

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SENATE BILL 1024

AN ACT

AMENDING SECTIONS 16-311, 16-312, 16-321, 16-341, 16-344, 16-502, 16-507 AND
16-543.02, 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 16-311, Arizona Revised Statutes, is amended to
3 read:

4 16-311. Nomination papers; filing; definitions

5 A. Any person desiring to become a candidate at a primary election for
6 a political party and to have the person's name printed on the official
7 ballot shall be a qualified elector of such party and, not less than ninety
8 nor more than one hundred twenty days before the primary election, shall sign
9 and cause to be filed a nomination paper giving the person's actual residence
10 address or description of place of residence and post office address, naming
11 the party of which the person desires to become a candidate, stating the
12 office and district or precinct, if any, for which the person offers the
13 person's candidacy, stating the exact manner in which the person desires to
14 have the person's name printed on the official ballot pursuant to subsection
15 G, and giving the date of the primary election and, if nominated, the date of
16 the general election at which the person desires to become a candidate. A
17 candidate for public office shall be a qualified elector at the time of
18 filing and shall reside in the county, district or precinct which the person
19 proposes to represent.

20 B. Any person desiring to become a candidate at any nonpartisan
21 election and to have the person's name printed on the official ballot shall
22 be at the time of filing a qualified elector of such county, city, town or
23 district and, not less than ninety nor more than one hundred twenty days
24 before the election, shall sign and cause to be filed a nomination paper
25 giving the person's actual residence address or description of place of
26 residence and post office address, stating the office and county, city, town
27 or district and ward or precinct, if any, for which the person offers the
28 person's candidacy, stating the exact manner in which the person desires to
29 have the person's name printed on the official ballot pursuant to subsection
30 G and giving the date of the election. A candidate for office shall reside
31 at the time of filing in the county, city, town, district, ward or precinct
32 which the person proposes to represent.

33 C. Notwithstanding subsection B to the contrary, any city or town may
34 adopt by ordinance for its elections the time frame provided in subsection A
35 for filing nomination petitions. Such ordinance shall be adopted not less
36 than one hundred twenty days before the first election to which it applies.

37 D. All persons desiring to become a candidate shall file with the
38 nomination paper provided for in subsection A an affidavit which shall be
39 printed in a form prescribed by the secretary of state. The affidavit shall
40 include facts sufficient to show that, other than the residency requirement
41 provided in subsection A, the candidate will be qualified at the time of
42 election to hold the office the person seeks.

43 E. The nomination paper of a candidate for the office of United States
44 PRESIDENT, senator or representative in Congress, ~~for the office of~~
45 ~~presidential elector~~ or for a state office, including a member of the

1 legislature, or for any other office for which the electors of the entire
2 state or a subdivision of the state greater than a county are entitled to
3 vote, shall be filed with the secretary of state no later than 5:00 p.m. on
4 the last date for filing.

5 F. The nomination paper of a candidate for superior court judge or for
6 a county, district and precinct office for which the electors of a county or
7 a subdivision of a county other than an incorporated city or town are
8 entitled to vote shall be filed with the county elections officer no later
9 than 5:00 p.m. on the last date for filing as prescribed by subsection A.
10 The nomination paper of a candidate for a city or town office shall be filed
11 with the city or town clerk no later than 5:00 p.m. on the last date for
12 filing. The nomination paper of a candidate for school district office shall
13 be filed with the county school superintendent no later than 5:00 p.m. on the
14 last date for filing.

15 G. The nomination paper shall include the exact manner in which the
16 candidate desires to have the person's name printed on the official ballot
17 and shall be limited to the candidate's surname and given name or names, an
18 abbreviated version of such names or appropriate initials such as "Bob" for
19 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".
20 Nicknames are permissible, but in no event shall nicknames, abbreviated
21 versions or initials of given names suggest reference to professional,
22 fraternal, religious or military titles. No other descriptive name or names
23 shall be printed on the official ballot, except as provided in this section.
24 Candidates' abbreviated names or nicknames may be printed within quotation
25 marks. The candidate's surname shall be printed first, followed by the given
26 name or names.

27 H. A person who does not file a timely nomination paper that complies
28 with this section is not eligible to have the person's name printed on the
29 official ballot for that office. The filing officer shall not accept the
30 nomination paper of a candidate for state or local office unless the person
31 provides or has provided all of the following:

32 1. The nomination petition required by this title.

