



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. 1265

voting; elections; tally; prohibition

Purpose

Requires the person who receives the highest number of legal votes in an election to be declared elected. Prohibits a voting method or nomination process that includes the ranking of candidates or allows candidates to be eliminated through multiple rounds of tabulation.

Background

A primary election must be held on the first Tuesday in August in any year when a general or special election is held ([A.R.S. § 16-201](#)). A candidate, for partisan elections, must be nominated in a primary election to appear on the general election ballot. A candidate may either be nominated by: 1) winning a recognized political party's election; or 2) receiving nomination petition signatures from qualified electors ([EPM Ch. 6 \(6\)\(D\)\(A\)\(1\)](#)). A candidate seeking nomination to appear on the general election ballot through a primary election must be a qualified elector in the electoral district for the office sought and a member of the political party for which the candidate is seeking nomination ([A.R.S. § 16-311](#)). For a partisan primary election, the candidate who receives the largest number of votes must be declared the party nominee for the office and a certificate of nomination must be issued by the county board of supervisors (county BOS). In the general election, the candidate who receives the largest number of votes must be declared elected and the county BOS or designee must issue a certificate of election ([EPM Ch. 13 \(13\)\(I\)](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires, for an election held in Arizona, the person who receives the highest number of legal votes to be declared elected.
2. Prohibits a voting method or nomination process that:
 - a) allows voters to select or rank, designate or indicate approval of or preference for more candidates than are eligible to be declared elected for any office;
 - b) allows ballots cast to be tabulated in any manner that eliminates candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; and
 - c) requires ranking of every candidate for an office as a condition of a vote being counted in the final tally.
3. Becomes effective on the general effective date.