CHAPTER 3
HOUSE BILL 2839

AN ACT

AMENDING SECTION 16-322, ARIZONA REVISED STATUTES; AMENDING LAWS 2021, CHAPTER 155, SECTION 2; RELATING TO CANDIDATES FOR PUBLIC OFFICE.

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

Section 1. 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 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 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, OR legislative
districts, OR supervisorial districts, justice precincts or election
precincts are established and effective subsequent to January 2 of the
year of a general election and before the FIRST 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, OR district or precinct that was effective on January 2
of the year of a general election. IF NEW BOUNDARIES FOR SUPERVISORIAL
DISTRICTS, JUSTICE PRECINCTS OR ELECTION PRECINCTS ARE ADOPTED AFTER
JANUARY 2 OF THE YEAR OF A GENERAL ELECTION AND BEFORE THE LAST DATE FOR
FILING OF NOMINATION PETITIONS FOR THE ELECTIVE OFFICE, DISTRICT OR
PRECINCT, 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 EFFECTIVE DATE OF THE NEW DISTRICT OR
PRECINCT.

Sec. 2. Laws 2021, chapter 155, section 2, is amended to read:
Sec. 2. 2022 legislative, congressional candidates; secretary
of state; nomination papers and petitions;
nomination signatures

A. Notwithstanding any other law, for candidates for election in
2022 to the legislature or to the United States Congress, if the statement
of interest, nomination paper and nomination petition are in compliance
with otherwise applicable law, the secretary of state shall accept as a
valid filing the nomination paper and nomination petition of a person that
designate a district for that person's candidacy and that use any or all
of the following:

1. For a candidate for the legislature:

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(a) The candidate's legislative district as used in the 2020 elections.
(b) The candidate's legislative district as designated in a redistricting plan adopted by the 2021 independent redistricting commission.
(c) The candidate's legislative district as designated in a redistricting plan that is ordered for use in the 2022 election by a court of competent jurisdiction.

2. For a candidate for the United States Congress:
   (a) The candidate's congressional district as used in the 2020 elections.
   (b) The candidate's congressional district as designated in a redistricting plan adopted by the 2021 independent redistricting commission.
   (c) The candidate's congressional district as designated in a redistricting plan that is ordered for use in the 2022 election by a court of competent jurisdiction.

B. Notwithstanding any other law, for candidates for election in 2022 to the legislature or to the United States Congress, if the candidate nomination petition and the petition signers are in compliance with otherwise applicable law, the secretary of state shall accept and petition signers are valid if the petition signers are registered voters who are residents of any or all of the following districts that the candidate proposes to represent:

1. For a candidate for the legislature:
   (a) The candidate's legislative district as used in the 2020 elections.
   (b) The candidate's legislative district as designated in a redistricting plan adopted by the 2021 independent redistricting commission.
   (c) The candidate's legislative district as designated in a redistricting plan that is ordered for use in the 2022 election by a court of competent jurisdiction.

2. For a candidate for the United States Congress:
   (a) The candidate's congressional district as used in the 2020 elections.
   (b) The candidate's congressional district as designated in a redistricting plan adopted by the 2021 independent redistricting commission.
   (c) The candidate's congressional district as designated in a redistricting plan that is ordered for use in the 2022 election by a court of competent jurisdiction.

C. NOTWITHSTANDING ANY OTHER LAW, THE NUMBER OF SIGNATURES REQUIRED FOR A 2022 LEGISLATIVE CANDIDATE'S NOMINATION PETITION SHALL BE THE LESSER OF THE FOLLOWING:
1. THE AVERAGE OF THE NUMBER OF QUALIFIED SIGNERS NEEDED FOR ALL 2020 LEGISLATIVE DISTRICTS FOR THAT CANDIDATE’S POLITICAL PARTY, USING THE VOTER REGISTRATION REPORT FOR JANUARY 2, 2022 TO DETERMINE THE NUMBER OF QUALIFIED SIGNERS REQUIRED AS PRESCRIBED IN SECTION 16-322, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT, FOR EACH 2020 LEGISLATIVE DISTRICT.


