

House Engrossed

write-in candidates; filings; ballots

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

# **HOUSE BILL 2129**

AN ACT

AMENDING SECTIONS 16-312 AND 16-502, 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 16-312, Arizona Revised Statutes, is amended to  
3 read:

4 **16-312. Filing of nomination papers for write-in candidates**

5 A. Any person desiring to become a write-in candidate for an  
6 elective office in any election shall be at the time of filing a qualified  
7 elector of the county or district the person proposes to represent and  
8 shall have been a resident of that county or district for one hundred  
9 twenty days before the date of the election, except that for a city or  
10 town office, section 9-232 applies with respect to residency for the  
11 candidate. The person shall file a nomination paper, signed by the  
12 candidate, giving the person's actual residence address or, if the person  
13 does not have an actual residence address, a description of place of  
14 residence and post office address, or, if the person's actual residence  
15 address is protected pursuant to section 16-153, a post office box or  
16 private mailbox address in the candidate's district, precinct or  
17 municipality, as applicable for the district, precinct or municipal office  
18 that the person proposes to represent, and the person's age, length of  
19 residence in the state and date of birth.

20 B. A write-in candidate shall file the nomination paper not earlier  
21 than one hundred fifty days before the election and not later than 5:00  
22 p.m. on the ~~fortieth~~ **SEVENTIETH** day before the election, except that:

23 1. A candidate running as a write-in candidate as provided in  
24 section 16-343, subsection D shall file the nomination paper not later  
25 than 5:00 p.m. on the fifth day before the election.

26 2. A candidate running as a write-in candidate for an election that  
27 may be canceled pursuant to section 16-410 shall file the nomination paper  
28 not later than 5:00 p.m. on the one hundred sixth day before the election.

29 C. The write-in filing procedure shall be in the same manner as  
30 prescribed in section 16-311. Any person who does not file a timely  
31 nomination paper shall not be counted in the tally of ballots. The filing  
32 officer shall not accept the nomination paper of a candidate for state or  
33 local office unless the candidate provides or has provided the financial  
34 disclosure statement as prescribed for candidates for that office.

35 D. Except in cases where the liability is being appealed, the  
36 filing officer shall not accept the nomination paper of a write-in  
37 candidate for state or local office if the person is liable for an  
38 aggregation of \$1,000 or more in fines, penalties, late fees or  
39 administrative or civil judgments, including any interest or costs, in any  
40 combination, that have not been fully satisfied at the time of the  
41 attempted filing of the nomination paper and the liability arose from  
42 failure to comply with or enforcement of chapter 6 of this title.

43 E. The secretary of state shall notify the various boards of  
44 supervisors as to write-in candidates filing with the secretary of state's  
45 office. The county school superintendent shall notify the appropriate

1 board of supervisors as to write-in candidates filing with the  
2 superintendent's office. The board of supervisors shall notify the  
3 appropriate election board inspector of all candidates who have properly  
4 filed such statements. In the case of a city or town election, the city  
5 or town clerk shall notify the appropriate election board inspector of  
6 candidates properly filed. No other write-ins shall be counted. The  
7 election board inspector shall post the notice of official write-in  
8 candidates in a conspicuous location within the polling place.

9 F. Except as provided in section 16-343, subsection E, a candidate  
10 may not file pursuant to this section if any of the following applies:

11 1. For a candidate in the general election, the candidate ran in  
12 the immediately preceding primary election and failed to be nominated to  
13 the office sought in the current election.

14 2. For a candidate in the general election, the candidate filed a  
15 nomination petition for the immediately preceding primary election for the  
16 office sought and failed to provide a sufficient number of valid petition  
17 signatures as prescribed by section 16-322.

18 3. For a candidate in the primary election, the candidate filed a  
19 nomination petition for the current primary election for the office sought  
20 and failed to provide a sufficient number of valid petition signatures as  
21 prescribed by section 16-322, withdrew from the primary election after a  
22 challenge was filed or was removed from or otherwise determined by court  
23 order to be ineligible for the primary election ballot.

24 4. For a candidate in the general election, the candidate filed a  
25 nomination petition for nomination other than by primary for the office  
26 sought and failed to provide a sufficient number of valid petition  
27 signatures as prescribed by section 16-341.

28 G. A person who files a nomination paper pursuant to this section  
29 for the office of president of the United States shall designate in  
30 writing to the secretary of state at the time of filing the name of the  
31 candidate's vice-presidential running mate, the names of presidential  
32 electors who will represent that candidate and a statement signed by the  
33 vice-presidential running mate and designated presidential electors that  
34 indicates their consent to be designated. A nomination paper for each  
35 presidential elector designated shall be filed with the candidate's  
36 nomination paper. The number of presidential electors shall equal the  
37 number of United States senators and representatives in Congress from this  
38 state.

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

41 **16-502. Form and contents of ballot**

42 A. Ballots shall be printed with black ink on white paper of  
43 sufficient thickness to prevent the printing thereon from being  
44 discernible from the back, and the same type shall be used for the names  
45 of all candidates. The ballots shall be headed "official ballot" in

bold-faced plain letters, with a heavy rule above and below the heading. Immediately below shall be placed the words "type of election, (date of election)" and the name of the county and state in which the election is held. The name or number of the precinct in which the election is held shall be placed on the ballot in a uniform location for all ballots. No other matter shall be placed or printed at the head of any ballot. Instructions to the voter on marking the ballot may be printed below the heading as follows:

9                   1. Put a mark according to the instructions next to the  
10               name of each candidate for each office for whom you wish to  
11               vote.

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

16                   3. Put a mark according to the instructions next to the  
17                   word "yes" or "for" for each proposition or question you wish  
18                   to be adopted. Put a mark according to the instructions next  
19                   to the word "no" or "against" for each proposition or question  
20                   you wish not to be adopted.

