

REFERENCE TITLE: **legislators; personally identifiable information;
confidentiality**

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2767

Introduced by
Representatives Sandoval: Aguilar, Gutierrez, Hernandez L, Terech

AN ACT

AMENDING SECTIONS 11-483, 11-484, 13-2401, 16-153, 16-311, 16-312, 16-314,
16-341, 28-454, 39-123 AND 39-124, ARIZONA REVISED STATUTES; RELATING TO
RECORDS CONFIDENTIALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-483, Arizona Revised Statutes, is amended to
3 read:

4 11-483. Records maintained by county recorder;
5 confidentiality; definitions

6 A. Notwithstanding any other provision of this article, in any
7 county an eligible person may request that the general public be
8 prohibited from accessing the unique identifier and the recording date
9 contained in indexes of recorded instruments maintained by the county
10 recorder and may request the county recorder to prohibit access to that
11 person's identifying information, including any of that person's
12 documents, instruments or writings recorded by the county recorder.

13 B. An eligible person may request this action by filing an
14 affidavit that states all of the following on an application form
15 developed by the administrative office of the courts in agreement with an
16 association of counties, an organization of peace officers and the motor
17 vehicle division of the department of transportation:

18 1. The person's full legal name and residential address.

19 2. The full legal description and parcel number of the person's
20 property.

21 3. Unless the person is the spouse of a peace officer or the spouse
22 or minor child of a deceased peace officer or the person is a former
23 public official or former judge, the position the person currently holds
24 and a description of the person's duties, except that an eligible person
25 who is protected under an order of protection or injunction against
26 harassment shall instead attach a copy of the order of protection or
27 injunction against harassment or an eligible person who is a participant
28 in the address confidentiality program shall instead attach a copy of the
29 participant's current and valid address confidentiality program
30 authorization card issued pursuant to section 41-163 and a statement of
31 certification provided by the secretary of state's office.

32 4. The reasons the person reasonably believes that the person's
33 life or safety or that of another person is in danger and that restricting
34 access pursuant to this section will serve to reduce the danger.

35 5. The document locator number and recording date of each
36 instrument for which the person requests access restriction pursuant to
37 this section.

38 6. A copy of pages from each instrument that includes the document
39 locator number and the person's identifying information, including the
40 person's full legal name and residential address or full legal name and
41 telephone number.

42 C. If an eligible person is also requesting pursuant to section
43 11-484 that the general public be prohibited from accessing records
44 maintained by the county assessor and county treasurer, the eligible
45 person may combine the request pursuant to subsection B of this section

1 with the request pursuant to section 11-484 by filing one affidavit. The
2 affidavit and subsequent action by the appropriate authorities shall meet
3 all of the requirements of this section and section 11-484.

4 D. The affidavit shall be filed with the presiding judge of the
5 superior court in the county in which the affiant resides. To prevent
6 multiple filings, an eligible person who is a peace officer, spouse of a
7 peace officer, spouse or minor child of a deceased peace officer, public
8 defender, prosecutor, code enforcement officer, corrections or detention
9 officer, corrections support staff member or law enforcement support staff
10 member shall deliver the affidavit to the peace officer's commanding
11 officer, or to the head of the prosecuting, public defender, code
12 enforcement, law enforcement, corrections or detention agency, as
13 applicable, or that person's designee, who shall file the affidavits at
14 one time. In the absence of an affidavit that contains a request for
15 immediate action and that is supported by facts justifying an earlier
16 presentation, the commanding officer, or the head of the prosecuting,
17 public defender, code enforcement, law enforcement, corrections or
18 detention agency, as applicable, or that person's designee, shall not file
19 affidavits more often than quarterly.

20 E. On receipt of an affidavit or affidavits, the presiding judge of
21 the superior court shall file with the clerk of the superior court a
22 petition on behalf of all requesting affiants. Each affidavit presented
23 shall be attached to the petition. In the absence of an affidavit that
24 contains a request for immediate action and that is supported by facts
25 justifying an earlier consideration, the presiding judge may accumulate
26 affidavits and file a petition at the end of each quarter.

27 F. The presiding judge of the superior court shall review the
28 petition and each attached affidavit to determine whether the action
29 requested by each affiant should be granted. If the presiding judge of
30 the superior court concludes that the action requested by the affiant will
31 reduce a danger to the life or safety of the affiant or another person,
32 the presiding judge of the superior court shall order that the county
33 recorder prohibit access for five years to the affiant's identifying
34 information, including any of that person's documents, instruments or
35 writings recorded by the county recorder and made available on the
36 internet. If the presiding judge of the superior court concludes that the
37 affiant or another person is in actual danger of physical harm from a
38 person or persons with whom the affiant has had official dealings and that
39 action pursuant to this section will reduce a danger to the life or safety
40 of the affiant or another person, the presiding judge of the superior
41 court shall order that the general public be prohibited for five years
42 from accessing the unique identifier and the recording date contained in
43 indexes of recorded instruments maintained by the county recorder and
44 identified pursuant to subsection B of this section.

1 G. On motion to the court, if the presiding judge of the superior
2 court concludes that an instrument or writing recorded by the county
3 recorder has been redacted or sealed in error, that the original affiant
4 no longer lives at the address listed in the original affidavit, that the
5 cause for the original affidavit no longer exists or that temporary access
6 to the instrument or writing is needed, the presiding judge may
7 temporarily stay or permanently vacate all or part of the court order
8 prohibiting public access to the recorded instrument or writing.

9 H. On entry of the court order, the clerk of the superior court
10 shall file the court order and a copy of the affidavit required by
11 subsection B of this section with the county recorder. Not more than ten
12 days after the date on which the county recorder receives the court order,
13 the county recorder shall restrict access to the information as required
14 by subsection F of this section.

15 I. If the court denies an affiant's request pursuant to this
16 section, the affiant may request a court hearing. The hearing shall be
17 conducted by the court in the county where the petition was filed.

18 J. The county recorder shall remove the restrictions on all records
19 restricted pursuant to this section by January 5 in the year after the
20 court order expires. The county recorder shall send by mail one notice to
21 either the PUBLIC OFFICIAL, former public official, peace officer, spouse
22 of a peace officer, spouse or minor child of a deceased peace officer,
23 public defender, prosecutor, code enforcement officer, corrections or
24 detention officer, corrections support staff member, law enforcement
25 support staff member, employee of the department of child safety or
26 employee of adult protective services who has direct contact with families
27 in the course of employment or the employing agency of a peace officer,
28 public defender, prosecutor, code enforcement officer, corrections or
29 detention officer, corrections support staff member, law enforcement
30 support staff member or employee of adult protective services who was
31 granted an order pursuant to this section of the order's expiration date
32 at least six months before the expiration date. If the notice is sent to
33 the employing agency, the employing agency shall immediately notify the
34 person who was granted the order of the upcoming expiration date. The
35 county recorder may coordinate with the county assessor and county
36 treasurer to prevent multiple notices from being sent to the same person.

37 K. To include subsequent recordings in the court order, the
38 eligible person shall present to the county recorder at the time of
39 recordation a certified copy of the court order or shall provide to the
40 county recorder the recording number of the court order. The county
41 recorder shall ensure that public access is restricted pursuant to
42 subsection A of this section.

43 L. This section does not restrict access to public records for the
44 purposes of perfecting a lien pursuant to title 12, chapter 9, article 2.

1 M. This section does not prohibit access to the records of the
2 county recorder by parties to the instrument, a law enforcement officer
3 performing the officer's official duties ~~pursuant to subsection N of this~~
4 ~~section~~, a title insurer, a title insurance agent or an escrow agent
5 licensed by the department of insurance and financial institutions.