D. NOTWITHSTANDING ANY OTHER LAW, THE NUMBER OF SIGNATURES REQUIRED FOR A 2022 CONGRESSIONAL CANDIDATE’S NOMINATION PETITION SHALL BE THE LESSER OF THE FOLLOWING:

1. THE AVERAGE OF THE NUMBER OF QUALIFIED SIGNERS NEEDED FOR ALL 2020 CONGRESSIONAL DISTRICTS FOR THAT CANDIDATE’S POLITICAL PARTY, USING THE VOTER REGISTRATION REPORT FOR JANUARY 2, 2022 TO DETERMINE THE NUMBER OF QUALIFIED SIGNERS REQUIRED AS PRESCRIBED IN SECTION 16-322, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT, FOR EACH 2020 CONGRESSIONAL DISTRICT.


C. E. This section does not apply to statements of interest, nomination papers, and nomination petitions for a special election to fill a vacancy in the office of the United States house of representatives.

Sec. 3. Redistricting; 2022 candidates for county and local office; nomination papers and petitions; signatures; exemption

A. Notwithstanding any other law and except for candidates for a federal, statewide or legislative office, for candidates for election in 2022 to an office immediately following redistricting conducted as otherwise provided by law, the following apply:

1. If the candidate statement of interest, nomination paper and nomination petition are in compliance with otherwise applicable law, the filing officer shall accept as a valid filing the nomination paper and nomination petition of a person that designate a district for that person’s candidacy and that use any or all of the following:
(a) The candidate's district as used in the election for that office immediately preceding the redistricting.

(b) The candidate's district as designated as a result of a redistricting plan adopted for the upcoming election.

(c) The candidate's district as designated as a result of a redistricting plan that is ordered for use in the upcoming election by a court of competent jurisdiction.

2. If the candidate nomination paper and nomination petition are in compliance with otherwise applicable law, the filing officer shall accept and petition signers are valid if the petition signers are registered voters who are residents of any or all of the following districts that the candidate proposes to represent:

(a) The candidate's district as used in the election for that office immediately preceding the redistricting.

(b) The candidate's district as designated as a result of a redistricting plan adopted for the upcoming election.

(c) The candidate's district as designated as a result of a redistricting plan that is ordered for use in the upcoming election by a court of competent jurisdiction.

B. This section does not apply to a special election to fill a vacancy in any office prescribed in subsection A of this section.

Sec. 4. 2022 election cycle; precinct committeemen; county party committee; board of supervisors

Notwithstanding any other law, for the 2022 election for political party precinct committeemen only, the following apply:

1. Candidates for precinct committeeman shall submit to their county political party committee a nomination paper or other similar written statement of candidacy not later than April 18, 2022 and shall not be required to submit a nomination petition or file other documents with a filing officer.

2. The county political party committee shall verify the potential candidates' eligibility based on the April 1 voter registration totals prescribed by section 16-168, subsection G, Arizona Revised Statutes.

3. Not later than May 2, 2022, the county political party committee shall submit to the county board of supervisors one precinct committeeman candidate's name for each election precinct in the county for appointment pursuant to section 16-410 and section 16-822, subsection B, Arizona Revised Statutes. The county political party committee is the sole determiner of the single political party precinct committeeman candidate whose name is to be submitted for appointment from each election precinct in the county.

4. The county board of supervisors shall appoint the political party precinct committeemen from the names submitted pursuant to paragraph 3 of this section. Precinct committeemen who are appointed pursuant to
this section for the 2022 term of office are deemed elected precinct
committeemen for all purposes.

5. For any vacancies in the office of precinct committeeman that
occur during the 2022 term of office, the county political party committee
shall appoint eligible persons to fill those vacancies and shall maintain
a current roster of precinct committeemen for the remainder of the 2022
term, and no further action regarding vacancies is required by the county
board of supervisors.

Sec. 5. Emergency

This act is an emergency measure that is necessary to preserve the
public peace, health or safety and is operative immediately as provided by
law.

APPROVED BY THE GOVERNOR MARCH 3, 2022.