

REFERENCE TITLE: presidential electors; congressional districts; at-large

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2476

Introduced by
Representatives Carroll: Bolick, Burges, Fillmore, Wilmeth

AN ACT

AMENDING SECTIONS 16-212 AND 16-344, ARIZONA REVISED STATUTES; RELATING TO
PRESIDENTIAL ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-212, Arizona Revised Statutes, is amended to
3 read:

4 16-212. Election of presidential electors; electoral college
5 votes; vacancy; replacement

6 A. On the first Tuesday after the first Monday in November, 1956,
7 and quadrennially thereafter, there shall be elected a number of
8 presidential electors equal to the number of United States senators and
9 representatives in Congress from this state.

10 B. After the secretary of state issues the statewide canvass
11 containing the results of a presidential election, the presidential
12 electors of this state shall cast their electoral college votes **AS**
13 **FOLLOWS:**

14 1. FOR THE PRESIDENTIAL ELECTORS WHO WERE DESIGNATED FOR A
15 CONGRESSIONAL DISTRICT, FOR THE CANDIDATE FOR PRESIDENT AND THE CANDIDATE
16 FOR VICE PRESIDENT WHO JOINTLY RECEIVED THE HIGHEST NUMBER OF VOTES IN
17 THAT CONGRESSIONAL DISTRICT AS PRESCRIBED IN THE STATEWIDE CANVASS.

18 2. FOR THE TWO AT-LARGE PRESIDENTIAL ELECTORS, for the candidate
19 for president and the candidate for vice president who jointly received
20 the highest number of votes ~~in this state as prescribed in the canvass~~
21 **FROM THE AGGREGATE VOTE OF ALL OF THE MEMBERS OF THE LEGISLATURE VOTING AS**
22 **A SINGLE BODY. IF THIS VOTE IS TIED, THE AT-LARGE PRESIDENTIAL ELECTORS**
23 **SHALL BE DIVIDED BETWEEN THE TWO TIED CANDIDATES FOR PRESIDENT AND VICE**
24 **PRESIDENT.**

25 C. A presidential elector who knowingly refuses to cast that
26 elector's electoral college vote as prescribed in subsection B of this
27 section is no longer eligible to hold the office of presidential elector
28 and that office is deemed and declared vacant by operation of law. The
29 chairperson of the state committee of the political party represented by
30 that elector shall appoint a person who is otherwise qualified to be a
31 presidential elector. The replacement presidential elector shall cast the
32 elector's electoral college vote as prescribed by this section.
33 Notwithstanding section 16-344 and any other statute, the nomination paper
34 and affidavit of qualification of the replacement presidential elector may
35 be completed and filed with the secretary of state as soon as is
36 practicable after the presidential elector's appointment.

37 Sec. 2. Section 16-344, Arizona Revised Statutes, is amended to
38 read:

39 16-344. Office of presidential elector; appointment by state
40 committee chairman

41 A. The chairman of the state committee of a political party that is
42 qualified for representation on an official party ballot at the primary
43 election and accorded a column on the general election ballot shall
44 appoint candidates for the office of presidential elector equal to the
45 number of United States senators and representatives in Congress from this

1 state and shall file for each candidate with the secretary of state, not
2 more than ten days after the primary election, by 5:00 p.m. on the last
3 day for filing:

4 1. A nomination paper giving the candidate's actual residence
5 address or, if the person does not have an actual residence address, a
6 description of place of residence and post office address, or, if the
7 person's actual residence address is protected pursuant to section 16-153,
8 a post office box or private mailbox address, naming the party of which
9 the candidate desires to become a candidate, stating his candidacy for the
10 office of presidential elector, stating the exact manner in which the
11 candidate desires to have his name printed on the official ballot pursuant
12 to section 16-311, subsection G, and stating the date of the general
13 election at which he desires to become a candidate.

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

17 3. THE DESIGNATION OF ONE PRESIDENTIAL ELECTOR FOR EACH
18 CONGRESSIONAL DISTRICT AND TWO PRESIDENTIAL ELECTORS AS AT-LARGE
19 PRESIDENTIAL ELECTORS. A PRESIDENTIAL ELECTOR WHO IS DESIGNATED FOR A
20 CONGRESSIONAL DISTRICT IS NOT REQUIRED TO BE A RESIDENT OF THAT
21 CONGRESSIONAL DISTRICT.

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