6 ~~N. A law enforcement officer is deemed to be performing the~~
7 ~~officer's official duties if the officer provides a subpoena, court order~~
8 ~~or search warrant for the records.~~

9 N. A PERSON OR ENTITY IN THIS STATE MAY NOT ACCESS A PUBLIC
10 OFFICIAL'S ACTUAL RESIDENCE ADDRESS OR LICENSE PLATE NUMBER BUT MAY ACCESS
11 THE PUBLIC OFFICIAL'S CITY OR TOWN OF RESIDENCE.

12 O. For the purposes of this section:

13 1. "Code enforcement officer" means a person who is employed by a
14 state or local government and whose duties include performing field
15 inspections of buildings, structures or property to ensure compliance with
16 and enforce national, state and local laws, ordinances and codes.

17 2. "Commissioner" means a commissioner of the superior court or
18 municipal court.

19 3. "Corrections support staff member" means an adult or juvenile
20 corrections employee who has direct contact with inmates.

21 4. "Eligible person" means a PUBLIC OFFICIAL, former public
22 official, peace officer, spouse of a peace officer, spouse or minor child
23 of a deceased peace officer, justice, judge, commissioner, hearing
24 officer, public defender, prosecutor, code enforcement officer, adult or
25 juvenile corrections officer, corrections support staff member, probation
26 officer, member of the commission on appellate court appointments, member
27 of the board of executive clemency, law enforcement support staff member,
28 employee of the department of child safety or employee of adult protective
29 services who has direct contact with families in the course of employment,
30 national guard member who is acting in support of a law enforcement
31 agency, person who is protected under an order of protection or injunction
32 against harassment, person who is a participant in the address
33 confidentiality program pursuant to title 41, chapter 1, article 3 or
34 firefighter who is assigned to the Arizona counter terrorism information
35 center in the department of public safety.

36 5. "Former public official" means a person who was duly elected or
37 appointed to Congress, the legislature or a statewide office, who ceased
38 serving in that capacity and who was the victim of a dangerous offense as
39 defined in section 13-105 while in office.

40 6. "Hearing officer" means a hearing officer who is appointed
41 pursuant to section 28-1553.

42 7. "Indexes" means only those indexes that are maintained by and
43 located in the office of the county recorder, that are accessed
44 electronically and that contain information beginning from and after
45 January 1, 1987.

1 8. "Judge" means a judge or former judge of the United States
2 district court, the United States court of appeals, the United States
3 magistrate court, the United States bankruptcy court, the United States
4 immigration court, the Arizona court of appeals, the superior court or a
5 municipal court.

6 9. "Justice" means a justice of the United States or Arizona
7 supreme court or a justice of the peace.

8 10. "Law enforcement support staff member" means a person who
9 serves in the role of an investigator or prosecutorial assistant in an
10 agency that investigates or prosecutes crimes, who is integral to the
11 investigation or prosecution of crimes and whose name or identity will be
12 revealed in the course of public proceedings.

13 11. "Peace officer":

14 (a) Means any person vested by law, or formerly vested by law, with
15 a duty to maintain public order and make arrests.

16 (b) Includes a federal law enforcement officer or agent who resides
17 in this state and who has the power to make arrests pursuant to federal
18 law.

19 12. "Prosecutor" means a current or former county attorney,
20 municipal prosecutor, attorney general or United States attorney and
21 includes a current or former assistant or deputy United States attorney,
22 county attorney, municipal prosecutor or attorney general.

23 13. "Public defender" means a federal public defender, county
24 public defender, county legal defender or county contract indigent defense
25 counsel and includes an assistant or deputy federal public defender,
26 county public defender or county legal defender.

27 14. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
28 APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,
29 CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.

30 Sec. 2. Section 11-484, Arizona Revised Statutes, is amended to
31 read:

32 11-484. Records maintained by county assessor and county
33 treasurer; redaction; definitions

34 A. Notwithstanding any other provision of this article, in any
35 county an eligible person may request that the general public be
36 prohibited from accessing that person's identifying information, including
37 any of that person's documents, instruments, writings and information
38 maintained by the county assessor and the county treasurer.

39 B. An eligible person may request this action by filing an
40 affidavit that states all of the following on an application form
41 developed by the administrative office of the courts in agreement with an
42 association of counties, an organization of peace officers and the motor
43 vehicle division of the department of transportation:

44 1. The person's full legal name and residential address.

1 2. The full legal description and parcel number of the person's
2 property.

3 3. Unless the person is the spouse of a peace officer or the spouse
4 or minor child of a deceased peace officer or the person is a former
5 public official or former judge, the position the person currently holds
6 and a description of the person's duties, except that an eligible person
7 who is protected under an order of protection or injunction against
8 harassment shall attach a copy of the order of protection or injunction
9 against harassment or an eligible person who is a participant in the
10 address confidentiality program shall instead attach a copy of the
11 participant's current and valid address confidentiality program
12 authorization card issued pursuant to section 41-163 and a statement of
13 certification provided by the secretary of state's office.

14 4. The reasons the person reasonably believes that the person's
15 life or safety or that of another person is in danger and that redacting
16 the person's identifying information, including the residential address
17 and telephone number, will serve to reduce the danger.

18 C. If an eligible person is also requesting pursuant to section
19 11-483 that the general public be prohibited from accessing records
20 maintained by the county recorder, the eligible person may combine the
21 request pursuant to subsection B of this section with the request pursuant
22 to section 11-483 by filing one affidavit. The affidavit and subsequent
23 action by the appropriate authorities shall meet all of the requirements
24 of this section and section 11-483.

25 D. The affidavit shall be filed with the presiding judge of the
26 superior court in the county in which the affiant resides. To prevent
27 multiple filings, an eligible person who is a peace officer, spouse of a
28 peace officer, spouse or minor child of a deceased peace officer, public
29 defender, prosecutor, code enforcement officer, corrections or detention
30 officer, corrections support staff member or law enforcement support staff
31 member shall deliver the affidavit to the peace officer's commanding
32 officer, or to the head of the prosecuting, public defender, code
33 enforcement, law enforcement, corrections or detention agency, as
34 applicable, or that person's designee, who shall file the affidavits at
35 one time. In the absence of an affidavit that contains a request for
36 immediate action and that is supported by facts justifying an earlier
37 presentation, the commanding officer, or the head of the prosecuting,
38 public defender, code enforcement, law enforcement, corrections or
39 detention agency, as applicable, or that person's designee, shall not file
40 affidavits more often than quarterly.

41 E. On receipt of an affidavit or affidavits, the presiding judge of
42 the superior court shall file with the clerk of the superior court a
43 petition on behalf of all requesting affiants. Each affidavit presented
44 shall be attached to the petition. In the absence of an affidavit that
45 contains a request for immediate action and that is supported by facts

1 justifying an earlier consideration, the presiding judge may accumulate
2 affidavits and file a petition at the end of each quarter.

3 F. The presiding judge of the superior court shall review the
4 petition and each attached affidavit to determine whether the action
5 requested by each affiant should be granted. If the presiding judge of
6 the superior court concludes that the action requested by the affiant will
7 reduce a danger to the life or safety of the affiant or another person,
8 the presiding judge of the superior court shall order the redaction of the
9 affiant's identifying information, including any of that person's
10 documents, instruments, writings and information maintained by the county
11 assessor and the county treasurer. The redaction shall be in effect for
12 five years.

13 G. On motion to the court, if the presiding judge of the superior
14 court concludes that an instrument or writing maintained by the county
15 assessor or the county treasurer has been redacted or sealed in error,
16 that the original affiant no longer lives at the address listed in the
17 original affidavit, that the cause for the original affidavit no longer
18 exists or that temporary access to the instrument or writing is needed,
19 the presiding judge may temporarily stay or permanently vacate all or part
20 of the court order prohibiting public access to the instrument or writing.

21 H. On entry of the court order, the clerk of the superior court
22 shall file the court order and a copy of the affidavit required by
23 subsection B of this section with the county assessor and the county
24 treasurer. Not more than ten days after the date on which the county
25 assessor and the county treasurer receive the court order, the county
26 assessor and the county treasurer shall restrict access to the information
27 as required by subsection F of this section.

