



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

FACT SHEET FOR H.C.R. 2033

primary elections; eligible candidates

Purpose

Subject to voter approval, constitutionally determines that a Legislature-enacted direct primary election law supersedes any contrary or inconsistent provision of any charter, law, ordinance, rule, resolution or policy of any city and modifies nominee requirements for a direct primary election.

Background

The Arizona Constitution requires the Legislature to enact a direct primary election law, which must provide for the nomination of candidates for all elective state, county and city offices, including candidates for U. S. Senator or Representative. Any person who is registered as no party preference or independent or who is registered with a political party that is not qualified for representation on the ballot may vote in the primary election of any one of the political parties that is qualified for the ballot ([Ariz. Const. art. 7 § 10](#)).

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 must be a qualified elector in the electoral district for the office sought and must be a member of the political party for which the candidate is seeking nomination. 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 \(6\)\(I\)\(A\)\(1\)](#)). 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 ([EPM Ch. 13 \(13\)\(I\)](#)).

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

Provisions

1. Determines that a Legislature-enacted direct primary election law supersedes any contrary or inconsistent provision of any charter, law, ordinance, rule, resolution or policy of any city.
2. Requires a direct primary election for partisan offices to be conducted in a manner so that each political party that has qualified for representation on the ballot may nominate for each office a number of candidates equal to the number of positions to be filled for that office in the ensuing general election.
3. Requires all otherwise eligible candidates who are nominated to be placed on the ballot in the next ensuing general election.

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4. Requires the Secretary of State to submit the proposition to the voters at the next general election.
5. Becomes effective if approved by the voters and on proclamation of the Governor.

House Action

MOE	2/15/23	DPA	6-4-0-0
3 <sup>rd</sup> Read	3/1/23		31-28-1

Prepared by Senate Research

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AN/slp