

REFERENCE TITLE: school districts; partisan elections

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1097

Introduced by
Senators Wadsack: Borrelli, Farnsworth, Hoffman, Petersen;
Representatives Chaplik, Jones, Kolodin, McGarr

AN ACT

AMENDING SECTIONS 15-422 AND 16-502, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL DISTRICT GOVERNING BOARD ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-422, Arizona Revised Statutes, is amended to
3 read:

4 15-422. Partisan nomination petitions; partisan elections;
5 ballots

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

13 B. NOTWITHSTANDING ANY OTHER LAW, ALL ELECTIONS FOR SCHOOL DISTRICT
14 GOVERNING BOARD MEMBERS IN THIS STATE SHALL BE CONDUCTED USING A PARTISAN
15 PRIMARY ELECTION FOLLOWED BY A GENERAL ELECTION AS OTHERWISE PRESCRIBED BY
16 LAW AND IN THE FORM SUBSTANTIALLY SIMILAR TO THAT USED FOR COUNTYWIDE OR
17 STATEWIDE ELECTIONS.

18 ~~B. C.~~ C. The county school superintendent may cause separate ballots
19 to be prepared, or ~~such~~ THE NAMES OF CANDIDATES FOR school district
20 ~~candidates' names~~ GOVERNING BOARD may be included as a part of the regular
21 ballot. ~~in any event~~ The names of all persons whose petitions have been
22 filed shall appear on a ballot, ~~without~~ WITH EACH CANDIDATE'S partisan ~~or~~
23 ~~other~~ designation ~~except the~~ AND title of the office BEING SOUGHT.

24 Sec. 2. Section 16-502, Arizona Revised Statutes, is amended to
25 read:

26 16-502. Form and contents of ballot

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

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

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

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

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

8 Section One
9 Partisan Ballot

10 C. Immediately below the heading for section one there shall be
11 placed in columns the names of the candidates of the several political
12 parties. Next to each candidate's name there shall be printed in
13 bold-faced letters the name of the political party. At the head of each
14 column shall be printed the names of the offices to be filled with the
15 name of each office being of uniform type size. At the head of each
16 column shall be printed in the following order the names of candidates
17 for:

18 1. Presidential electors, which shall be in a list and next to the
19 list shall be printed in bold type the surname of the presidential
20 candidate, and the surname of the vice presidential candidate who is
21 seeking election jointly with the presidential candidate shall be listed
22 directly below the name of the presidential candidate. The indicator for
23 the selection of the presidential and vice presidential candidates shall
24 be directly next to the surname of the presidential candidate, and one
25 mark directly next to a presidential candidate's surname shall be counted
26 as a vote for each elector in the list next to the presidential and vice
27 presidential candidates.

28 2. United States senator.

29 3. Representatives in Congress.

30 4. The several state offices.

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

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

40 E. The lists of the candidates of the several parties shall be
41 arranged with the names of the parties in descending order according to
42 the votes cast for governor for that county in the most recent general
43 election for the office of governor, commencing with the left-hand column.
44 In the case of political parties that did not have candidates on the
45 ballot in the last general election, such parties shall be listed in

1 alphabetical order below the parties that did have candidates on the
2 ballot in the last general election. The names of all candidates
3 nominated under section 16-341 shall be placed in a single column below
4 that of the recognized parties. Next to the name of each candidate, in
5 parentheses, shall be printed a three-letter abbreviation that is taken
6 from the three words prescribed in the candidate's certificate of
7 nomination.

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

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

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

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

29 Section Two
30 Nonpartisan Ballot

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

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

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

15 M. Instead of printing the official and descriptive titles or the
16 full text of each measure or question on the official ballot, the officer
17 in charge of elections may print phrases on the official ballot that
18 contain all of the following:

19 1. The number of the measure in reverse type and at least ~~twelve~~
20 ~~point~~ TWELVE-POINT type.

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

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

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

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

34 Sec. 3. Applicability

35 Sections 15-422 and 16-502, Arizona Revised Statutes, as amended by
36 this act, apply to school district governing board elections held on or
37 after January 1, 2025.