28 I. If the court denies an affiant's request pursuant to this
29 section, the affiant may request a court hearing. The hearing shall be
30 conducted by the court in the county where the petition was filed.

31 J. The county assessor and the county treasurer shall remove the
32 restrictions on all records that are redacted pursuant to this section by
33 January 5 in the year after the court order expires. The county assessor
34 or the county treasurer shall send by mail one notice to either the **PUBLIC**
35 **OFFICIAL**, former public official, peace officer, spouse of a peace
36 officer, spouse or minor child of a deceased peace officer, public
37 defender, prosecutor, code enforcement officer, corrections or detention
38 officer, corrections support staff member, law enforcement support staff
39 member, employee of the department of child safety or employee of adult
40 protective services who has direct contact with families in the course of
41 employment or the employing agency of a peace officer, public defender,
42 prosecutor, code enforcement officer, corrections or detention officer,
43 corrections support staff member, law enforcement support staff member or
44 employee of adult protective services who was granted an order pursuant to
45 this section of the order's expiration date at least six months before the

1 expiration date. If the notice is sent to the employing agency, the
2 employing agency shall immediately notify the person who was granted the
3 order of the upcoming expiration date. The county assessor or county
4 treasurer may coordinate with the county recorder to prevent multiple
5 notices from being sent to the same person.

6 K. For the purposes of this section:

7 1. "Code enforcement officer" means a person who is employed by a
8 state or local government and whose duties include performing field
9 inspections of buildings, structures or property to ensure compliance with
10 and enforce national, state and local laws, ordinances and codes.

11 2. "Commissioner" means a commissioner of the superior court or
12 municipal court.

13 3. "Corrections support staff member" means an adult or juvenile
14 corrections employee who has direct contact with inmates.

15 4. "Eligible person" means a PUBLIC OFFICIAL, former public
16 official, peace officer, spouse of a peace officer, spouse or minor child
17 of a deceased peace officer, justice, judge, commissioner, hearing
18 officer, public defender, prosecutor, code enforcement officer, adult or
19 juvenile corrections officer, corrections support staff member, probation
20 officer, member of the commission on appellate court appointments, member
21 of the board of executive clemency, law enforcement support staff member,
22 employee of the department of child safety or employee of adult protective
23 services who has direct contact with families in the course of employment,
24 national guard member who is acting in support of a law enforcement
25 agency, person who is protected under an order of protection or injunction
26 against harassment, person who is a participant in the address
27 confidentiality program pursuant to title 41, chapter 1, article 3, or
28 firefighter who is assigned to the Arizona counter terrorism information
29 center in the department of public safety.

30 5. "Former public official" means a person who was duly elected or
31 appointed to Congress, the legislature or a statewide office, who ceased
32 serving in that capacity and who was the victim of a dangerous offense as
33 defined in section 13-105 while in office.

34 6. "Hearing officer" means a hearing officer who is appointed
35 pursuant to section 28-1553.

36 7. "Judge" means a judge or former judge of the United States
37 district court, the United States court of appeals, the United States
38 magistrate court, the United States bankruptcy court, the United States
39 immigration court, the Arizona court of appeals, the superior court or a
40 municipal court.

41 8. "Justice" means a justice of the United States or Arizona
42 supreme court or a justice of the peace.

43 9. "Law enforcement support staff member" means a person who serves
44 in the role of an investigator or prosecutorial assistant in an agency
45 that investigates or prosecutes crimes, who is integral to the

1 investigation or prosecution of crimes and whose name or identity will be
2 revealed in the course of public proceedings.

3 10. "Peace officer":

4 (a) Means any person vested by law, or formerly vested by law, with
5 a duty to maintain public order and make arrests.

6 (b) Includes a federal law enforcement officer or agent who resides
7 in this state and who has the power to make arrests pursuant to federal
8 law.

9 11. "Prosecutor" means a current or former county attorney,
10 municipal prosecutor, attorney general or United States attorney and
11 includes a current or former assistant or deputy United States attorney,
12 county attorney, municipal prosecutor or attorney general.

13 12. "Public defender" means a federal public defender, county
14 public defender, county legal defender or county contract indigent defense
15 counsel and includes an assistant or deputy federal public defender,
16 county public defender or county legal defender.

17 13. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
18 APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,
19 CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.

20 Sec. 3. Section 13-2401, Arizona Revised Statutes, is amended to
21 read:

22 13-2401. Personal information on the internet; exception;
23 classification; definitions

24 A. It is unlawful for a person to knowingly make available on the
25 ~~world wide web~~ INTERNET the personal information of a PUBLIC OFFICIAL,
26 peace officer, justice, judge, commissioner, hearing officer, public
27 defender, member of the commission on appellate court appointments,
28 employee of the department of child safety or employee of adult protective
29 services who has direct contact with families in the course of employment
30 or prosecutor if the dissemination of the personal information poses an
31 imminent and serious threat to the PUBLIC OFFICIAL'S, peace officer's,
32 justice's, judge's, commissioner's, hearing officer's, public defender's,
33 member's, department of child safety employee's, adult protective services
34 employee's or prosecutor's safety or the safety of that person's immediate
35 family and the threat is reasonably apparent to the person making the
36 information available on the internet to be serious and imminent.

37 B. It is not a violation of this section if an employee of a county
38 recorder, county treasurer or county assessor publishes personal
39 information, in good faith, on the website of the county recorder, county
40 treasurer or county assessor in the ordinary course of carrying out public
41 functions.

42 C. A violation of subsection A of this section is a class 5 felony.

43 D. For the purposes of this section:

44 1. "Commissioner" means a commissioner of the superior court or
45 municipal court.

1 2. "Hearing officer" means a hearing officer who is appointed
2 pursuant to section 28-1553.

3 3. "Immediate family" means a peace officer's, justice's, judge's,
4 commissioner's, public defender's or prosecutor's spouse, child or parent
5 and any other adult who lives in the same residence as the person.

6 4. "Judge" means a judge of the United States district court, the
7 United States court of appeals, the United States magistrate court, the
8 United States bankruptcy court, the Arizona court of appeals, the superior
9 court or a municipal court.

10 5. "Justice" means a justice of the United States or Arizona
11 supreme court or a justice of the peace.

12 6. "Personal information" means a **PUBLIC OFFICIAL'S**, peace
13 officer's, justice's, judge's, commissioner's, hearing officer's, public
14 defender's, commission on appellate court appointments member's or
15 prosecutor's home address, home telephone number, pager number, personal
16 photograph, directions to the person's home or photographs of the person's
17 home or vehicle.

18 7. "Prosecutor" means a current or former county attorney,
19 municipal prosecutor, attorney general or United States attorney and
20 includes a current or former assistant or deputy United States attorney,
21 county attorney, municipal prosecutor or attorney general.

22 8. "Public defender" means a federal public defender, county public
23 defender, county legal defender or county contract indigent defense
24 counsel and includes an assistant or deputy federal public defender,
25 county public defender or county legal defender.

26 9. **"PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR**
27 **APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,**
28 **CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.**

29 Sec. 4. Section 16-153, Arizona Revised Statutes, is amended to
30 read:

31 **16-153. Voter registration; confidentiality; definitions**

32 A. Eligible persons, and any other registered voter who resides at
33 the same residence address as the eligible person, may request that the
34 general public be prohibited from accessing the eligible person's
35 identifying information, including any of that person's documents and
36 voting precinct number contained in that person's voter registration
37 record.

38 B. Eligible persons may request this action by filing an affidavit
39 that states all of the following on an application form developed by the
40 administrative office of the courts in agreement with an association of
41 counties and an organization of peace officers:

42 1. The person's full legal name, residential address and date of
43 birth.