33 2. A political committee statement of organization or the five hundred
34 dollar threshold exemption statement for that office.

35 3. The financial disclosure statement as prescribed for candidates for
36 that office.

37 I. For the purposes of this title:

38 1. "Election district" means the state, any county, city, town,
39 precinct or other political subdivision or a special district which is not a
40 political subdivision, which is authorized by statute to conduct an election
41 and which is authorized or required to conduct its election in accordance
42 with this title.

43 2. "Nomination paper" means the form filed with the appropriate office
44 by a person wishing to declare the person's intent to become a candidate for
45 a particular political office.

1 Sec. 2. Section 16-312, Arizona Revised Statutes, is amended to read:
2 16-312. Filing of nomination papers for write-in candidates

3 A. Any person desiring to become a write-in candidate for an elective
4 office in any election shall file a nomination paper, signed by the
5 candidate, giving the person's actual residence address or description of
6 place of residence and post office address, age, length of residence in the
7 state and date of birth.

8 B. A write-in candidate shall file the nomination paper not later than
9 5:00 p.m. on the fortieth day prior to the election, except that:

10 1. A candidate running as a write-in candidate as provided in section
11 16-343, subsection D shall file the nomination paper not later than 5:00 p.m.
12 on the fifth day before the election.

13 2. A candidate running as a write-in candidate for an election that
14 may be canceled pursuant to section 15-424, 15-1442, 16-822, 48-802, 48-1012,
15 48-1208, 48-1404, 48-1908, 48-2010, 48-2107 or 48-2208 shall file the
16 nomination paper not later than 5:00 p.m. on the seventy-sixth day before the
17 election.

18 C. The write-in filing procedure shall be in the same manner as
19 prescribed in section 16-311. Any person who does not file a timely
20 nomination paper shall not be counted in the tally of ballots. The filing
21 officer shall not accept the nomination paper of a candidate for state or
22 local office unless the candidate provides or has provided both of the
23 following:

24 1. A political committee statement of organization or the five hundred
25 dollar threshold exemption statement for that office.

26 2. The financial disclosure statement as prescribed for candidates for
27 that office.

28 D. The secretary of state shall notify the various boards of
29 supervisors as to write-in candidates filing with the secretary of state's
30 office. The county school superintendent shall notify the appropriate board
31 of supervisors as to write-in candidates filing with the superintendent's
32 office. The board of supervisors shall notify the appropriate election board
33 inspector of all candidates who have properly filed such statements. In the
34 case of a city or town election, the city or town clerk shall notify the
35 appropriate election board inspector of candidates properly filed. No other
36 write-ins shall be counted. The election board inspector shall post the
37 notice of official write-in candidates in a conspicuous location within the
38 polling place.

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

41 1. For a candidate in the general election, the candidate ran in the
42 immediately preceding primary election and failed to be nominated to the
43 office sought in the current election.

44 2. For a candidate in the general election, the candidate filed a
45 nomination petition for the immediately preceding primary election for the

1 office sought and failed to provide a sufficient number of valid petition
2 signatures as prescribed by section 16-322.

3 3. For a candidate in the primary election, the candidate filed a
4 nomination petition for the current primary election for the office sought
5 and failed to provide a sufficient number of valid petition signatures as
6 prescribed by section 16-322.

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

11 F. A person who files a nomination paper pursuant to this section for
12 the office of president of the United States shall designate in writing to
13 the secretary of state at the time of filing the name of the candidate's
14 vice-presidential running mate, the names of presidential electors who will
15 represent that candidate and a statement signed by the vice-presidential
16 running mate and designated presidential electors that indicates their
17 consent to be designated. ~~A nomination paper~~ For each presidential elector
18 designated, **A FORM CONTAINING INFORMATION PRESCRIBED BY THE SECRETARY OF**
19 **STATE** shall be filed with the candidate's nomination paper. The number of
20 presidential electors shall equal the number of United States senators and
21 representatives in Congress from this state.

22 Sec. 3. Section 16-321, Arizona Revised Statutes, is amended to read:
23 16-321. **Signing and certification of nomination petition**

24 A. Each signer of a nomination petition shall sign only one petition
25 for the same office unless more than one candidate is to be elected to such
26 office, and in that case not more than the number of nomination petitions
27 equal to the number of candidates to be elected to the office. A signature
28 shall not be counted on a nomination petition unless the signature is on a
29 sheet bearing the form prescribed by section 16-314.

