

REFERENCE TITLE: school districts; boards; term limits

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1246

Introduced by
Senator Bowie

AN ACT

AMENDING SECTION 15-424, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARD ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-424, Arizona Revised Statutes, is amended to
3 read:

4 15-424. Election of governing board members; terms; statement
5 of contributions and expenditures

6 A. A regular election shall be held for each school district at the
7 time and place, and in the manner, of general elections as provided in
8 title 16.

9 B. Except as provided in subsection C of this section and sections
10 15-429 and 15-430, the term of office for each member shall be four years
11 from January 1 next following the member's election. ~~A PERSON IS NOT~~
12 ~~ELIGIBLE TO SERVE MORE THAN TWO CONSECUTIVE TERMS ON THE GOVERNING BOARD~~
13 ~~OF A SCHOOL DISTRICT.~~

14 C. At the first general election held for a newly formed district,
15 three members shall be elected. The candidate receiving the highest
16 number of votes shall be elected to a ~~four-year~~ FOUR-YEAR term, and the
17 candidates having the second and third highest number of votes shall be
18 elected to ~~two-year~~ TWO-YEAR terms. A district increasing its governing
19 board to five members shall elect at the next general election members in
20 the following manner:

21 1. If one of the previous three offices is to be filled, the three
22 candidates receiving the highest, the second highest and the third highest
23 number of votes shall be elected to ~~four-year~~ FOUR-YEAR terms.

24 2. If two of the previous three offices are to be filled, the
25 candidates receiving the highest, the second highest and the third highest
26 number of votes shall be elected to ~~four-year~~ FOUR-YEAR terms. The
27 candidate receiving the fourth highest number of votes shall be elected to
28 a two year term. Thereafter all such offices shall have ~~four-year~~
29 FOUR-YEAR terms.

30 D. If only one person files a nominating petition or nomination
31 paper for a write-in candidate for an election to fill a district office,
32 the board of supervisors, ~~may~~ NOT earlier than seventy-five days before the
33 election, may cancel the election for the position and appoint the person
34 who filed the nominating petition or nomination paper to fill the
35 position. If no person files a nominating petition or nomination paper
36 for an election to fill a district office, the board of supervisors, ~~may~~
37 NOT earlier than seventy-five days before the election, may cancel the
38 election for that office and that office is deemed vacant and shall be
39 filled as provided in section 15-302. A person who is appointed pursuant
40 to this subsection is fully vested with the powers and duties of the
41 office as if elected to that office.

42 E. If two or more candidates receive an equal number of votes for
43 the same office, and a higher number than any other candidate for that
44 office, whether ~~upon~~ ON the tally by the school election board or canvass
45 of returns by the board of supervisors, or ~~upon~~ ON recount by a court, the

1 officer or board whose duty it is to declare the result shall determine by
2 lot and in the presence of the candidates which candidate shall be
3 declared elected.

4 F. Position of the names of candidates for each office shall be
5 rotated so that each candidate occupies each position on the ballot an
6 equal number of times, insofar as is possible, for each ballot style. For
7 candidates seeking election to fill a vacancy on the governing board, the
8 ballot shall be designated as provided in section 16-502.

9 G. This section does not require that a school election at which no
10 member is to be elected be held on a general election day.

11 H. All candidates for the office of school district governing board
12 member shall file with the county school superintendent a statement of
13 contributions and expenditures as provided in section 16-926.

14 Sec. 2. Existing board members

15 Notwithstanding section 15-424, Arizona Revised Statutes, as amended
16 by this act, all persons serving as members of a school district governing
17 board on the effective date of this act shall continue to serve until the
18 expiration of their normal terms.