44 2. Unless the person is the spouse of a peace officer or the spouse
45 or minor child of a deceased peace officer or the person is a former

1 public official or former judge, the position the person currently holds
2 and a description of the person's duties, except that an eligible person
3 who is protected under an order of protection or injunction against
4 harassment shall instead attach a copy of the order of protection or
5 injunction against harassment.

6 3. The reasons for reasonably believing that the person's life or
7 safety or that of another person is in danger and that sealing the
8 identifying information and voting precinct number of the person's voting
9 record will serve to reduce the danger.

10 C. The affidavit shall be filed with the presiding judge of the
11 superior court in the county in which the affiant resides. To prevent
12 multiple filings, an eligible person who is a peace officer, prosecutor,
13 public defender, code enforcement officer, corrections or detention
14 officer, corrections support staff member or law enforcement support staff
15 member shall deliver the affidavit to the peace officer's commanding
16 officer, or to the head of the prosecuting, public defender, code
17 enforcement, law enforcement, corrections or detention agency, as
18 applicable, or that person's designee, who shall file the affidavits at
19 one time. In the absence of an affidavit that contains a request for
20 immediate action and is supported by facts justifying an earlier
21 presentation, the commanding officer, or the head of the prosecuting,
22 public defender, code enforcement, law enforcement, corrections or
23 detention agency, as applicable, or that person's designee, shall not file
24 affidavits more often than quarterly.

25 D. On receipt of an affidavit or affidavits, the presiding judge of
26 the superior court shall file with the clerk of the superior court a
27 petition on behalf of all requesting affiants. The petition shall have
28 attached each affidavit presented. In the absence of an affidavit that
29 contains a request for immediate action and that is supported by facts
30 justifying an earlier consideration, the presiding judge may accumulate
31 affidavits and file a petition at the end of each quarter.

32 E. The presiding judge of the superior court shall review the
33 petition and each attached affidavit to determine whether the action
34 requested by each affiant should be granted. The presiding judge of the
35 superior court shall order the sealing for five years of the information
36 contained in the voter record of the affiant and, on request, any other
37 registered voter who resides at the same residence address if the
38 presiding judge concludes that this action will reduce a danger to the
39 life or safety of the affiant.

40 F. The recorder shall remove the restrictions on all voter records
41 submitted pursuant to subsection E of this section by January 5 in the
42 year after the court order expires. The county recorder shall send by
43 mail one notice to either the **PUBLIC OFFICIAL**, former public official,
44 peace officer, spouse of a peace officer, spouse or minor child of a
45 deceased peace officer, public defender, prosecutor, code enforcement

1 officer, corrections or detention officer, corrections support staff
 2 member, law enforcement support staff member, employee of the department
 3 of child safety or employee of adult protective services who has direct
 4 contact with families in the course of employment or the employing agency
 5 of a peace officer, public defender, prosecutor, code enforcement officer,
 6 corrections or detention officer, corrections support staff member or law
 7 enforcement support staff member who was granted an order pursuant to this
 8 section of the order's expiration date at least six months before the
 9 January 5 removal date. If the notice is sent to the employing agency,
 10 the employing agency shall immediately notify the person who was granted
 11 the order of the upcoming expiration date. The county recorder may
 12 coordinate with the county assessor and county treasurer to prevent
 13 multiple notices from being sent to the same person.

14 G. On entry of the court order, the clerk of the superior court
 15 shall file the court order with the county recorder. On receipt of the
 16 court order the county recorder shall seal the voter registration of the
 17 persons listed in the court order no later than one hundred twenty days
 18 from the date of receipt of the court order. To include a subsequent
 19 voter registration in the court order, a person listed in the court order
 20 shall present to the county recorder at the time of registration a
 21 certified copy of the court order or shall provide the county recorder the
 22 recording number of the court order. The information in the registration
 23 shall not be disclosed and is not a public record.

24 H. If the court denies an affiant's requested sealing of the voter
 25 registration record, the affiant may request a court hearing. The hearing
 26 shall be conducted by the court where the petition was filed.

27 I. On motion to the court, if the presiding judge of the superior
 28 court concludes that a voter registration record has been sealed in error
 29 or that the cause for the original affidavit no longer exists, the
 30 presiding judge may vacate the court order prohibiting public access to
 31 the voter registration record.

32 J. On request by a person who is protected under an order of
 33 protection or injunction against harassment and presentation of an order
 34 of protection issued pursuant to section 13-3602, an injunction against
 35 harassment issued pursuant to section 12-1809 or an order of protection or
 36 injunction against harassment issued by a court in another state or a
 37 program participant in the address confidentiality program pursuant to
 38 title 41, chapter 1, article 3, the county recorder shall seal the voter
 39 registration record of the person who is protected and, on request, any
 40 other registered voter who resides at the residence address of the
 41 protected person. The record shall be sealed no later than one hundred
 42 twenty days from the date of receipt of the court order. The information
 43 in the registration shall not be disclosed and is not a public record.

- 1 K. For the purposes of this section:
- 2 1. "Code enforcement officer" means a person who is employed by a
- 3 state or local government and whose duties include performing field
- 4 inspections of buildings, structures or property to ensure compliance with
- 5 and enforce national, state and local laws, ordinances and codes.
- 6 2. "Commissioner" means a commissioner of the superior court or
- 7 municipal court.
- 8 3. "Corrections support staff member" means an adult or juvenile
- 9 corrections employee who has direct contact with inmates.
- 10 4. "Eligible person" means a public official, former public
- 11 official, peace officer, spouse of a peace officer, spouse or minor child
- 12 of a deceased peace officer, justice, judge, commissioner, hearing
- 13 officer, public defender, prosecutor, member of the commission on
- 14 appellate court appointments, code enforcement officer, adult or juvenile
- 15 corrections officer, corrections support staff member, probation officer,
- 16 member of the board of executive clemency, law enforcement support staff
- 17 member, employee of the department of child safety or employee of adult
- 18 protective services who has direct contact with families in the course of
- 19 employment, national guard member who is acting in support of a law
- 20 enforcement agency, person who is protected under an order of protection
- 21 or injunction against harassment or firefighter who is assigned to the
- 22 Arizona counter terrorism information center in the department of public
- 23 safety.
- 24 5. "Former public official" means a person who was duly elected or
- 25 appointed to Congress, the legislature or a statewide office, who ceased
- 26 serving in that capacity and who was the victim of a dangerous offense as
- 27 defined in section 13-105 while in office.
- 28 6. "Hearing officer" means a hearing officer who is appointed
- 29 pursuant to section 28-1553.
- 30 7. "Judge" means a judge or former judge of the United States
- 31 district court, the United States court of appeals, the United States
- 32 magistrate court, the United States bankruptcy court, the United States
- 33 immigration court, the Arizona court of appeals, the superior court or a
- 34 municipal court.
- 35 8. "Justice" means a justice of the United States or Arizona
- 36 supreme court or a justice of the peace.
- 37 9. "Law enforcement support staff member" means a person who serves
- 38 in the role of an investigator or prosecutorial assistant in an agency
- 39 that investigates or prosecutes crimes, who is integral to the
- 40 investigation or prosecution of crimes and whose name or identity will be
- 41 revealed in the course of public proceedings.
- 42 10. "Peace officer":
- 43 (a) Has the same meaning prescribed in section 1-215.

1 (b) Includes a federal law enforcement officer or agent who resides
2 in this state and who has the power to make arrests pursuant to federal
3 law.

4 11. "Prosecutor" means a current or former United States attorney,
5 county attorney, municipal prosecutor or attorney general and includes a
6 current or former assistant or deputy United States attorney, county
7 attorney, municipal prosecutor or attorney general.

8 12. "Public defender" means a federal public defender, county
9 public defender, county legal defender or county contract indigent defense
10 counsel and includes an assistant or deputy federal public defender,
11 county public defender or county legal defender.

