

REFERENCE TITLE: federal only ballots; paper; tabulation

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2304

Introduced by
Representative Townsend

AN ACT

AMENDING SECTION 16-502, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-601; 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 16-502, Arizona Revised Statutes, is amended to
3 read:

4 16-502. Form and contents of ballot

5 A. Ballots shall be printed with black ink on white paper of
6 sufficient thickness to prevent the printing thereon from being
7 discernible from the back, and the same type shall be used for the names
8 of all candidates, EXCEPT THAT ANY BALLOTS THAT PROVIDE FOR VOTING FOR
9 ONLY FEDERAL OFFICES SHALL BE PRINTED ON COLORED PAPER THAT IS READILY
10 DISTINGUISHABLE FROM OTHER PAPER BALLOTS FOR THAT ELECTION AND SHALL
11 INCLUDE THE WORDS "FEDERAL BALLOT" AT OR NEAR THE BALLOT HEADING. The
12 ballots shall be headed "official ballot" in bold-faced plain letters,
13 with a heavy rule above and below the heading. Immediately below shall be
14 placed the words "type of election, (date of election)" and the name of
15 the county and state in which the election is held. The name or number of
16 the precinct in which the election is held shall be placed on the ballot
17 in a uniform location for all ballots. No other matter shall be placed or
18 printed at the head of any ballot. Instructions to the voter on marking
19 the ballot may be printed below the heading as follows:

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

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

26 3. Put a mark according to the instructions next to the word
27 "yes" or "for" for each proposition or question you wish to be
28 adopted. Put a mark according to the instructions next to the
29 word "no" or "against" for each proposition or question you
30 wish not to be adopted.

31 B. Immediately below the ballot instructions shall be placed the
32 following:

33 Section One
34 Partisan Ballot

35 C. Immediately below the heading for section one there shall be
36 placed in columns the names of the candidates of the several political
37 parties. Next to each candidate's name there shall be printed in
38 bold-faced letters the name of the political party. At the head of each
39 column shall be printed the names of the offices to be filled with the
40 name of each office being of uniform type size. At the head of each
41 column shall be printed in the following order the names of candidates
42 for:

43 1. Presidential electors, which shall be in a list and next to the
44 list shall be printed in bold type the surname of the presidential
45 candidate, and the surname of the vice presidential candidate who is

1 seeking election jointly with the presidential candidate shall be listed
2 directly below the name of the presidential candidate. The indicator for
3 the selection of the presidential and vice presidential candidates shall
4 be directly next to the surname of the presidential candidate, and one
5 mark directly next to a presidential candidate's surname shall be counted
6 as a vote for each elector in the list next to the presidential and vice
7 presidential candidates.

8 2. United States senator.

9 3. Representatives in Congress.

10 4. The several state offices.

11 5. The several county and precinct offices.

12 D. The names of candidates for the offices of state senator and
13 state representative along with the district number shall be placed within
14 the heading of each column to the right of the office name for state
15 offices and immediately below the candidates for the office of governor.
16 The number of the supervisorial district of which a candidate is a nominee
17 shall be printed within the heading of each column to the right of the
18 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
21 the votes cast for governor for that county in the most recent general
22 election for the office of governor, commencing with the left-hand column.
23 In the case of political parties that did not have candidates on the
24 ballot in the last general election, such parties shall be listed in
25 alphabetical order below the parties that did have candidates on the
26 ballot in the last general election. The names of all candidates
27 nominated under section 16-341 shall be placed in a single column below
28 that of the recognized parties. Next to the name of each candidate, in
29 parentheses, shall be printed a three-letter abbreviation that is taken
30 from the three words prescribed in the candidate's certificate of
31 nomination.

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

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

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

1 ballots used in each election district that the name of each candidate
2 shall appear substantially an equal number of times in each possible
3 location. If there are fewer or the same number of candidates seeking
4 office than the number to be elected, the rotation of names is not
5 required and the names shall be 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 J. Immediately below the heading for section two shall be placed
11 the names of the candidates for justices of the supreme court, judges of
12 the court of appeals, judges of the superior court standing for retention
13 or rejection pursuant to article VI, section 38, Constitution of Arizona,
14 judges of the superior court standing for election pursuant to article VI,
15 section 12, Constitution of Arizona, school district officials and other
16 nonpartisan officials in a column or in columns without partisan or other
17 designation except the title of office in an order determined by the
18 officer in charge of the election.

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

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

37 M. Instead of printing the official and descriptive titles or the
38 full text of each measure or question on the official ballot, the officer
39 in charge of elections may print phrases on the official ballot that
40 contain all of the following:

41 1. The number of the measure in reverse type and at least twelve
42 point type.

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

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

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

6 N. For any ballot printed pursuant to subsection M of this section,
7 the instructions on the official ballot shall direct the voter to the full
8 text of the official and descriptive titles and the questions and
9 propositions as printed on the sample ballot and posted in the polling
10 place.

11 Sec. 2. Title 16, chapter 4, article 10, Arizona Revised Statutes,
12 is amended by adding section 16-601, to read:

13 16-601. Tabulation and retention of federal office ballots

14 ALL BALLOTS THAT PROVIDE FOR VOTING FOR ONLY FEDERAL OFFICES SHALL
15 BE TABULATED SEPARATELY AND AFTER TABULATION SHALL BE RETAINED SEPARATELY
16 FROM THE REMAINDER OF THE BALLOTS FOR THAT ELECTION.