30 B. For the purposes of petitions filed pursuant to sections 16-312,
31 16-313, 16-314 and 16-341, each signer of a nomination petition shall be a
32 voter who at the time of signing is a registered voter in the electoral
33 district of the office the candidate is seeking.

34 C. If an elector signs more nomination petitions than permitted by
35 subsection A of this section, the earlier signatures of the elector are
36 deemed valid, as determined by the date of the signature as shown on the
37 petitions. If the signatures by the elector are dated on the same day, all
38 signatures by that elector on that day are deemed invalid. Any signature by
39 that elector on a nomination petition on or after the date of the last
40 otherwise valid signature is deemed invalid and shall not be counted.

41 D. Except as prescribed in section 16-341 for circulators of petitions
42 for certain candidates for the office of ~~presidential elector~~ **PRESIDENT**, the
43 person before whom the signatures were written on the signature sheet shall
44 be qualified to register to vote in this state pursuant to section 16-101 and
45 shall verify that each of the names on the petition was signed in his

1 presence on the date indicated, and that in his belief each signer was a
2 qualified elector who resides at the address given as the signer's residence
3 on the date indicated and, if for a partisan election, that each signer is a
4 member of the party from which the candidate is seeking nomination, or the
5 signer is a member of a political party that is not entitled to continued
6 representation on the ballot pursuant to section 16-804 or the signer is
7 registered as independent or no party preferred. The way the name appears on
8 the petition shall be the name used in determining the validity of the name
9 for any legal purpose pursuant to the election laws of this state. Signature
10 and handwriting comparisons may be made.

11 Sec. 4. Section 16-341, Arizona Revised Statutes, is amended to read:
12 16-341. Nomination petition; method and time of filing; form;
13 qualifications and number of petitioners required

14 A. Any qualified elector who is not a registered member of a political
15 party that is recognized pursuant to this title may be nominated as a
16 candidate for public office otherwise than by primary election or by party
17 committee pursuant to this section.

18 B. This article shall not be used to place on the general election
19 ballot the name of a political party which fails to meet the qualifications
20 specified in section 16-802 or 16-804, or the name of any candidate
21 representing such party or the name of a candidate who has filed a nomination
22 petition in the immediately preceding primary election and has failed to
23 qualify as the result of an insufficient number of valid signatures.

24 C. A nomination petition stating the name of the office to be filled,
25 the name and residence of the candidate and other information required by
26 this section shall be filed with the same officer with whom primary
27 nomination papers and petitions are required to be filed as prescribed in
28 section 16-311. Except for candidates for the office of ~~presidential elector~~
29 **PRESIDENT** filed pursuant to this section, the petition shall be filed at the
30 same time as primary nomination papers and petitions are required to be filed
31 as prescribed by section 16-311. The petition shall be signed only by voters
32 who have not signed the nomination petitions of a candidate for the office to
33 be voted for at that primary election.

34 D. The nomination petition shall be in substantially the following
35 form:

36 "The undersigned, qualified electors of _____ county,
37 state of Arizona, do hereby nominate _____, who resides at
38 _____ in the county of _____, as a candidate for the
39 office of _____ at the general (or special, as the case may
40 be) election to be held on the _____ day of _____,
41 _____.

42 I hereby declare that I have not signed the
43 nomination petitions of any candidate for the office
44 to be voted for at this primary election, and I do
45 hereby select the following designation under which

1 name the said candidate shall be placed on the
2 official ballot (here insert such designation not
3 exceeding three words in length as the signers may
4 select)."

5 E. The nomination petition shall conform as nearly as possible to the
6 provisions relating to nomination petitions of candidates to be voted for at
7 primary elections and shall be signed by at least the number of persons who
8 are registered to vote determined by calculating three per cent of the
9 persons who are registered to vote of the state, county, subdivision or
10 district for which the candidate is nominated who are not members of a
11 political party that is qualified to be represented by an official party
12 ballot at the next ensuing primary election and accorded representation on
13 the general election ballot.

14 F. The percentage of persons who are registered to vote necessary to
15 sign the nomination petition shall be determined by the total number of
16 registered voters from other than political parties that are qualified to be
17 represented by an official party ballot at the next ensuing primary election
18 and accorded representation on the general election ballot in the state,
19 county, subdivision or district on March 1 of the year in which the general
20 election is held. Notwithstanding the method prescribed by subsection E of
21 this section and this subsection for calculating the minimum number of
22 signatures necessary, any person who is registered to vote in the state,
23 county, subdivision or district for which the candidate is nominated is
24 eligible to sign the nomination petition without regard to the signer's party
25 affiliation.