12 13. "Public official" means a person who is duly elected or
13 appointed to Congress, the legislature, ~~or~~ a statewide office **OR A COUNTY,**
14 **CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.**

15 Sec. 5. Section 16-311, Arizona Revised Statutes, is amended to
16 read:

17 16-311. Nomination papers; statement of interest; filing;
18 definitions

19 A. Any person desiring to become a candidate at a primary election
20 for a political party and to have the person's name printed on the
21 official ballot shall be a qualified elector of the party and, not less
22 than one hundred twenty nor more than one hundred fifty days before the
23 primary election, shall sign and cause to be filed a nomination paper
24 giving the person's actual residence address or, if the person does not
25 have an actual residence address, a description of place of residence and
26 post office address, or, if the person's actual residence address is
27 protected pursuant to section 16-153, a post office box or private mailbox
28 address in the candidate's district or precinct, as applicable for a
29 district or precinct office, naming the party of which the person desires
30 to become a candidate, stating the office and district or precinct, if
31 any, for which the person offers the person's candidacy, stating the exact
32 manner in which the person desires to have the person's name printed on
33 the official ballot pursuant to subsection G of this section, and giving
34 the date of the primary election and, if nominated, the date of the
35 general election at which the person desires to become a candidate.
36 Except for a candidate for United States senator or representative in
37 Congress, a candidate for public office shall be a qualified elector at
38 the time of filing and shall reside in the county, district or precinct
39 that the person proposes to represent. A candidate for partisan public
40 office shall be continuously registered with the political party of which
41 the person desires to be a candidate beginning ~~no~~ **NOT** later than the date
42 of the first petition signature on the candidate's petition through the
43 date of the general election at which the person is a candidate.

1 B. Any person desiring to become a candidate at any nonpartisan
 2 election and to have the person's name printed on the official ballot
 3 shall be at the time of filing a qualified elector of the county, city,
 4 town or district and, not less than one hundred twenty nor more than one
 5 hundred fifty days before the election, shall sign and cause to be filed a
 6 nomination paper giving the person's ~~actual residence address or, if the~~
 7 ~~person does not have an actual residence address, a description of place~~
 8 ~~of residence and post office address, or, if the person's actual residence~~
 9 ~~address is protected pursuant to section 16-153, CITY OR TOWN OF RESIDENCE~~
 10 OR a post office box or private mailbox address in the candidate's county,
 11 city, town or district and ward or precinct, as applicable for a county,
 12 city, town or district and ward or precinct office, stating the office and
 13 county, city, town or district and ward or precinct, if any, for which the
 14 person offers the person's candidacy, stating the exact manner in which
 15 the person desires to have the person's name printed on the official
 16 ballot pursuant to subsection G of this section and giving the date of the
 17 election. A candidate for office shall reside at the time of filing in
 18 the county, city, town, district, ward or precinct that the person
 19 proposes to represent.

20 C. Notwithstanding subsection B of this section, any city or town
 21 may adopt by ordinance for its elections the time frame provided in
 22 subsection A of this section for filing nomination petitions. The
 23 ordinance shall be adopted not less than one hundred fifty days before the
 24 first election to which it applies.

25 D. All persons desiring to become a candidate shall file with the
 26 nomination paper provided for in subsection A of this section a
 27 declaration, which shall be printed in a form prescribed by the secretary
 28 of state. The declaration shall include facts sufficient to show that,
 29 other than the residency requirement provided in subsection A of this
 30 section and the satisfaction of any monetary penalties, fines or judgments
 31 as prescribed in subsection J of this section, the candidate will be
 32 qualified at the time of election to hold the office the person seeks, and
 33 that for any monetary penalties, fines or judgments as prescribed in
 34 subsection J of this section, the candidate has made complete payment
 35 before the time of filing.

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

43 F. The nomination paper of a candidate for superior court judge or
 44 for a county, district and precinct office for which the electors of a
 45 county or a subdivision of a county other than an incorporated city or

1 town are entitled to vote shall be filed with the county elections officer
2 no later than 5:00 p.m. on the last date for filing as prescribed by
3 subsection A of this section. The nomination paper of a candidate for a
4 city or town office shall be filed with the city or town clerk no later
5 than 5:00 p.m. on the last date for filing. The nomination paper of a
6 candidate for school district office shall be filed with the county school
7 superintendent no later than 5:00 p.m. on the last date for filing.

8 G. The nomination paper shall include the exact manner in which the
9 candidate desires to have the person's name printed on the official ballot
10 and shall be limited to the candidate's surname and given name or names,
11 an abbreviated version of such names or appropriate initials such as "Bob"
12 for "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".
13 Nicknames are permissible, but nicknames, abbreviated versions or initials
14 of given names may not suggest reference to professional, fraternal,
15 religious or military titles and may not include a slogan, a promotional
16 word or phrase or any word that does not actually constitute a
17 nickname. No other descriptive name or names shall be printed on the
18 official ballot, except as provided in this section. Candidates'
19 abbreviated names or nicknames may be printed within quotation marks. The
20 candidate's surname shall be printed first, followed by the given name or
21 names.

22 H. Not later than the date of the first petition signature on a
23 nomination petition, a person who may be a candidate for office pursuant
24 to this section shall file a statement of interest with the appropriate
25 filing officer for that office. The statement of interest shall contain
26 the name of the person, the political party, if any, and the name of the
27 office that may be sought. Any nomination petition signatures collected
28 before the date the statement of interest is filed are invalid and subject
29 to challenge. This subsection does not apply to:

30 1. Candidates for elected office for special taxing districts that
31 are established pursuant to title 48.

32 2. Candidates for precinct committeeman.

33 3. Candidates for president or vice president of the United States.

34 I. A person who does not file a timely nomination paper that
35 complies with this section is not eligible to have the person's name
36 printed on the official ballot for that office. The filing officer shall
37 not accept the nomination paper of a candidate for state or local office
38 unless the person provides or has provided all of the following:

39 1. The financial disclosure statement as prescribed for candidates
40 for that office.

41 2. The declaration of qualification and eligibility as prescribed
42 in subsection D of this section.

43 J. Except in cases where the liability is being appealed, the
44 filing officer shall not accept the nomination paper of a candidate for
45 state or local office if the person is liable for an aggregation of \$1,000

1 or more in fines, penalties, late fees or administrative or civil
2 judgments, including any interest or costs, in any combination, that have
3 not been fully satisfied at the time of the attempted filing of the
4 nomination paper and the liability arose from failure to comply with or
5 enforcement of chapter 6 of this title.

6 K. For the purposes of this title:

7 1. "Election district" means this state, any county, city, town,
8 precinct or other political subdivision or a special district that is not
9 a political subdivision, that is authorized by statute to conduct an
10 election and that is authorized or required to conduct its election in
11 accordance with this title.

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

15 Sec. 6. Section 16-312, Arizona Revised Statutes, is amended to
16 read:

17 16-312. Filing of nomination papers for write-in candidates

18 A. Any person desiring to become a write-in candidate for an
19 elective office in any election shall be at the time of filing a qualified
20 elector of the county or district the person proposes to represent and
21 shall have been a resident of that county or district for one hundred
22 twenty days before the date of the election, except that for a city or
23 town office, section 9-232 applies with respect to residency for the
24 candidate. The person shall file a nomination paper, signed by the
25 candidate, giving the person's ~~actual residence address or, if the person
26 does not have an actual residence address, a description of place of
27 residence and post office address, or, if the person's actual residence
28 address is protected pursuant to section 16-153, CITY OR TOWN OF RESIDENCE~~
29 OR a post office box or private mailbox address in the candidate's
30 district, precinct or municipality, as applicable for the district,
31 precinct or municipal office that the person proposes to represent, and
32 the person's age, length of residence in the state and date of birth.

