AN ACT

AMENDING TITLE 15, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-341.02; AMENDING SECTIONS 15-422 AND 16-502, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICTS.

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

Section 1. Title 15, chapter 3, article 3, Arizona Revised Statutes, is amended by adding section 15-341.02, to read:

15-341.02. Peaceful protesting; school property; governing board and school-related meetings; definition

A. NOTWITHSTANDING ANY OTHER LAW, A SCHOOL DISTRICT MAY NOT EJECT FROM SCHOOL PROPERTY OR FROM THE VICINITY OF ANY OTHER LOCATION WHERE A SCHOOL DISTRICT GOVERNING BOARD MEETING OR ANY OTHER SCHOOL-RELATED MEETING IS TAKING PLACE OR TAKE ANY OTHER ADVERSE ACTION AGAINST A PERSON OR A GROUP OF PEOPLE ENGAGING IN PEACEFUL PROTESTING AFTER SCHOOL HOURS.

B. THE ACT OF PEACEFUL PROTESTING ON SCHOOL PROPERTY AFTER SCHOOL HOURS OR IN THE VICINITY OF ANY OTHER LOCATION WHERE A SCHOOL DISTRICT GOVERNING BOARD MEETING OR ANY OTHER SCHOOL-RELATED MEETING IS TAKING PLACE AFTER SCHOOL HOURS DOES NOT VIOLATE SECTION 13-2911.

C. A SCHOOL DISTRICT MAY NOT REQUIRE A PERSON OR A GROUP OF PEOPLE TO APPLY, REQUEST A PERMIT OR SECURE ANY OTHER FORM OF AUTHORIZATION TO ENGAGE IN PEACEFUL PROTESTING ON SCHOOL PROPERTY AFTER SCHOOL HOURS OR IN THE VICINITY OF ANY OTHER LOCATION WHERE A SCHOOL DISTRICT GOVERNING BOARD MEETING OR ANY OTHER SCHOOL-RELATED MEETING IS TAKING PLACE AFTER SCHOOL HOURS.

D. FOR THE PURPOSES OF THIS SECTION, "PEACEFUL PROTESTING" MEANS PROTESTING THAT IS CHARACTERIZED BY ALL OF THE FOLLOWING:

1. DOES NOT POSE AN OBVIOUS THREAT TO PERSONS.
2. DOES NOT DAMAGE PROPERTY.
3. DOES NOT INTERFERE WITH OR DISRUPT ACTIVITIES OCCURRING ON SCHOOL PROPERTY OR IN THE VICINITY OF ANY OTHER LOCATION WHERE A SCHOOL DISTRICT GOVERNING BOARD MEETING OR ANY OTHER SCHOOL-RELATED MEETING IS TAKING PLACE.

Sec. 2. Section 15-422, Arizona Revised Statutes, is amended to read:

15-422. Partisan nomination petitions; partisan elections; ballots

A. Nominating PARTISAN NOMINATION petitions shall be filed with the county school superintendent as prescribed by title 16, chapter 3. Nominating PARTISAN NOMINATION petitions shall be signed by a number of qualified electors of the SCHOOL district as provided in section 16-322. Nominating PARTISAN NOMINATION petitions for persons seeking to fill a vacancy on a SCHOOL DISTRICT governing board shall be designated as provided in section 16-314.

B. NOTWITHSTANDING ANY OTHER LAW, ALL ELECTIONS FOR SCHOOL DISTRICT GOVERNING BOARD MEMBERS IN THIS STATE SHALL BE CONDUCTED USING A PARTISAN PRIMARY ELECTION FOLLOWED BY A GENERAL ELECTION AS OTHERWISE PRESCRIBED BY LAW AND IN THE FORM SUBSTANTIALLY SIMILAR TO THAT USED FOR COUNTYWIDE OR STATEWIDE ELECTIONS.
B. C. The county school superintendent may cause separate ballots to be prepared, or such THE NAMES OF CANDIDATES FOR school district candidates' names GOVERNING BOARD may be included as a part of the regular ballot. in any event The names of all persons whose petitions have been filed shall appear on a ballot, without WITH EACH CANDIDATE'S partisan or other designation except the AND title of the office BEING SOUGHT.

Sec. 3. Section 16-502, Arizona Revised Statutes, is amended to read:

16-502. Form and contents of ballot
A. Ballots shall be printed with black ink on white paper of sufficient thickness to prevent the printing thereon from being discernible from the back, and the same type shall be used for the names of all candidates. The ballots shall be headed "official ballot" in bold-faced plain letters, with a heavy rule above and below the heading. Immediately below shall be placed the words "type of election, (date of election)" and the name of the county and state in which the election is held. The name or number of the precinct in which the election is held shall be placed on the ballot in a uniform location for all ballots. No other matter shall be placed or printed at the head of any ballot. Instructions to the voter on marking the ballot may be printed below the heading as follows:

1. Put a mark according to the instructions next to the name of each candidate for each office for whom you wish to vote.

2. If you wish to vote for a person whose name is not printed on the ballot, write such name in the blank space provided on the ballot and put a mark according to the instructions next to the name so written.

3. Put a mark according to the instructions next to the word "yes" or "for" for each proposition or question you wish to be adopted. Put a mark according to the instructions next to the word "no" or "against" for each proposition or question you wish not to be adopted.

