



ARIZONA HOUSE OF REPRESENTATIVES

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SB 1492: election law amendments

Sponsor: Senator Shope, LD 8
Committee on Government & Elections

Overview

Makes various changes to statute relating to elections including modifications of various deadlines.

History

[A.R.S. Title 16](#) outlines the requirements for the conduct of elections in this state. When a person seeks to become a candidate at a primary or nonpartisan election or as a write-in candidate, the person must file a nomination petition and nomination papers. The nomination petition must include statutorily prescribed information including the exact manner in which the candidate desires to have the person's name printed on the official ballot and is limited to the candidate's surname and given name or an abbreviated version of such name. Nicknames are permissible but may not include anything that suggests reference to professional, fraternal, religious or military titles.

Current statute allows for certain elections, including elections for school district office, community college board office, precinct committeeman and special taxing districts to be cancelled if the number of people filing nomination petitions is less than or equal to the number of open offices (A.R.S. [Title 15](#) & [Title 16](#)).

Provisions

1. Allows the county board of supervisors to cancel a school district election no earlier than 105 days before the election, rather than 75 days, and either appoint a person or deem that office vacant. (Sec. 1)
2. Authorizes the county school superintendent to cancel a community college board office election no earlier than 105 days before the election, rather than 75 days, and appoint a person to that office. (Sec. 2)
3. Permits the county board of supervisors to cancel a community college board office election no earlier than 105 days before the election, rather than 75 days, and deem the office vacant and fill the position as outlined in statute. (Sec. 2)
4. Requires the county school superintendent and the chairman of the board of supervisors to meet no later than the 14th day following the election to canvass the returns. (Sec. 2)
5. Specifies that the county school superintendent and the chairman of the board of supervisors must conduct the canvass as part of the county's general election canvass for any canvass conducted by the county school superintendent in November of an even-numbered year. (Sec. 2)
6. Directs the governing body to publish the required call of election for nonpartisan elections during the six calendar weeks preceding 150 days, rather than 90 days, before the election. (Sec. 3)

7. Instructs the governing body, if they choose to mail the call of election, to do so no later than 150 days, rather than 90 days, before the election. (Sec. 3)
8. States that reimbursement of charges incurred by the counties for the presidential preference election are made for each active registered voter in the county on January 2, rather than January 1, of the year of the presidential preference election. (Sec. 4)
9. Prohibits a nomination paper for a candidate to include a slogan, a promotional word or phrase or any word that does not actually constitute a nickname for purposes of how the person's name will be printed on the official ballot. (Sec. 5)
10. Exempts candidates for elected office for all special taxing districts, rather than specified special taxing districts, from statement of interest requirements. (Sec. 5, 7)
11. Clarifies that a write-in candidate must not file the nomination paper earlier than 150 days before the election. (Sec. 6)
12. Stipulates that a write-in candidate in an election that may be cancelled pursuant to statute must file the nomination paper no later than 5:00 p.m. on the 106th day before the election, rather than the 76th day. (Sec. 6)
13. Modifies the time period for the filing of a nomination petition for the office of presidential elector to no less than 80 and no more than 100 days before the general election, rather than no less than 60 and no more than 90 days. (Sec. 7)
14. Allows the county board of supervisors to cancel elections related to education, special taxing districts or precinct committeeman no earlier than 105 days, rather than 75 days, before the election. (Sec. 8)
15. Requires the position of the names of candidates for precinct committeemen to be alphabetical by surname for appearance on the ballot, rather than being drawn by lot. (Sec. 9)
16. Removes archaic language relating to ballots being printed and bound so that every ballot in the bound blocks has the names in a different position. (Sec. 9)
17. Adds a voting center or other voting location to the locations that the board of supervisors must appoint an election board for. (Sec. 10)
18. Specifies that the inspector, marshal, judges and clerks must be qualified voters of this state. (Sec. 10)
19. Directs the county recorder or other officer in charge of elections to provide for a ballot replacement center that is as near as possible to a central location in the district that is open from 6:00 a.m. until 7:00 p.m. on election day for obtaining a replacement ballot. (Sec. 11)
20. States that the board of supervisors must deliver the canvass to the Secretary of State (SOS) within 14 days after the primary election, and the SOS must canvass the return and issue the statutorily required letter on or before the third Monday following the primary election. (Sec. 12)
21. Requires the county recorder or the city or town clerk, as applicable, to do the following related to representation of a new party on the ballot:
 - a) Review the petitions in the same manner prescribed in statute;
 - b) Select a random sample of 20% of the total signatures eligible for verification, which must be individually verified and certified;
 - c) Perform a calculation and projection of the total number of valid signatures; and

- d) Make a determination whether the party will be recognized as prescribed by statute. (Sec. 13)
22. Authorizes the county board of supervisors to cancel an election for precinct committeeman no earlier than 105 days, rather than 75 days, before the election and appoint the person who filed the sole nominating petition to fill the position. (Sec. 14)
23. Stipulates that if the number of people who file nominating petitions exceeds the number of precinct committeeman positions, an additional ballot *style* must be prepared that includes the office of precinct committeeman. (Sec. 14)
24. Allows a person to file, with the SOS, an argument for or against an initiative or referendum measure no later than 27 days, rather than 48 days, before the regular primary election. (Sec. 15)
25. Instructs Legislative Council to prepare and file with the SOS the required impartial analysis on each ballot proposal of a measure or proposed amendment no later than 10 days, rather than 60 days, before the regular primary election. (Sec. 15, 16)
26. Makes technical and conforming changes. (Sec. 1-15)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note