26 G. For the purposes of this section, a nomination petition for the
27 office of ~~presidential elector~~ PRESIDENT may be circulated by a person who is
28 not a resident of this state but who is otherwise eligible to register to
29 vote in this state. ~~The nomination petition shall include a group of names
30 of candidates equal to the number of United States senators and
31 representatives in Congress from this state instead of separate nomination
32 petitions for each candidate for the office of presidential elector. A valid
33 signature on a petition containing a group of presidential electors
34 candidates is counted as a signature for the nomination of each of the
35 candidates. The presidential candidate whom the candidates for presidential
36 elector will represent~~ shall designate in writing to the secretary of state
37 the names of the ~~candidates~~ PRESIDENTIAL ELECTORS who will represent the
38 presidential candidate AT THE ELECTORAL COLLEGE before any signatures for the
39 candidate can be accepted for filing. A nomination petition for the office
40 of ~~presidential elector~~ PRESIDENT shall be filed not less than sixty nor more
41 than ninety days before the general election. The petition shall be signed
42 only by qualified electors who have not signed the nomination petitions of a
43 candidate for the office of ~~presidential elector~~ PRESIDENT to be voted for at
44 that election.

1 H. The secretary of state shall require in the instructions and
2 procedures manual issued pursuant to section 16-452 that persons who
3 circulate nomination petitions pursuant to this section for the office of
4 ~~presidential elector~~ PRESIDENT and who are not residents of this state but
5 who are otherwise eligible to register to vote in this state shall register
6 as circulators with the office of the secretary of state before circulating
7 petitions. The secretary of state shall provide for a method of receiving
8 service of process for those petition circulators who are registered.

9 I. A person who files a nomination paper pursuant to this section for
10 the office of president of the United States shall designate in writing to
11 the secretary of state at the time of filing the name of the candidate's
12 vice-presidential running mate, the names of the presidential electors who
13 will represent that candidate and a statement that is signed by the
14 vice-presidential running mate and the designated presidential electors and
15 that indicates their consent to be designated. ~~A nomination paper~~ For each
16 presidential elector designated, ~~A FORM CONTAINING INFORMATION PRESCRIBED BY~~
17 ~~THE SECRETARY OF STATE~~ shall be filed with the candidate's nomination paper.
18 The number of presidential electors shall equal the number of United States
19 senators and representatives in Congress from this state.

20 J. A candidate who does not file a timely nomination petition that
21 complies with this section is not eligible to have the candidate's name
22 printed on the official ballot for that office. The filing officer shall not
23 accept the nomination paper of a candidate for state or local office unless
24 the candidate provides or has provided all of the following:

- 25 1. The nomination petition required by this title.
- 26 2. A political committee statement of organization or the five hundred
27 dollar threshold exemption statement for that office.
- 28 3. The financial disclosure statement as prescribed for candidates for
29 that office.

30 Sec. 5. Section 16-344, Arizona Revised Statutes, is amended to read:
31 16-344. Office of presidential elector; appointment by state
32 committee chairman

33 A. The chairman of the state committee of a political party which is
34 qualified for representation on an official party ballot at the primary
35 election and accorded a column on the general election ballot shall ~~appoint~~
36 ~~candidates for the office of presidential elector~~ DESIGNATE PRESIDENTIAL
37 ELECTORS equal to the number of United States senators and representatives in
38 Congress from this state and shall file for each ~~candidate~~ DESIGNEE with the
39 secretary of state, not less than ninety days or more than one hundred twenty
40 days before the primary election, by 5:00 p.m. on the last day for filing:

- 41 1. ~~A nomination paper~~ ~~A FORM CONTAINING INFORMATION PRESCRIBED BY THE~~
42 ~~SECRETARY OF STATE AND~~ giving the ~~candidate's~~ DESIGNEE'S actual residence
43 address or description of place of residence and post office address, naming
44 the party ~~of which the candidate desires to become a candidate, stating his~~
45 ~~candidate's name and the office of presidential elector~~ WHOSE PRESIDENTIAL CANDIDATE

1 THE DESIGNEE WILL REPRESENT IN THE ELECTORAL COLLEGE, stating the exact
2 manner in which the ~~candidate~~ DESIGNEE desires to have ~~his~~ THE DESIGNEE'S
3 name printed on the official ballot pursuant to section 16-311, subsection G,
4 and stating the date of the general election at which he desires to become a
5 ~~candidate~~ DESIGNEE.