21                   B. Immediately below the ballot instructions shall be placed the  
22 following:

## Section One Partisan Ballot

25           C. Immediately below the heading for section one there shall be  
26 placed in columns the names of the candidates of the several political  
27 parties. Next to each candidate's name there shall be printed in  
28 bold-faced letters the name of the political party. At the head of each  
29 column shall be printed the names of the offices to be filled with the  
30 name of each office being of uniform type size. At the head of each  
31 column shall be printed in the following order the names of candidates  
32 for:

33       1. Presidential electors, which shall be in a list and next to the  
34 list shall be printed in bold type the surname of the presidential  
35 candidate, and the surname of the vice presidential candidate who is  
36 seeking election jointly with the presidential candidate shall be listed  
37 directly below the name of the presidential candidate. The indicator for  
38 the selection of the presidential and vice presidential candidates shall  
39 be directly next to the surname of the presidential candidate, and one  
40 mark directly next to a presidential candidate's surname shall be counted  
41 as a vote for each elector in the list next to the presidential and vice  
42 presidential candidates.

- 43            2. United States senator.
- 44            3. Representatives in Congress.
- 45            4. The several state offices.

1       5. The several county and precinct offices.

2       D. The names of candidates for the offices of state senator and  
3 state representative along with the district number shall be placed within  
4 the heading of each column to the right of the office name for state  
5 offices and immediately below the candidates for the office of governor.  
6 The number of the supervisorial district of which a candidate is a nominee  
7 shall be printed within the heading of each column to the right of the  
8 name of the office.

9       E. The lists of the candidates of the several parties shall be  
10 arranged with the names of the parties in descending order according to  
11 the votes cast for governor for that county in the most recent general  
12 election for the office of governor, commencing with the left-hand column.  
13 In the case of political parties that did not have candidates on the  
14 ballot in the last general election, such parties shall be listed in  
15 alphabetical order below the parties that did have candidates on the  
16 ballot in the last general election. The names of all candidates  
17 nominated under section 16-341 shall be placed in a single column below  
18 that of the recognized parties. Next to the name of each candidate, in  
19 parentheses, shall be printed a three-letter abbreviation that is taken  
20 from the three words prescribed in the candidate's certificate of  
21 nomination.

22       F. Immediately below the designation of the office to be voted for  
23 shall appear the words: "Vote for not more than \_\_\_\_\_" (insert the  
24 number to be elected).

25       G. In each column at the right or left of the name of each  
26 candidate and on the same line there shall be a place for the voter to put  
27 a mark. Below the name of the last named candidate for each office there  
28 shall be as many blank lines as there are ~~offices~~ QUALIFIED WRITE-IN  
29 CANDIDATES FOR THAT OFFICE PLUS ONE ADDITIONAL BLANK LINE, NOT TO EXCEED  
30 THE NUMBER OF SEATS FOR AN OFFICE of the same title to be filled, with a  
31 place for the voter to put a mark. IF THERE ARE NO QUALIFIED WRITE-IN  
32 CANDIDATES FOR AN OFFICE, THERE SHALL BE ONE BLANK LINE, WITH A PLACE FOR  
33 THE VOTER TO PUT A MARK. On the blank line the voter may write the name  
34 of any person for whom the voter desires to vote whose name is not  
35 printed, and next to the name so written the voter shall designate his  
36 choice by a mark as in the case of printed names.

37       H. When there are two or more candidates of the same political  
38 party for the same office, or more than one candidate for a judicial  
39 office, the names of all such candidates shall be so alternated on the  
40 ballots used in each election district that the name of each candidate  
41 shall appear substantially an equal number of times in each possible  
42 location. If there are fewer or the same number of candidates seeking  
43 office than the number to be elected, the rotation of names is not  
44 required and the names shall be placed in alphabetical order.

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

## Section Two Nonpartisan Ballot

5           J. Immediately below the heading for section two shall be placed  
6 the names of the candidates for justices of the supreme court, judges of  
7 the court of appeals, judges of the superior court standing for retention  
8 or rejection pursuant to article VI, section 38, Constitution of Arizona,  
9 judges of the superior court standing for election pursuant to article VI,  
10 section 12, Constitution of Arizona, school district officials and other  
11 nonpartisan officials in a column or in columns without partisan or other  
12 designation except the title of office in an order determined by the  
13 officer in charge of the election.

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

18       L. All proposed constitutional amendments and other propositions or  
19       questions to be submitted to the voters shall be printed immediately below  
20       the names of candidates for nonpartisan positions in such order as the  
21       secretary of state, or if a city or town election, the city or town clerk,  
22       designates. Placement of county and local charter amendments,  
23       propositions or questions shall be determined by the officer in charge of  
24       the election. Except as provided by section 19-125, each proposition or  
25       question shall be followed by the words "yes" and "no" or "for \_\_\_\_" and  
26       "against \_\_\_\_" as the nature of the proposition or question requires,  
27       and at the right or left of and next to each of such words shall be a  
28       place for the voter to put a mark according to the instructions that is  
29       similar in size to those places appearing opposite the names of the  
30       candidates, in which the voter may indicate his vote for or against such  
31       proposition or question by a mark as defined in section 16-400.

32           M. Instead of printing the official and descriptive titles or the  
33 full text of each measure or question on the official ballot, the officer  
34 in charge of elections may print phrases on the official ballot that  
35 contain all of the following:

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

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

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

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

1        N. For any ballot printed pursuant to subsection M of this section,  
2 the instructions on the official ballot shall direct the voter to the full  
3 text of the official and descriptive titles and the questions and  
4 propositions as printed on the sample ballot and posted in the polling  
5 place.