



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1492

election law amendments

Purpose

Makes various changes to statutory requirements for election ballots, dates, deadlines, nomination petitions, observers at pre-election tests for automatic tabulating equipment, polling locations and recognition of new political parties on city, town or county ballots.

Background

Statute outlines requirements the conduct of elections, including the filing of nomination petitions and papers for persons seeking to become a candidate at a primary election or nonpartisan election or seeking to become a write-in candidate. Nomination petitions must include the exact manner in which a candidate desires to have the person's name listed on the ballot, which may include nicknames, but may not suggest a reference to a professional, fraternal, religious or military title (A.R.S. §§ [16-311](#) and [16-312](#)). Certain elections, including elections for school district office, community college district office, precinct committeemen and special taxing districts may be cancelled if the number of persons filing nomination petitions or papers is less than or equal to the number of open offices (A.R.S. §§ [15-424](#), [15-1442](#), [16-410](#) and [16-822](#)).

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

Provisions

1. Allows a county board of supervisors (county BOS) to cancel an election for a school district governing board office or a county school superintendent to cancel an election for a community college district board office 105 days, rather than 75 days, before the election if:
 - a) one person files a nomination petition or nomination paper for write-in candidate for an election to fill an office; or
 - b) no person files a nomination petition or nomination paper to fill an office.
2. Requires a county school superintendent and chair of a county BOS to meet on the 14th, rather than 7th, day following an election for community college district board office to canvass the returns.
3. Requires, for any community college district election canvass conducted in November of an even-numbered year, the county school superintendent and chair of the county BOS to conduct the canvass as part of the county's general election canvass.

4. Requires the publication of a call of a nonpartisan election by the governing body of a city or town to occur during the six calendar weeks preceding 150 days, rather than 90 days, before the election.
5. Requires reimbursement of charges incurred by counties for the presidential preference election to be made on January 2, rather than January 1, of the year of the presidential preference election.
6. Prohibits a candidate from using a slogan, promotional word or phrase or any word that does not actually constitute a nickname on the candidate's nomination paper for the purpose of indicating how the candidate desires to have the person's name printed on the ballot.
7. Prohibits a write-in candidate from filing a nomination paper more than 150 days before the election.
8. Requires a write-in candidate for certain school district, community college district, special taxing district and precinct committeemen elections that may be canceled to file a nomination paper 106 days, rather than 76 days, before the election.
9. Allows a county BOS to cancel a school district, community college district, special taxing district or precinct committeemen election 105 days, rather than 75 days, before the election if the total number of persons who file a nomination petition for a candidate and the number of persons who file a nomination paper for a write-in candidate is less than or equal to the number of petitions to be filled at the election.
10. Requires the statutorily required pre-election test of automatic tabulating equipment and programs used on election day to be observed by at least one representative from each of the two largest political parties based on statewide registration totals, rather than two election inspectors from different political parties.
11. Requires the position of names of candidates for precinct committeemen on the ballot to be alphabetical by surname, rather than drawn by lot.
12. Removes the requirement that paper ballots in elections for precinct committeemen be printed and bound so that every ballot has names in different and alternating positions.
13. Requires election precinct inspectors, marshals, judges and clerks to be qualified voters of Arizona.
14. Requires a ballot replacement center provided for a special taxing district election all-mail ballot election to be:
 - a) as near to central location of the special taxing district as practicable; and
 - b) open by 6:00 a.m. on election day.
15. Requires a county BOS to deliver the primary election canvass to the Secretary of State (SOS) within 14 days, rather than 10 days after the primary election.

16. Requires the SOS, by the third Monday after a primary election rather than the second Monday after a primary election, to canvass the return of a primary election and issue a letter declaring nomination to each of the eligible nominees.
17. Requires a county recorder or city or town clerk to review petitions for recognition of a new political party on a city, town or county election ballot in the same manner as petitions for statewide recognition of new political parties, rather than certify the examination of signatures on the petition.
18. Requires the review of petitions for recognition of a new political party on a city, town or county ballot by the county recorder or city or town clerk to:
 - a) include the selection of a random sample of 20 percent of the total signatures eligible for verification;
 - b) individually verify and certify signatures from the random sample; and
 - c) calculate and project the total number of valid signatures and determine whether the party must be recognized on the ballot.
19. Allows a county BOS to cancel an election for precinct committeemen 105 days, rather than 75 days, before the election if the number of persons who file nomination petitions is less than or equal to the number of open positions.
20. Requires the ballot prepared for a political party in which the number of persons who file a nomination petition for election to precinct committeemen is more than the number of open positions to be an additional ballot including the office of precinct commitment, rather than a separate ballot prepared solely for the office of precinct committeemen.
21. Removes the requirement that the ballot prepared for a political party in which the number of persons who file a nomination petition for election to precinct committeemen is more than the number of open positions conform as nearly as practicable to other statutory ballot requirements and include a statutorily outlined designation.
22. Requires arguments advocating or opposing a ballot measure to be filed with the SOS 27 days, rather than 48 days, before the primary election.
23. Requires the impartial analysis of ballot measures prepared by Legislative Council to be prepared and filed with the SOS 30 days, rather than 60 days, before the election.
24. Makes technical and conforming changes.
25. Becomes effective on the general effective date.

Amendments Adopted by the Government Committee

- Reinserts the requirement that candidates for elected office for school districts, community college districts or career technical education districts file a statement of interest with the appropriate filing officer.

Senate Action

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Prepared by Senate Research

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