6 2. An affidavit including facts sufficient to show that the candidate
7 resides in this state and will be qualified at the time of the election to
8 hold the office of presidential elector.

9 B. The nomination paper and affidavit of qualification pursuant to
10 subsection A of this section shall be printed in a form prescribed by the
11 secretary of state.

12 Sec. 6. Section 16-502, Arizona Revised Statutes, is amended to read:
13 16-502. Form and contents of ballot

14 A. Ballots shall be printed with black ink on white paper of
15 sufficient thickness to prevent the printing thereon from being discernible
16 from the back, and the same type shall be used for the names of all
17 candidates. The ballots shall be headed "official ballot" in bold-faced
18 plain letters, with a heavy rule above and below the heading. Immediately
19 below shall be placed the words "type of election, (date of election)" and
20 the name of the county and state in which the election is held. The name or
21 number of the precinct in which the election is held shall be placed on the
22 ballot in a uniform location for all ballots. No other matter shall be
23 placed or printed at the head of any ballot, except above the heading there
24 may be a stub that contains the words "stub no. _____, register no. _____, to
25 be torn off by inspector." The stub shall be separated from the ballot by a
26 perforated line, so that it may be easily detached from the ballot.
27 Instructions to the voter on marking the ballot may be printed below the
28 heading. The official ballots shall be bound together in blocks of not less
29 than five nor more than one hundred.

30 B. Immediately below the ballot heading shall be placed the following:

31 "Section One

32 Partisan Ballot

33 1. Put a mark according to the instructions next to the
34 name of each candidate for each partisan office for whom you
35 wish to vote.

36 2. If you wish to vote for a person whose name is not
37 printed on the ballot, write such name in the blank space
38 provided on the ballot or write-in envelope and put a mark
39 according to the instructions next to the name so written."

40 C. Immediately below the instructions for voting in section one there
41 shall be placed in columns the names of the candidates of the several
42 political parties. Next to each candidate's name there shall be printed in
43 bold-faced letters the name of the political party. At the head of each
44 column shall be printed the names of the offices to be filled with the name

1 of each office being of uniform type size. At the head of each column shall
2 be printed in the following order the names of candidates for:

3 1. ~~Presidential electors~~ PRESIDENT AND VICE-PRESIDENT. THE INDICATOR
4 FOR THE SELECTION OF A CANDIDATE SHALL BE NEXT TO THE NAME OF THE CANDIDATE
5 FOR PRESIDENT, AND THE VICE-PRESIDENTIAL CANDIDATE'S NAME SHALL BE LISTED
6 IMMEDIATELY BELOW THAT OF THE PRESIDENTIAL CANDIDATE. THE NAMES OF THE
7 PRESIDENTIAL ELECTORS SHALL BE PRINTED ON THE BALLOT BELOW THE NAME OF THE
8 VICE-PRESIDENTIAL CANDIDATE.

9 2. United States senator.

10 3. Representatives in Congress.

11 4. The several state offices.

12 5. The several county and precinct offices.

13 D. The names of candidates for the offices of state senator and state
14 representative along with the district number shall be placed within the
15 heading of each column to the right of the office name for state offices and
16 immediately below the candidates for the office of governor. The number of
17 the supervisorial district of which a candidate is a nominee shall be printed
18 within the heading of each column to the right of the name of the office.

19 E. The lists of the candidates of the several parties shall be
20 arranged with the names of the parties in descending order according to the
21 votes cast for governor for that county in the most recent general election
22 for the office of governor, commencing with the left-hand column. In the
23 case of political parties which did not have candidates on the ballot in the
24 last general election, such parties shall be listed in alphabetical order
25 below the parties which did have candidates on the ballot in the last general
26 election. The names of all candidates nominated under section 16-341 shall
27 be placed in a single column below that of the recognized parties. Next to
28 the name of each candidate, in parentheses, shall be printed the designation
29 not to exceed three words in length as prescribed in the candidate's
30 certificate of nomination.