33 B. A write-in candidate shall file the nomination paper not earlier
34 than one hundred fifty days before the election and not later than 5:00
35 p.m. on the fortieth day before the election, except that:

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

39 2. A candidate running as a write-in candidate for an election that
40 may be canceled pursuant to section 16-410 shall file the nomination paper
41 not later than 5:00 p.m. on the one hundred sixth day before the election.

42 C. The write-in filing procedure shall be in the same manner as
43 prescribed in section 16-311. Any person who does not file a timely
44 nomination paper shall not be counted in the tally of ballots. The filing
45 officer shall not accept the nomination paper of a candidate for state or

1 local office unless the candidate provides or has provided the financial
2 disclosure statement as prescribed for candidates for that office.

3 D. Except in cases where the liability is being appealed, the
4 filing officer shall not accept the nomination paper of a write-in
5 candidate for state or local office if the person is liable for an
6 aggregation of \$1,000 or more in fines, penalties, late fees or
7 administrative or civil judgments, including any interest or costs, in any
8 combination, that have not been fully satisfied at the time of the
9 attempted filing of the nomination paper and the liability arose from
10 failure to comply with or enforcement of chapter 6 of this title.

11 E. The secretary of state shall notify the various boards of
12 supervisors as to write-in candidates filing with the secretary of state's
13 office. The county school superintendent shall notify the appropriate
14 board of supervisors as to write-in candidates filing with the
15 superintendent's office. The board of supervisors shall notify the
16 appropriate election board inspector of all candidates who have properly
17 filed such statements. In the case of a city or town election, the city
18 or town clerk shall notify the appropriate election board inspector of
19 candidates properly filed. No other write-ins shall be counted. The
20 election board inspector shall post the notice of official write-in
21 candidates in a conspicuous location within the polling place.

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

24 1. For a candidate in the general election, the candidate ran in
25 the immediately preceding primary election and failed to be nominated to
26 the office sought in the current election.

27 2. For a candidate in the general election, the candidate filed a
28 nomination petition for the immediately preceding primary election for the
29 office sought and failed to provide a sufficient number of valid petition
30 signatures as prescribed by section 16-322.

31 3. For a candidate in the primary election, the candidate filed a
32 nomination petition for the current primary election for the office sought
33 and failed to provide a sufficient number of valid petition signatures as
34 prescribed by section 16-322, withdrew from the primary election after a
35 challenge was filed or was removed from or otherwise determined by court
36 order to be ineligible for the primary election ballot.

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

41 G. A person who files a nomination paper pursuant to this section
42 for the office of president of the United States shall designate in
43 writing to the secretary of state at the time of filing the name of the
44 candidate's vice-presidential running mate, the names of presidential
45 electors who will represent that candidate and a statement signed by the

1 vice-presidential running mate and designated presidential electors that
2 indicates their consent to be designated. A nomination paper for each
3 presidential elector designated shall be filed with the candidate's
4 nomination paper. The number of presidential electors shall equal the
5 number of United States senators and representatives in Congress from this
6 state.

7 Sec. 7. Section 16-314, Arizona Revised Statutes, is amended to
8 read:

9 16-314. Filing and form of nomination petitions; definition

10 A. Any person desiring to become a candidate at any election and to
11 have the person's name printed on the official ballot shall file, not less
12 than one hundred twenty nor more than one hundred fifty days before the
13 primary election and with the same officer as provided by section 16-311,
14 a nomination petition in addition to the nomination paper required.

15 B. For the purposes of this title, "nomination petition" means the
16 form or forms used for obtaining the required number of signatures of
17 qualified electors, which is circulated by or on behalf of the person
18 wishing to become a candidate for a political office.

19 C. Nomination petitions shall be captioned "partisan nomination
20 petition" or "nonpartisan nomination petition", followed by the language
21 of the petition in substantially the following form, ~~except that if the
22 candidate does not have an actual residence address, the candidate may use
23 a description of place of residence and post office address, or, if the
24 candidate's actual residence address is protected pursuant to section
25 16-153, a post office box or private mailbox address in the candidate's
26 political division or district from which the nomination is sought is
27 sufficient:~~

28 Partisan Nomination Petition

29 I, the undersigned, a qualified elector of the county of
30 _____, state of Arizona, and of (here name political
31 division or district from which the nomination is sought) and
32 a member of the _____ party or a person who is
33 registered as no party preference or independent as the party
34 preference or who is registered with a political party that is
35 not qualified for representation on the ballot, hereby
36 nominate _____ who resides ~~at _____~~ in the CITY
37 OR TOWN OF _____ IN THE county of _____ for the
38 party nomination for the office of _____ to be voted
39 at the primary election to be held _____ as
40 representing the principles of such party, and I hereby
41 declare that I am qualified to vote for this office and that I
42 have not signed, and will not sign, any nomination petition
43 for more persons than the number of candidates necessary to
44 fill such office at the next ensuing election. I further
45 declare that if I choose to use a post office box address on

1 this petition, my CITY OR TOWN OF residence ~~address~~ has not
2 changed since I last reported it to the county recorder for
3 purposes of updating my voter registration file.

4 Nonpartisan Nomination Petition

5 I, the undersigned, a qualified elector of the county of
6 _____, state of Arizona, and of (here name political
7 division or district from which the nomination is sought)
8 hereby nominate _____ who resides ~~at _____~~
9 in the county of _____ for the office of
10 _____ to be voted at the _____ election to
11 be held _____, and hereby declare that I am
12 qualified to vote for this office and that I have not signed
13 and will not sign any nomination petitions for more persons
14 than the number of candidates necessary to fill such office at
15 the next ensuing election. I further declare that if I choose
16 to use a post office box address on this petition, my
17 residence address has not changed since I last reported it to
18 the county recorder for purposes of updating my voter
19 registration file.

20 D. The nomination petition of a person seeking to fill an unexpired
21 vacant term for any public office shall designate the expiration date of
22 the term following the name of the office being sought.

23 Sec. 8. Section 16-341, Arizona Revised Statutes, is amended to
24 read:

25 16-341. Nomination petition; method and time of filing; form;
26 qualifications and number of petitioners required;
27 statement of interest

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

32 B. This article shall not be used to place on the general election
33 ballot the name of a political party that fails to meet the qualifications
34 specified in section 16-802 or 16-804, or the name of any candidate
35 representing such party or the name of a candidate who has filed a
36 nomination petition in the immediately preceding primary election and has
37 failed to qualify as the result of an insufficient number of valid
38 signatures.

39 C. A nomination petition stating the name of the office to be
40 filled, the name ~~and residence~~ of the candidate, ~~or, if the candidate does~~
41 ~~not have an actual residence address, a description of place of residence~~
42 ~~and post office address, or, if the person's actual residence address is~~
43 ~~protected pursuant to section 16-153, AND THE CANDIDATE'S CITY OR TOWN OF~~
44 RESIDENCE OR a post office box or private mailbox address in the
45 candidate's district, precinct or municipality, as applicable for a

1 district, precinct or municipal office, and other information required by
2 this section shall be filed with the same officer with whom primary
3 nomination papers and petitions are required to be filed as prescribed in
4 section 16-311. Except for candidates for the office of presidential
5 elector filed pursuant to this section, the petition shall be filed not
6 less than one hundred twenty days nor more than one hundred fifty days
7 before the primary election. The petition shall be signed only by voters
8 who have not signed the nomination petitions of a candidate for the office
9 to be voted for at that primary election.

10 D. The nomination petition shall be in substantially the following
11 form, ~~except that if the candidate does not have an actual residence~~
12 ~~address, the candidate may use a description of place of residence and~~
13 ~~post office address, or, if the candidate's actual residence address is~~
14 ~~protected pursuant to section 16-153, a post office box or private mailbox~~
15 ~~address in the candidate's district, precinct or municipality, as~~
16 ~~applicable for a district, precinct or municipal office, is sufficient:~~

17 The undersigned, qualified electors of _____
18 county, state of Arizona, do hereby nominate _____, who
19 resides ~~at _____~~ in the CITY OR TOWN OF _____ IN
20 THE county of _____, as a candidate for the office of
21 _____ at the general (or special, as the case may be)
22 election to be held on the _____ day of _____, ____.

