boards and may consolidate the	
tabulation of results for that election if all of the following apply:
1. All affected voters are notified by mail of the change at least
   thirty-three days before the election.
2. Notice of the change in polling places includes notice of the
   new voting location, notice of the hours for voting on election day and
   notice of the telephone number to call for voter assistance.
3. All affected voters receive information on early voting that
   includes the application used to request an early voting ballot.
D. The board is not required to designate a polling place for
special district mail ballot elections held pursuant to article 8.1 of
this chapter, but the board may designate one or more sites for voters to
deposit marked ballots until 7:00 p.m. on the day of the election.
E. Except as provided in subsection F of this section, a public
school shall provide sufficient space for use as a polling place for any
city, county or state election when requested by the officer in charge of
elections.
F. The principal of the school may deny a request to provide space
for use as a polling place for any city, county or state election if, within two weeks after a request has been made, the principal provides a
written statement indicating a reason the election cannot be held in the
school, including any of the following:
1. Space is not available at the school.
2. The safety or welfare of the children would be jeopardized.
G. The board shall make available to the public as a public record
a list of the polling places for all precincts in which the election is to
be held.
H. Except in the case of an emergency, any facility that is used as
a polling place on election day or that is used as an early voting site
during the period of early voting shall allow persons to electioneer and
engage in other political activity outside of the seventy-five foot limit
prescribed by section 16-515 in public areas and parking lots used by
voters. This subsection shall not be construed to permit the temporary or
permanent construction of structures in public areas and parking lots or
the blocking or other impairment of access to parking spaces for
voters. The county recorder or other officer in charge of elections shall post on its website at least two weeks before election day a list of those polling places in which emergency conditions prevent electioneering and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation. If the polling place is not on the website list of polling places with emergency designations, electioneering and other political activity shall be permitted outside of the seventy-five foot limit. If an emergency arises after the county recorder or other officer in charge of elections' initial website posting, the county recorder or other officer in charge of elections shall update the website as soon as is practicable to include any new polling places, shall highlight the polling place location on the website and shall specify the reason the emergency designation was granted and the number of attempts that were made to find a polling place before granting an emergency designation.

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

1. An act of God renders a previously set polling place as unusable.
2. A county recorder or other officer in charge of elections has exhausted all options and there are no suitable facilities in a precinct that are willing to be a polling place unless a facility can be given an emergency designation.

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

1. The number of ballots voted in the prior primary and general elections.
2. The number of registered voters who voted early in the prior primary and general elections.
3. The number of registered voters and the number of registered voters who cast an early ballot for the current primary or general election.
4. The number of election board members and clerks and the number of rosters that will reduce voter wait time at the polls.
Sec. 11. Section 16-412, Arizona Revised Statutes, is amended to read:

16-412. Effective date of new precincts

After establishing precincts as provided in section 16-411, the board of supervisors of each county shall deliver to the county recorder a complete description of these precincts immediately after adoption. The county recorder shall then transfer all the voters who reside in a new precinct as the result of this adoption by January 2 of the year of the next general election. The county recorder shall mail the notice of the precinct change to each household containing a registered voter, unless a sample ballot containing the precinct name or number is mailed prior to the primary election. For the purpose of conducting any election called pursuant to the laws of this state, precincts adopted under the provisions of section 16-411 shall become effective no later than January 2 of the year of the next general election.

Sec. 12. Section 16-803, Arizona Revised Statutes, is amended to read:

16-803. Filing petition for recognition; submission of petitions to county recorder for signature verification

A. A petition for recognition of a new political party shall be filed with the secretary of state, the officer in charge of elections of the county or the city or town clerk, as the case may be, not less than one hundred eighty days before the primary election for which the party seeks recognition. A new party that seeks both state and county recognition may file the original petition with the officer in charge of elections for the county and a certified copy of the petition with the secretary of state.