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

34 G. In each column at the right of the name of each candidate and on
35 the same line there shall be a place for the voter to put a mark. Below the
36 name of the last named candidate for each office there shall be as many blank
37 lines as there are offices of the same title to be filled, with a place for
38 the voter to put a mark unless write-in envelopes are provided for that
39 purpose. Upon the blank line the voter may write the name of any person for
40 whom he desires to vote whose name is not printed, and next to the name so
41 written he shall designate his choice by a mark as in the case of printed
42 names.

43 H. When there are two or more candidates of the same political party
44 for the same office, or more than one candidate for a judicial office, the
45 names of all such candidates shall be so alternated on the ballots used in

1 each election district that the name of each candidate shall appear
2 substantially an equal number of times in each possible location. If there
3 are fewer or the same number of candidates seeking office than the number to
4 be elected, the rotation of names is not required and the names shall be
5 placed in alphabetical order.

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

8 "Section Two
9 Nonpartisan Ballot

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

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

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

22 J. Immediately below the instructions for voting in section two shall
23 be placed the names of the candidates for judges of the superior court
24 standing for election pursuant to article VI, section 12, Constitution of
25 Arizona, school district officials, ~~justice~~ JUSTICES of the supreme court,
26 judges of the court of appeals, judges of the superior court standing for
27 retention or rejection pursuant to article VI, section 38, Constitution of
28 Arizona, and other nonpartisan officials in a column or in columns without
29 partisan or other designation except the title of office in an order
30 determined by the officer in charge of the election.

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

35 L. All proposed constitutional amendments and other propositions or
36 questions to be submitted to the voters shall be printed immediately below
37 the names of candidates for nonpartisan positions in such order as the
38 secretary of state, or if a city or town election, the city or town clerk,
39 designates. Placement of county and local charter amendments, propositions
40 or questions shall be determined by the officer in charge of the election.
41 Except as provided by section 19-125, each proposition or question shall be
42 followed by the words "yes" and "no" or "for _____" and "against _____" as
43 the nature of the proposition or question requires, and at the right of and
44 next to each of such words shall be a place for the voter to put a mark
45 according to the instructions that is similar in size to those places

1 appearing opposite the names of the candidates, in which the voter may
2 indicate his vote for or against such proposition or question by a mark as
3 defined in section 16-400.

4 M. Instead of printing the official and descriptive titles or the full
5 text of each measure or question on the official ballot, the officer in
6 charge of elections may print phrases on the official ballot that contain all
7 of the following:

8 1. The number of the measure in reverse type and at least twelve point
9 type.

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

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

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

18 N. For any ballot printed pursuant to subsection M of this section,
19 the instructions on the official ballot shall direct the voter to the full
20 text of the official and descriptive titles and the questions and
21 propositions as printed on the sample ballot and posted in the polling place.

22 Sec. 7. Section 16-507, Arizona Revised Statutes, is amended to read:
23 16-507. Presentation of presidential candidates on ballot

24 A. When presidential electors are to be voted for, the candidates
25 therefor of each party shall be ~~grouped and printed together, arranged in~~
26 ~~each group in alphabetical order, and the entire group of electors of each~~
27 ~~party shall be enclosed in a scroll or bracket to the right and opposite the~~
28 ~~center on which shall be printed in bold type~~ REPRESENTED BY the ~~surname~~
29 SURNAMES of the presidential candidate ~~represented~~ AND VICE-PRESIDENTIAL
30 CANDIDATE, AND THE SURNAMES OF THE PRESIDENTIAL ELECTORS SHALL BE PRINTED
31 BELOW THE NAME OF THE VICE-PRESIDENTIAL CANDIDATE. ~~To the right of and on a~~
32 ~~line with~~ THE INDICATOR FOR THE SELECTION OF A CANDIDATE SHALL BE NEXT TO the
33 surname OF THE PRESIDENTIAL CANDIDATE ~~shall be placed a square in which the~~
34 ~~voter may indicate his choice by a mark as defined in section 16-400,~~ and one
35 mark opposite a ~~group of~~ presidential ~~electors~~ CANDIDATE'S SURNAME shall be
36 counted as a vote for each elector in ~~such group~~ THAT PARTY.

