

COMMITTEE ON GOVERNMENT REFORM

SENATE AMENDMENTS TO H.B. 2177

(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

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~~ THAT the
19 person 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

1 person's candidacy, stating the exact manner in which the person desires to
2 have the person's name printed on the official ballot pursuant to subsection
3 G and giving the date of the election. A candidate for office shall reside
4 at the time of filing in the county, city, town, district, ward or precinct
5 ~~which~~ THAT the person proposes to represent.

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

10 D. All persons desiring to become a candidate shall file with the
11 nomination paper provided for in subsection A an affidavit, which shall be
12 printed in a form prescribed by the secretary of state. The affidavit shall
13 include facts sufficient to show that, other than the residency requirement
14 provided in subsection A, the candidate will be qualified at the time of
15 election to hold the office the person seeks. **THE AFFIDAVIT SHALL INCLUDE**
16 **REFERENCES TO AND ATTACHMENT OF ALL DOCUMENTS NECESSARY TO SHOW THAT THE**
17 **PERSON WILL BE QUALIFIED AT THE TIME OF THE ELECTION TO HOLD THE OFFICE THE**
18 **PERSON SEEKS.**

19 E. The nomination paper of a candidate for the office of United States
20 senator or representative in Congress, for the office of presidential elector
21 or for a state office, including a member of the legislature, or for any
22 other office for which the electors of the entire state or a subdivision of
23 the state greater than a county are entitled to vote, shall be filed with the
24 secretary of state no later than 5:00 p.m. on the last date for filing.

25 F. The nomination paper of a candidate for superior court judge or for
26 a county, district and precinct office for which the electors of a county or
27 a subdivision of a county other than an incorporated city or town are
28 entitled to vote shall be filed with the county elections officer no later
29 than 5:00 p.m. on the last date for filing as prescribed by subsection A.
30 The nomination paper of a candidate for a city or town office shall be filed
31 with the city or town clerk no later than 5:00 p.m. on the last date for
32 filing. The nomination paper of a candidate for school district office shall

1 be filed with the county school superintendent no later than 5:00 p.m. on the
2 last date for filing.

3 G. The nomination paper shall include the exact manner in which the
4 candidate desires to have the person's name printed on the official ballot
5 and shall be limited to the candidate's surname and given name or names, an
6 abbreviated version of such names or appropriate initials such as "Bob" for
7 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".
8 Nicknames are permissible, but in no event shall nicknames, abbreviated
9 versions or initials of given names suggest reference to professional,
10 fraternal, religious or military titles. No other descriptive name or names
11 shall be printed on the official ballot, except as provided in this section.
12 Candidates' abbreviated names or nicknames may be printed within quotation
13 marks. The candidate's surname shall be printed first, followed by the given
14 name or names.

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

- 20 1. The nomination petition required by this title.
- 21 2. A political committee statement of organization or the five hundred
22 dollar threshold exemption statement for that office.
- 23 3. The financial disclosure statement as prescribed for candidates for
24 that office.

- 25 4. THE AFFIDAVIT AND ATTACHMENTS PRESCRIBED IN SUBSECTION D.
 - 26 I. For the purposes of this title:
 - 27 1. "Election district" means the state, any county, city, town,
28 precinct or other political subdivision or a special district ~~which~~ THAT is
29 not a political subdivision, ~~which~~ THAT is authorized by statute to conduct
30 an election and ~~which~~ THAT is authorized or required to conduct its election
31 in accordance with this title.

1 PRESIDENTIAL CANDIDATE'S NAME ON THE BALLOT IN THIS STATE. IF THE CANDIDATE
2 AND NATIONAL POLITICAL PARTY COMMITTEE FOR THAT COMMITTEE SUBMIT AND SWEAR TO
3 THE DOCUMENTS PRESCRIBED IN THIS SECTION, BUT THE SECRETARY OF STATE BELIEVES
4 THAT THE PREPONDERANCE OF THE EVIDENCE SHOWS THAT THE CANDIDATE DOES NOT MEET
5 THE CITIZENSHIP, AGE AND RESIDENCY REQUIREMENTS, THE SECRETARY OF STATE SHALL
6 NOT PLACE THAT PRESIDENTIAL CANDIDATE'S NAME ON THE BALLOT IN THIS STATE.

7 D. A MEMBER OF THE HOUSE OF REPRESENTATIVES, A MEMBER OF THE SENATE OR
8 ANY OTHER CITIZEN OF THIS STATE HAS STANDING TO INITIATE AN ACTION TO ENFORCE
9 THIS SECTION."

10 Amend title to conform

3/23/11
2:37 PM
S: slp