

REFERENCE TITLE: contest; state elections; technical correction

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2104

Introduced by
Representatives Harris: Heap, Jones, Kolodin, Parker J, Smith

AN ACT

AMENDING SECTION 16-672, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-672, Arizona Revised Statutes, is amended to
3 read:

4 16-672. Contest of state election; grounds; venue

5 A. Any elector of the state may contest the election of any person
6 declared elected to a state office, ~~or~~ declared nominated to a state
7 office at a primary election, ~~or~~ the declared result of an initiated or
8 referred measure, ~~or~~ a proposal to amend the Constitution of Arizona, ~~or~~
9 other question or proposal submitted to vote of the people, ~~upon~~ ON any of
10 the following grounds:

11 1. For misconduct on the part of election boards or any members
12 ~~thereof~~ OF ELECTION BOARDS in any of the counties of the state, or on the
13 part of any officer making or participating in a canvass for a state
14 election.

15 2. That the person whose right to the office is contested was not
16 at the time of the election eligible ~~to~~ FOR the office.

17 3. That the person whose right is contested, ~~or~~ any person acting
18 for ~~him~~, THAT PERSON has given to an elector, inspector, judge or clerk of
19 election, ~~a~~ a bribe or reward, ~~or~~ has offered ~~such~~ A bribe or reward for
20 the purpose of procuring ~~his~~ THE PERSON'S election, or has committed any
21 other offense against the elective franchise.

22 4. On account of illegal votes.

23 5. That by reason of erroneous count of votes the person declared
24 elected or the initiative or referred measure, ~~or~~ THE proposal to amend
25 the constitution, ~~or~~ THE other question or proposal submitted, which has
26 been declared carried, did not in fact receive the highest number of votes
27 for the office or a sufficient number of votes to carry the measure,
28 amendment, question or proposal.

29 B. The contest may be brought in the superior court ~~of~~ IN the
30 county in which the person contesting resides or in the superior court ~~of~~
31 IN Maricopa county.

32 C. In a contest of the election of a person declared elected to a
33 state office or of an initiated or referred measure, constitutional
34 amendment, ~~or~~ other question or proposal, which has been declared
35 carried, the attorney general may intervene, ~~and~~ ~~upon~~ ON demand, the
36 place of trial of the contest shall be changed to Maricopa county, if
37 commenced in another county.