23 I hereby declare that I have not signed the nomination
24 petitions of any candidate for the office to be voted for at
25 this primary election, and I do hereby select the following
26 designation under which name the said candidate shall be
27 placed on the official ballot (here insert such designation
28 not exceeding three words in length as the signers may
29 select).

30 E. The nomination petition shall conform as nearly as possible to
31 the provisions relating to nomination petitions of candidates to be voted
32 for at primary elections and shall be signed by at least the number of
33 persons who are registered to vote determined by calculating three percent
34 of the persons who are registered to vote of the state, county,
35 subdivision or district for which the candidate is nominated who are not
36 members of a political party that is qualified to be represented by an
37 official party ballot at the next ensuing primary election and accorded
38 representation on the general election ballot.

39 F. The percentage of persons who are registered to vote necessary
40 to sign the nomination petition shall be determined by the total number of
41 registered voters from other than political parties that are qualified to
42 be represented by an official party ballot at the next ensuing primary
43 election and accorded representation on the general election ballot in the
44 state, county, subdivision or district on January 2 of the year in which
45 the general election is held. Notwithstanding the method prescribed by

1 subsection E of this section and this subsection for calculating the
2 minimum number of signatures necessary, any person who is registered to
3 vote in the state, county, subdivision or district for which the candidate
4 is nominated is eligible to sign the nomination petition without regard to
5 the signer's party affiliation.

6 G. A nomination petition for any candidate may be circulated by a
7 person who is not a resident of this state but who is otherwise eligible
8 to register to vote in this state if that person registers as a circulator
9 with the secretary of state before circulating petitions. The nomination
10 petition for the office of presidential elector shall include a group of
11 names of candidates equal to the number of United States senators and
12 representatives in Congress from this state instead of separate nomination
13 petitions for each candidate for the office of presidential elector. A
14 valid signature on a petition containing a group of presidential electors
15 candidates is counted as a signature for the nomination of each of the
16 candidates. The presidential candidate whom the candidates for
17 presidential elector will represent shall designate in writing to the
18 secretary of state the names of the candidates who will represent the
19 presidential candidate before any signatures for the candidate can be
20 accepted for filing. A nomination petition for the office of presidential
21 elector shall be filed not less than eighty nor more than one hundred days
22 before the general election. The petition shall be signed only by
23 qualified electors who have not signed the nomination petitions of a
24 candidate for the office of presidential elector to be voted for at that
25 election.

26 H. The secretary of state shall require in the instructions and
27 procedures manual issued pursuant to section 16-452 that persons who
28 circulate nomination petitions pursuant to this section and who are not
29 residents of this state but who are otherwise eligible to register to vote
30 in this state shall register as circulators with the office of the
31 secretary of state before circulating petitions. The secretary of state
32 shall provide for a method of receiving service of process for those
33 petition circulators who are registered.

34 I. Not later than the date of the first petition signature on a
35 nomination petition, a person who may be a candidate for office pursuant
36 to this section shall file a statement of interest with the appropriate
37 filing officer for that office. The statement of interest shall contain
38 the name of the person, the political party, if any, and the name of the
39 office that may be sought. Any nomination petition signatures collected
40 before the date the statement of interest is filed are invalid and subject
41 to challenge. This subsection does not apply to:

- 42 1. Candidates for elected office for special taxing districts that
43 are established pursuant to title 48.
- 44 2. Candidates for precinct committeeman.
- 45 3. Candidates for president or vice president of the United States.

1 J. A person who files a nomination paper pursuant to this section
2 for the office of president of the United States shall designate in
3 writing to the secretary of state at the time of filing the name of the
4 candidate's vice presidential running mate, the names of the presidential
5 electors who will represent that candidate and a statement that is signed
6 by the vice presidential running mate and the designated presidential
7 electors and that indicates their consent to be designated. A nomination
8 paper for each presidential elector designated shall be filed with the
9 candidate's nomination paper. The number of presidential electors shall
10 equal the number of United States senators and representatives in Congress
11 from this state.

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

17 1. The financial disclosure statement as prescribed for candidates
18 for that office.

19 2. The declaration of qualification and eligibility as prescribed
20 in section 16-311.

21 L. Not later than sixty days before the date of the general
22 election, a candidate for governor who files a nomination petition
23 pursuant to this section shall submit to the secretary of state the name
24 of the person who will be the joint candidate for lieutenant governor with
25 that gubernatorial candidate and whose name will appear on the general
26 election ballot jointly with the candidate for governor.

27 M. Except in cases where the liability is being appealed, the
28 filing officer shall not accept the nomination paper of a candidate for
29 state or local office if the person is liable for an aggregation of \$1,000
30 or more in fines, penalties, late fees or administrative or civil
31 judgments, including any interest or costs, in any combination, that have
32 not been fully satisfied at the time of the attempted filing of the
33 nomination paper and the liability arose from failure to comply with or
34 enforcement of chapter 6 of this title.

35 N. The secretary of state may authorize for statewide and
36 legislative offices the creation, use and submission of petitions
37 prescribed by this section in electronic form if those petitions provide
38 for an appropriate method to verify signatures of petition circulators and
39 signers. The secretary of state may require use of a unique marking system
40 for petition pages, including a bar code, a quick response code or another
41 similar marking system.

1 Sec. 9. Section 28-454, Arizona Revised Statutes, is amended to
2 read:

3 28-454. Records maintained by department of transportation;
4 redaction; definitions

5 A. Notwithstanding sections 28-447 and 28-455, an eligible person
6 may request that persons be prohibited from accessing the eligible
7 person's identifying information, including any of that person's
8 documents, contained in any record maintained by the department.

9 B. An eligible person may request this action by filing an
10 affidavit that states all of the following on an application form
11 developed by the administrative office of the courts in agreement with an
12 association of counties, an organization of peace officers and the
13 department:

14 1. The person's full legal name and residential address.

15 2. Unless the person is the spouse of a peace officer or the spouse
16 or minor child of a deceased peace officer or the person is a former
17 public official or former judge, the position the person currently holds
18 and a description of the person's duties, except that an eligible person
19 who is protected under an order of protection or injunction against
20 harassment shall attach a copy of the order of protection or injunction
21 against harassment.

22 3. The reasons the person reasonably believes that the person's
23 life or safety or that of another person is in danger and that redacting
24 the identifying information from the department's public records will
25 serve to reduce the danger.

26 C. The affidavit shall be filed with the presiding judge of the
27 superior court in the county in which the affiant resides. To prevent
28 multiple filings, an eligible person who is a peace officer, spouse of a
29 peace officer, spouse or minor child of a deceased peace officer,
30 prosecutor, code enforcement officer, corrections or detention officer,
31 corrections support staff member or law enforcement support staff member
32 shall deliver the affidavit to the peace officer's commanding officer, or
33 to the head of the prosecuting, code enforcement, law enforcement,
34 corrections or detention agency, as applicable, or that person's designee,
35 who shall file the affidavits at one time. In the absence of an affidavit
36 that contains a request for immediate action and that is supported by
37 facts justifying an earlier presentation, the commanding officer, or the
38 head of the prosecuting, code enforcement, law enforcement, corrections or
39 detention agency, as applicable, or that person's designee, shall not file
40 affidavits more often than quarterly.

41 D. On receipt of an affidavit or affidavits, the presiding judge of
42 the superior court shall file with the clerk of the superior court a
43 petition on behalf of all requesting affiants. Each affidavit presented
44 shall be attached to the petition. In the absence of an affidavit that
45 contains a request for immediate action and that is supported by facts

1 justifying an earlier consideration, the presiding judge may accumulate
2 affidavits and file a petition at the end of each quarter.