37 B. THE NATIONAL POLITICAL PARTY COMMITTEE FOR A CANDIDATE FOR
38 PRESIDENT FOR A PARTY THAT IS ENTITLED TO CONTINUED REPRESENTATION ON THE
39 BALLOT SHALL PROVIDE TO THE SECRETARY OF STATE WRITTEN NOTICE OF THAT
40 POLITICAL PARTY'S NOMINATION OF ITS CANDIDATES FOR PRESIDENT AND
41 VICE-PRESIDENT. WITHIN TEN DAYS AFTER SUBMITTAL OF THE NAMES OF THE
42 CANDIDATES, THE NATIONAL POLITICAL PARTY COMMITTEE SHALL SUBMIT AN AFFIDAVIT
43 OF THE PRESIDENTIAL CANDIDATE IN WHICH THE PRESIDENTIAL CANDIDATE STATES THE
44 CANDIDATE'S CITIZENSHIP AND AGE AND SHALL APPEND TO THE AFFIDAVIT DOCUMENTS
45 THAT PROVE THAT THE CANDIDATE IS A NATURAL BORN CITIZEN, PROVE THE

1 CANDIDATE'S AGE AND PROVE THAT THE CANDIDATE MEETS THE RESIDENCY REQUIREMENTS
2 FOR PRESIDENT OF THE UNITED STATES AS PRESCRIBED IN ARTICLE II, SECTION 1,
3 CONSTITUTION OF THE UNITED STATES.

4 C. THE SECRETARY OF STATE SHALL REVIEW THE AFFIDAVIT AND OTHER
5 DOCUMENTS SUBMITTED BY THE NATIONAL POLITICAL PARTY COMMITTEE AND, IF THE
6 SECRETARY OF STATE HAS REASONABLE CAUSE TO BELIEVE THAT THE CANDIDATE DOES
7 NOT MEET THE CITIZENSHIP, AGE AND RESIDENCY REQUIREMENTS PRESCRIBED BY LAW,
8 THE SECRETARY OF STATE SHALL NOT PLACE THAT CANDIDATE'S NAME ON THE BALLOT.

9 Sec. 8. Section 16-543.02, Arizona Revised Statutes, is amended to
10 read:

11 16-543.02. Federal write-in early ballots; procedure;
12 registration form

13 A. An overseas voter as defined in the uniformed and overseas citizens
14 absentee voting act of 1986 (P.L. 99-410; 42 United States Code section
15 1973ff-6), as amended by the Ronald W. Reagan national defense authorization
16 act for fiscal year 2005 (P.L. 108-375), who is absent from the place of
17 residence in this state where the voter is otherwise qualified to vote may
18 use a federal write-in early ballot in a primary, general or special election
19 for the offices of ~~presidential elector~~ PRESIDENT and United States senator
20 and representative in Congress if the voter applies for an early ballot by
21 7:00 p.m. on election day and does not receive that early ballot.

22 B. A federal write-in early ballot of an overseas voter shall not be
23 counted if either of the following conditions is met:

24 1. The application of the overseas voter for an early ballot is
25 received by the county recorder or other officer in charge of elections after
26 7:00 p.m. on election day.

27 2. An early ballot from the overseas voter is received by the county
28 recorder or other officer in charge of elections by 7:00 p.m. on election
29 day.

30 C. An overseas voter who completes a federal write-in early ballot may
31 designate a candidate by writing in the name of the candidate or by writing
32 in the name of a political party, in which case the ballot shall be counted
33 for the candidate of that political party. In the case of the offices of
34 president and vice-president, a vote for a named candidate or in the name of
35 the political party shall be counted as a vote for that candidate's or
36 party's presidential electors. Any abbreviation, misspelling or other minor
37 variation in the form of the name of a candidate or political party shall be
38 disregarded in determining the validity of the ballot if the intention of the
39 voter can be ascertained.

40 D. For an overseas voter who completes a federal write-in early ballot
41 transmission envelope with the federal write-in early ballot request, the
42 transmission envelope shall serve as a voter registration form and the voter
43 is registered to vote on completion and receipt of the transmission envelope
44 and the federal write-in early ballot if all of the following apply:

- 1 1. The information submitted on the transmission envelope includes the
- 2 information prescribed in section 16-121.01.
- 3 2. The voter is otherwise eligible to register and vote in this state.
- 4 3. The request is received by the county recorder by 7:00 p.m. on
- 5 election day.
- 6 E. For any request received after 7:00 p.m. on election day, an
- 7 otherwise valid transmission envelope constitutes a voter registration form
- 8 that is valid for any subsequent election.