

REFERENCE TITLE: technical correction; county formation; petition

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1007

Introduced by
Senator Leach

AN ACT

AMENDING SECTION 11-135, ARIZONA REVISED STATUTES; RELATING TO FORMATION OF COUNTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-135, Arizona Revised Statutes, is amended to
3 read:

4 11-135. Filing of petition; review; certification of results

5 A. Completed petitions shall be filed with the secretary of state.
6 All copies and counterparts of the petition shall be filed at the same
7 time.

8 B. The secretary of state shall not accept the petition unless the
9 signatures have been obtained and the petition is submitted for filing,
10 within two hundred seventy days after the filing of the notice of
11 intention to circulate petitions. If the petition does not meet this
12 requirement, the petition is insufficient and the secretary of state shall
13 file it as a public record without prejudice to the filing of a new
14 petition and immediately notify **BY CERTIFIED MAIL** the person or
15 organization proposing the new counties stating the reason for the
16 insufficiency.

17 C. On receipt of a petition which meets the requirements of
18 subsection B, the secretary of state shall immediately transmit a copy to
19 the county recorder of each affected county with an order to examine the
20 signatures from ~~his~~ **THE RECORDER'S** respective county within twenty
21 days. The recorder shall compare the names of a random sampling of at
22 least five per cent of the persons from ~~his~~ **THE** county signing the
23 petition with the county registration records and certify the results to
24 the secretary of state.

25 D. After the secretary of state receives the results from all
26 affected county recorders, ~~he~~ **THE SECRETARY OF STATE** shall determine
27 whether the petition is sufficient. If the petition is insufficient, the
28 secretary of state shall immediately notify by certified mail the person
29 or organization proposing the formation of the new counties and the clerk
30 of the board of supervisors of each affected county stating the reason for
31 the insufficiency and file the petition as a public record without
32 prejudice to the filing of a new petition. If the petition is sufficient,
33 the secretary of state shall immediately transmit copies of ~~his~~
34 certification to the person or organization proposing the new counties,
35 the clerk of the board of supervisors of each affected county, the
36 president of the senate, the speaker of the house of representatives, each
37 legislator whose district is in an affected county, the attorney general
38 and the governor.

39 E. A petition may not be filed under this section within three
40 years of the date of certification of a prior petition ~~which~~ **THAT** included
41 in its description of boundaries for a proposed county any territory ~~which~~
42 **THAT** is the subject of the new petition.