

Senate Engrossed House Bill

new party recognition; signatures; circulators

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

CHAPTER 145
HOUSE BILL 2474

AN ACT

AMENDING SECTION 16-803, ARIZONA REVISED STATUTES; RELATING TO POLITICAL PARTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-803, Arizona Revised Statutes, is amended to
3 read:

4 16-803. Filing petition for recognition; submission of
5 petitions to county recorder for signature
6 verification

7 A. A petition for recognition of a new political party shall be
8 filed with the secretary of state, the officer in charge of elections of
9 the county or the city or town clerk, as the case may be, not less than
10 two hundred fifty days before the primary election for which the party
11 seeks recognition. A new party that seeks both state and county
12 recognition may file the original petition with the officer in charge of
13 elections for the county and a certified copy of the petition with the
14 secretary of state. ANY SIGNATURE SHEET FOR A NEW PARTY PETITION THAT
15 CONTAINS ONE OR MORE SIGNATURES THAT ARE COLLECTED MORE THAN TWENTY-FOUR
16 MONTHS BEFORE THE PRIMARY ELECTION FOR WHICH THE PARTY SEEKS RECOGNITION
17 IS NULL AND VOID AND THE FILING OFFICER SHALL REMOVE THAT SIGNATURE SHEET
18 FROM THE PETITION AND MAY NOT ACCEPT THAT SIGNATURE SHEET FOR FILING.

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

21 1. Review each sheet to determine the county of the majority of the
22 signers and shall:

23 (a) Place a three or four letter abbreviation designating that
24 county in the upper right-hand corner of the face of the petition.

25 (b) Remove all signatures of those not in the county of the
26 majority on each sheet by marking an "SS" in red ink in the margin to the
27 right of the signature line.

28 (c) Cause all signature sheets to be grouped together by county of
29 registration of the majority of those signing.

30 2. Remove the following signatures that are not eligible for
31 verification by marking an "SS" in red ink in the margin to the right of
32 the signature line:

33 (a) If the signature of the qualified elector is missing.

34 (b) If the residence address or the description of residence
35 location is missing.

36 (c) If the date on which the petitioner signed is missing.

37 3. After the removal of petition sheets and signatures, count the
38 number of signatures for verification on the remaining petition sheets and
39 note that number in the upper right-hand corner of the face of each
40 petition sheet immediately above the county designation.

41 4. Number the remaining petition sheets that were not previously
42 removed and that contain signatures eligible for verification in
43 consecutive order on the front side of each petition sheet in the upper
44 left-hand corner.

1 5. Count all remaining petition sheets and signatures not
2 previously removed and issue a receipt to the applicant of this total
3 number eligible for verification.

4 C. The secretary of state, during the same seven business day
5 period provided in subsection B OF THIS SECTION, shall select, at random,
6 twenty percent of the total signatures eligible for verification by the
7 county recorders of the counties in which the persons signing the petition
8 claim to be qualified electors. The random sample of signatures to be
9 verified shall be drawn in such a manner that every signature eligible for
10 verification has an equal chance of being included in the sample. The
11 random sample produced shall identify each signature selected by petition
12 page and line number. The signatures selected shall be marked according
13 to the following procedure:

14 1. Using red ink, mark the selected signature by circling the line
15 number and drawing a line from the base of the circle extending into the
16 left margin.

17 2. If a signature line selected for the random sample is found to
18 be blank or was removed from the verification process pursuant to
19 subsection B OF THIS SECTION, then the next line down, even if that
20 requires going to the next petition sheet in sequence, on which an
21 eligible signature appears shall be selected as a substitute if that line
22 has not already been selected for the random sample. If the next eligible
23 line is already being used in the random sample, the secretary of state
24 shall proceed back up the page from the signature line originally selected
25 for the random sample to the next previous signature line eligible for
26 verification. If that line is already being used in the random sample,
27 the secretary of state shall continue moving down the page or to the next
28 page from the line originally selected for the random sample and shall
29 select the next eligible signature as its substitute for the random
30 sample. The secretary of state shall use this process of alternately
31 moving forward and backward until a signature eligible for verification
32 and not already included in the random sample can be selected and
33 substituted.

34 D. After the selection of the random sample, the secretary of state
35 shall reproduce a facsimile of the front of each signature sheet on which
36 a signature included in the random sample appears. The secretary of state
37 shall clearly identify those signatures marked for verification by color
38 highlighting or other similar method and shall transmit by personal
39 delivery or certified mail to each county recorder a facsimile sheet of
40 each signature sheet on which a signature appears of any individual who
41 claims to be a qualified elector of that county and whose signature was
42 selected for verification as part of the random sample.

1 E. Within ten business days after receiving the facsimile signature
2 sheets from the secretary of state, the county recorder shall determine
3 which signatures of individuals whose names were transmitted shall be
4 disqualified for any of the following reasons:

5 1. No residence address or description of residence location is
6 provided.

7 2. No date of signing is provided.

8 3. The signature is illegible and the signer is otherwise
9 unidentifiable.

10 4. The address provided is illegible or nonexistent.

11 5. The individual was not a qualified elector on the date of
12 signing the petition.

13 6. The individual was a registered voter but was not at least
14 eighteen years of age on the date of signing the petition or affidavit.

15 7. The signature was disqualified after comparison with the
16 signature on the affidavit of registration.

17 8. If a petitioner signed more than once, all but one otherwise
18 valid signature shall be disqualified.

19 9. For the same reasons any signatures could have been removed by
20 the secretary of state pursuant to this section.

21 F. Within the same time period provided in subsection E **OF THIS**
22 **SECTION**, the county recorder shall certify to the secretary of state the
23 following:

24 1. The name of any individual whose signature was included in the
25 random sample and disqualified by the county recorder together with the
26 petition page and line number of the disqualified signature.

27 2. The total number of signatures selected for the random sample
28 and transmitted to the county recorder for verification and the total
29 number of random sample signatures disqualified.

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

31 1. Return the facsimile signature sheets to the secretary of state.

32 2. Send notice of the results of the certification by mail to the
33 person or organization that submitted the petitions and to the secretary
34 of state.

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

40 1. All signatures that were found ineligible by the county
41 recorders.

42 2. After determining the percentage of all signatures found to be
43 invalid in the random sample, a like percentage from those signatures
44 remaining after the subtractions performed pursuant to paragraph 1 of this
45 subsection.

1 I. If the number of valid signatures as projected from the random
2 sample pursuant to subsection H OF THIS SECTION is at least one hundred
3 ~~per cent~~ PERCENT of the minimum number required by this section, the party
4 shall be recognized. If the number of valid signatures as projected from
5 the random sample is less than one hundred ~~per cent~~ PERCENT of the minimum
6 number, the party shall not be recognized.
7 Sec. 2. Emergency
8 This act is an emergency measure that is necessary to preserve the
9 public peace, health or safety and is operative immediately as provided by
10 law.

APPROVED BY THE GOVERNOR APRIL 10, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2024.