



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

Senate: ELEC DPA/SE 7-0-1-0 | 3<sup>rd</sup> Read: 27-0-3-0

House: MOE DPA 8-1-0-0

## **SB 1278: legislative vacancies; appointment**

**Sponsor: Senator Mesnard, LD 13**

**Caucus & COW**

### **Overview**

Establishes certain deadlines for the nomination and appointment of qualified electors to fill a legislative vacancy.

### **History**

#### ***Nominations to Fill a Legislative Vacancy***

Once a vacancy occurs in the Legislature, the Secretary of State is required to notify the state party chairman of the appropriate political party if the party has at least 30 elected precinct committeemen (PCs) from the legislative district of the vacancy. The state party chairman is then required to notify the PCs in writing of a meeting to select nominees to fill the vacancy within 3 business days. The PCs have 21 days, if the Legislature is not in session after the Secretary of State's notification, or 5 days if the Legislature is in regular session, to nominate 3 qualified electors, by popular vote, to fill the vacancy.

If the political party has fewer than 30 elected PCs in the appropriate legislative district, the Board of Supervisors must appoint a citizen panel to select the 3 nominees to fill the vacancy. The Board of Supervisors has 7 business days after the Secretary of State's notification to appoint the citizen panel. The citizen panel must nominate 3 qualified electors to fill the vacancy within 21 days if the Legislature is not in regular session or 5 days if the Legislature is in regular session ([A.R.S. § 41-1202](#)).

#### ***Appointment by the Board of Supervisors***

Once the Board of Supervisors receives the list of 3 nominees submitted by the PCs or the citizen panel, they must appoint one person from the list by a majority vote of the board. Statute does not prescribe a deadline by which the Board of Supervisors must appoint a person to fill a legislative vacancy ([A.R.S. § 41-1202](#)).

### **Provisions**

#### ***Legislative Vacancies in Districts with at least 30 Elected PCs***

1. Modifies, from three business days to three calendar days after being notified by the Secretary of State, the period during which the state political party chairman must provide written notice to the relevant precinct committeemen for a meeting to select nominees to fill a legislative vacancy. (Sec. 1)
2. Requires the precinct committeemen to meet within five calendar days of the written notice if the Legislature is in session or twenty-one calendar days after the Secretary of State's notice of the vacancy if the Legislature is not in session. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
--

3. Instructs the Board of Supervisors to make an appointment within seven calendar days after receiving the nominees from the precinct committeemen if the Legislature is in session. (Sec. 1)
4. Instructs the Board of Supervisors to make an appointment within twenty-one calendar days after receiving the nominees from the precinct committeemen if the Legislature is not in session. (Sec. 1)
5. Directs the state political party chairman, if the Board of Supervisors fails to fill a legislative vacancy within the prescribed time, to appoint a person to fill the vacancy from the three nominees within three calendar days after the deadline for the Board of Supervisors to fill the vacancy has elapsed. (Sec. 1)

***Legislative Vacancies in Districts with fewer than 30 Elected PCs***

6. Requires a citizens panel to meet within five calendar days of being appointed by the Board of Supervisors if the Legislature is in session. (Sec. 1)
7. Requires a citizen panel to meet within twenty-one calendar days of being appointed by the Board of Supervisors if the Legislature is not in session. (Sec. 1)

***Miscellaneous Provisions***

8. Directs the state political party chairman to immediately nominate an alternate nominee who meets specified requirements if the person nominated by the precinct committeemen or by a citizen panel withdraws from consideration. (Sec. 1)
9. Makes technical and conforming changes.

**Amendments**

*Committee on Municipal Oversight & Elections*

1. Clarifies certain deadline requirements in the appointment process when the Governor has called a Special Session or a Special Session is pending.