

REFERENCE TITLE: presidential preference election; independent voters.

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HB 2736

Introduced by
Representatives Pawlik: Andrade, Butler, Chávez, Espinoza, Hernandez A,
Meza, Rodriguez, Salman, Schwiebert, Sierra, Stahl Hamilton, Teller,
Senators Bowie, Engel

AN ACT

AMENDING SECTION 16-241, ARIZONA REVISED STATUTES; RELATING TO
PRESIDENTIAL PREFERENCE ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-241, Arizona Revised Statutes, is amended to
3 read:

4 16-241. Presidential preference election; conduct of election

5 A. A presidential preference election shall be held on the Tuesday
6 immediately following March 15 of each year in which the President of the
7 United States is elected to give qualified electors the opportunity **EITHER**
8 to express their preference for the presidential candidate of the
9 political party indicated as their preference by the record of their
10 registration **OR, FOR ELECTORS WHO ARE REGISTERED WITHOUT A POLITICAL PARTY**
11 **DESIGNATION, TO EXPRESS THEIR PREFERENCE FOR THE PRESIDENTIAL CANDIDATE OF**
12 **THE POLITICAL PARTY THEY CHOOSE, AS INDICATED BY THEIR SELECTION OF THAT**
13 **POLITICAL PARTY'S BALLOT AT THIS ELECTION.** No other election may appear
14 on the same ballot as the presidential preference election.

15 B. Notwithstanding subsection A of this section, the governor may
16 issue a proclamation that the presidential preference election is to be
17 held on a date later than the date prescribed in subsection A of this
18 section. The proclamation shall be issued ~~no~~ **NOT** later than one hundred
19 eighty days before the date of the election as set forth in the
20 proclamation. The governor shall transmit a copy of the election
21 proclamation to the clerks of the county boards of supervisors.

22 C. Except as otherwise provided in this article, the presidential
23 preference election shall be conducted and canvassed in the same manner as
24 prescribed in this title for the primary election held pursuant to section
25 16-201. All provisions of other laws that govern elections and that are
26 not in conflict with this article apply to a presidential preference
27 election, including laws relating to registration and qualifications of
28 electors.

29 D. Unless otherwise specifically prescribed by this article, the
30 powers and duties conferred by law on boards of supervisors, officers in
31 charge of elections, county recorders, precinct boards and central
32 counting boards in connection with a primary election are conferred on
33 those persons for purposes of a presidential preference election and shall
34 be exercised by them for a presidential preference election.

35 E. Every act that is an offense pursuant to the election laws of
36 this state is an offense for purposes of a presidential preference
37 election, and a person is subject to the penalties prescribed by those
38 laws.