B. Immediately below the ballot instructions shall be placed the following:

Section One

Partisan Ballot

C. Immediately below the heading for section one there shall be placed in columns the names of the candidates of the several political parties. Next to each candidate's name there shall be printed in bold-faced letters the name of the political party. At the head of each column shall be printed the names of the offices to be filled with the name of each office being of uniform type size. At the head of each column shall be printed in the following order the names of candidates for:
1. Presidential electors, which shall be in a list and next to the
list shall be printed in bold type the surname of the presidential
candidate, and the surname of the vice presidential candidate who is
seeking election jointly with the presidential candidate shall be listed
directly below the name of the presidential candidate. The indicator for
the selection of the presidential and vice presidential candidates shall
be directly next to the surname of the presidential candidate, and one
mark directly next to a presidential candidate's surname shall be counted
as a vote for each elector in the list next to the presidential and vice
presidential candidates.

2. United States senator.

3. Representatives in Congress.

4. The several state offices.

5. The several county, SCHOOL DISTRICT GOVERNING BOARD and precinct
offices.

D. The names of candidates for the offices of state senator and
state representative along with the district number shall be placed within
the heading of each column to the right of the office name for state
offices and immediately below the candidates for the office of governor.
The number of the supervisorial district of which a candidate is a nominee
shall be printed within the heading of each column to the right of the
name of the office.

E. The lists of the candidates of the several parties shall be
arranged with the names of the parties in descending order according to
the votes cast for governor for that county in the most recent general
election for the office of governor, commencing with the left-hand column.
In the case of political parties that did not have candidates on the
ballot in the last general election, such parties shall be listed in
alphabetical order below the parties that did have candidates on the
ballot in the last general election. The names of all candidates
nominated under section 16-341 shall be placed in a single column below
that of the recognized parties. Next to the name of each candidate, in
parentheses, shall be printed a three-letter abbreviation that is taken
from the three words prescribed in the candidate's certificate of
nomination.

F. Immediately below the designation of the office to be voted for
shall appear the words: "Vote for not more than ________" (insert the
number to be elected).

G. In each column at the right or left of the name of each
candidate and on the same line there shall be a place for the voter to put
a mark. Below the name of the last named candidate for each office there
shall be as many blank lines as there are offices of the same title to be
filled, with a place for the voter to put a mark. On the blank line the
voter may write the name of any person for whom the voter desires to vote
whose name is not printed, and next to the name so written the voter shall designate his choice by a mark as in the case of printed names.

H. When there are two or more candidates of the same political party for the same office, or more than one candidate for a judicial office, the names of all such candidates shall be so alternated on the ballots used in each election district that the name of each candidate shall appear substantially an equal number of times in each possible location. If there are fewer or the same number of candidates seeking office than the number to be elected, the rotation of names is not required and the names shall be placed in alphabetical order.

I. Immediately below section one of the ballot shall be placed the following:

Section Two
Nonpartisan Ballot

J. Immediately below the heading for section two shall be placed the names of the candidates for justices of the supreme court, judges of the court of appeals, judges of the superior court standing for retention or rejection pursuant to article VI, section 38, Constitution of Arizona, judges of the superior court standing for election pursuant to article VI, section 12, Constitution of Arizona, school district officials and other nonpartisan officials in a column or in columns without partisan or other designation except the title of office in an order determined by the officer in charge of the election.

K. Immediately below the offices listed in subsection J of this section, the ballot shall contain a separate heading of any nonpartisan office for a vacant unexpired term and shall include the expiration date of the term of the vacated office.

L. All proposed constitutional amendments and other propositions or questions to be submitted to the voters shall be printed immediately below the names of candidates for nonpartisan positions in such order as the secretary of state, or if a city or town election, the city or town clerk, designates. Placement of county and local charter amendments, propositions or questions shall be determined by the officer in charge of the election. Except as provided by section 19-125, each proposition or question shall be followed by the words "yes" and "no" or "for _____" and "against _____" as the nature of the proposition or question requires, and at the right or left of and next to each of such words shall be a place for the voter to put a mark according to the instructions that is similar in size to those places appearing opposite the names of the candidates, in which the voter may indicate his vote for or against such proposition or question by a mark as defined in section 16-400.

M. Instead of printing the official and descriptive titles or the full text of each measure or question on the official ballot, the officer in charge of elections may print phrases on the official ballot that contain all of the following:
1. The number of the measure in reverse type and at least twelve point TWELVE-POINT type.

2. The designation of the measure as prescribed by section 19-125, subsection C or as a question, proposition or charter amendment, followed by the words "relating to..." and inserting the subject.

3. Either the statement prescribed by section 19-125, subsection D that describes the effects of a "yes" vote and a "no" vote or, for other measures, the text of the question or proposition.

4. The words "yes" and "no" or "for" and "against", as may be appropriate and a place for the voter to put a mark.

N. For any ballot printed pursuant to subsection M of this section, the instructions on the official ballot shall direct the voter to the full text of the official and descriptive titles and the questions and propositions as printed on the sample ballot and posted in the polling place.

Sec. 4. Applicability

Sections 15-422 and 16-502, Arizona Revised Statutes, as amended by this act, apply to school district governing board elections held on or after January 1, 2023.