B. Within seven business days after receipt of a petition for statewide recognition, the secretary of state shall:

  1. 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 in the upper right-hand corner of the face of the petition.
     (b) Remove all signatures of those not in the county of the majority on each sheet by marking an "SS" in red ink in the margin to the right of the signature line.
     (c) Cause all signature sheets to be grouped together by county of registration of the majority of those signing.

  2. Remove the following signatures that are not eligible for verification by marking an "SS" in red ink in the margin to the right of 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.
3. After the removal of petition sheets and signatures, count the number of signatures for verification on the remaining petition sheets and note that number in the upper right-hand corner of the face of each petition sheet immediately above the county designation.
4. 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 in the upper left-hand corner.
5. Count all remaining petition sheets and signatures not previously removed and issue a receipt to the applicant of this total number eligible for verification.

C. The secretary of state, during the same seven business day period provided in subsection B, shall select, at random, twenty 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 according to the following procedure:
1. Using red ink, mark the selected signature by circling the line number and drawing a line from the base of the circle extending into the left margin.
2. If a signature line selected for the random sample is found to be blank or was removed from the verification process pursuant to subsection B, 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, the secretary of state shall reproduce a facsimile 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 by color.
highlighting or other similar method and shall transmit by personal delivery or certified mail to each county recorder a facsimile sheet 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. Within ten business days after receiving the facsimile signature sheets from the secretary of state, the county recorder shall determine which signatures of individuals whose names were transmitted shall be disqualified for any of the following reasons:

1. No residence address or description of residence location is provided.
2. No date of signing is provided.
3. The signature is illegible and the signer is otherwise unidentifiable.
4. The address provided is illegible or nonexistent.
5. The individual was not a qualified elector on the date of signing the petition.
6. The individual was a registered voter but was not at least eighteen years of age on the date of signing the petition or affidavit.
7. The signature was disqualified after comparison with the signature on the affidavit of registration.
8. If a petitioner signed more than once, all but one otherwise valid signature shall be disqualified.
9. For the same reasons any signatures could have been removed by the secretary of state pursuant to this section.

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

1. The name of any individual whose signature was included in the random sample and disqualified by the county recorder together with the petition page and line number of the disqualified signature.
2. The total number of signatures selected for the random sample and transmitted to the county recorder for verification and the total number of random sample signatures disqualified.

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

1. Return the facsimile signature sheets to the secretary of state.
2. Send notice of the results of the certification by mail to the person or organization that submitted the petitions and to the secretary of state.

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

1. All signatures that were found ineligible by the county recorders.
2. After determining the percentage of all signatures found to be invalid in the random sample, a like percentage from those signatures remaining after the subtractions performed pursuant to paragraph 1 of this subsection.

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

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

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

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

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

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

D. Each county recorder shall determine the political parties qualified for the county ballot pursuant to this section by December 1 of the appropriate year.

E. Each city or town clerk of a city or town providing for partisan elections shall determine the political parties qualified for such city or town ballot pursuant to this section one hundred forty days before the primary election.
Sec. 14. Section 16-821, Arizona Revised Statutes, is amended to read:

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

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

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

Sec. 15. Call of 2019 election to amend city charter

Notwithstanding section 16-226, Arizona Revised Statutes, as amended by this act, an election held in 2019 by a charter city to conform the city’s charter with the provisions of this act may be called not later than ninety days before either the tenth Tuesday before the first Tuesday after the first Monday in November or the first Tuesday after the first Monday in November.

Sec. 16. 2020 primary election; nomination petition forms; previous primary election date

A person desiring to become a candidate at the 2020 primary election who collects signatures on a nomination petition form before the effective date of this act and who has used a petition form that includes the former primary election date may lawfully submit those signatures for the 2020 primary election to be held on the first Tuesday in August. Signatures that are collected and submitted as prescribed in this section and that otherwise comply with the requirements provided by law are deemed to be as valid as signatures collected on a nomination petition form that complies with the primary election date prescribed in section 16-201, Arizona Revised Statutes, as amended by this act, and shall not be ruled invalid due solely to the changed date of the primary election.
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APPROVED BY THE GOVERNOR MAY 22, 2019.