3 E. The presiding judge of the superior court shall review the
4 petition and each attached affidavit to determine whether the action
5 requested by each affiant should be granted. The presiding judge of the
6 superior court shall order the redaction of the residence address and
7 telephone number from the public records maintained by the department if
8 the judge concludes that this action will reduce a danger to the life or
9 safety of the affiant or another person.

10 F. On entry of the court order, the clerk of the superior court
11 shall file the court order with the department. Not more than one hundred
12 fifty days after the date the department receives the court order, the
13 department shall redact the identifying information of the affiants listed
14 in the court order from the public records of the department. The
15 identifying information shall not be disclosed and is not part of a public
16 record.

17 G. If the court denies an affiant's request pursuant to this
18 section, the affiant may request a court hearing. The hearing shall be
19 conducted by the court in the county where the petition was filed.

20 H. On motion to the court, if the presiding judge of the superior
21 court concludes that identifying information has been sealed in error or
22 that the cause for the original affidavit no longer exists, the presiding
23 judge may vacate the court order prohibiting public access to the
24 identifying information.

25 I. Notwithstanding sections 28-447 and 28-455, the department shall
26 not release a photograph of a peace officer if the peace officer has made
27 a request as prescribed in this section that persons be prohibited from
28 accessing the peace officer's identifying information in any record
29 maintained by the department.

30 J. This section does not prohibit the use of a peace officer's
31 photograph that is either:

32 1. Used by a law enforcement agency to assist a person who has a
33 complaint against an officer to identify the officer.

34 2. Obtained from a source other than the department.

35 K. For the purposes of this section:

36 1. "Code enforcement officer" means a person who is employed by a
37 state or local government and whose duties include performing field
38 inspections of buildings, structures or property to ensure compliance with
39 and enforce national, state and local laws, ordinances and codes.

40 2. "Commissioner" means a commissioner of the superior court or
41 municipal court.

42 3. "Corrections support staff member" means an adult or juvenile
43 corrections employee who has direct contact with inmates.

1 4. "Eligible person" means a PUBLIC OFFICIAL, former public
2 official, peace officer, spouse of a peace officer, spouse or minor child
3 of a deceased public officer, justice, judge or former judge,
4 commissioner, hearing officer, public defender, prosecutor, code
5 enforcement officer, adult or juvenile corrections officer, corrections
6 support staff member, probation officer, member of the commission on
7 appellate court appointments, member of the board of executive clemency,
8 law enforcement support staff member, employee of the department of child
9 safety or employee of adult protective services who has direct contact
10 with families in the course of employment, national guard member who is
11 acting in support of a law enforcement agency, person who is protected
12 under an order of protection or injunction against harassment or
13 firefighter who is assigned to the Arizona counter terrorism information
14 center in the department of public safety.

15 5. "Former public official" means a person who was duly elected or
16 appointed to Congress, the legislature or a statewide office, who ceased
17 serving in that capacity and who was the victim of a dangerous offense as
18 defined in section 13-105 while in office.

19 6. "Hearing officer" means a hearing officer who is appointed
20 pursuant to section 28-1553.

21 7. "Judge" means a judge or former judge of the United States
22 district court, the United States court of appeals, the United States
23 magistrate court, the United States bankruptcy court, the United States
24 immigration court, the Arizona court of appeals, the superior court or a
25 municipal court.

26 8. "Justice" means a justice of the United States supreme court or
27 the Arizona supreme court or a justice of the peace.

28 9. "Law enforcement support staff member" means a person who serves
29 in the role of an investigator or prosecutorial assistant in an agency
30 that investigates or prosecutes crimes, who is integral to the
31 investigation or prosecution of crimes and whose name or identity will be
32 revealed in the course of public proceedings.

33 10. "Peace officer":

34 (a) Has the same meaning prescribed in section 1-215.

35 (b) Includes a federal law enforcement officer or agent who resides
36 in this state and who has the power to make arrests pursuant to federal
37 law.

38 11. "Prosecutor" means a current or former United States attorney,
39 county attorney, municipal prosecutor or attorney general and includes a
40 current or former assistant or deputy United States attorney, county
41 attorney, municipal prosecutor or attorney general.

42 12. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
43 APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,
44 CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.

1 Sec. 10. Section 39-123, Arizona Revised Statutes, is amended to
2 read:

3 39-123. Information identifying eligible persons;
4 confidentiality; definitions

5 A. Nothing in this chapter requires disclosure from a personnel
6 file by a law enforcement agency or employing state or local governmental
7 entity of the home address or home telephone number of eligible persons.

8 B. The agency or governmental entity may release the information in
9 subsection A of this section only if either:

10 1. The person consents in writing to the release.

11 2. The custodian of records of the agency or governmental entity
12 determines that release of the information does not create a reasonable
13 risk of physical injury to the person or the person's immediate family or
14 damage to the property of the person or the person's immediate family.

15 C. A law enforcement agency may release a photograph of a peace
16 officer if either:

17 1. The peace officer has been arrested or has been formally charged
18 by complaint, information or indictment for a misdemeanor or a felony
19 offense.

20 2. The photograph is requested by a representative of a newspaper
21 for a specific newsworthy event unless:

22 (a) The peace officer is serving in an undercover capacity or is
23 scheduled to be serving in an undercover capacity within sixty days.

24 (b) The release of the photograph is not in the best interest of
25 this state after taking into consideration the privacy, confidentiality
26 and safety of the peace officer.

27 (c) An order pursuant to section 28-454 is in effect.

28 D. This section does not prohibit the use of a peace officer's
29 photograph that is either:

30 1. Used by a law enforcement agency to assist a person who has a
31 complaint against an officer to identify the officer.

32 2. Obtained from a source other than the law enforcement agency.

33 E. This section does not apply to a certified peace officer or code
34 enforcement officer who is no longer employed as a peace officer or code
35 enforcement officer by a state or local government entity.

36 F. For the purposes of this section:

37 1. "Code enforcement officer" means a person who is employed by a
38 state or local government and whose duties include performing field
39 inspections of buildings, structures or property to ensure compliance with
40 and enforce national, state and local laws, ordinances and codes.

41 2. "Commissioner" means a commissioner of the superior court or
42 municipal court.

43 3. "Corrections support staff member" means an adult or juvenile
44 corrections employee who has direct contact with inmates.

1 4. "Eligible person" means a PUBLIC OFFICIAL, former public
2 official, peace officer, spouse of a peace officer, spouse or minor child
3 of a deceased peace officer, border patrol agent, justice, judge,
4 commissioner, hearing officer, public defender, prosecutor, code
5 enforcement officer, adult or juvenile corrections officer, corrections
6 support staff member, probation officer, member of the commission on
7 appellate court appointments, member of the board of executive clemency,
8 law enforcement support staff member, employee of the department of child
9 safety or employee of adult protective services who has direct contact
10 with families in the course of employment, national guard member who is
11 acting in support of a law enforcement agency, person who is protected
12 under an order of protection or injunction against harassment, firefighter
13 who is assigned to the Arizona counter terrorism information center in the
14 department of public safety or victim of domestic violence or stalking who
15 is protected under an order of protection or injunction against
16 harassment.

17 5. "Former public official" means a person who was duly elected or
18 appointed to Congress, the legislature or a statewide office, who ceased
19 serving in that capacity and who was the victim of a dangerous offense as
20 defined in section 13-105 while in office.

21 6. "Hearing officer" means a hearing officer who is appointed
22 pursuant to section 28-1553.

23 7. "Judge" means a judge or former judge of the United States
24 district court, the United States court of appeals, the United States
25 magistrate court, the United States bankruptcy court, the United States
26 immigration court, the Arizona court of appeals, the superior court or a
27 municipal court.

28 8. "Justice" means a justice of the United States or Arizona
29 supreme court or a justice of the peace.

30 9. "Law enforcement support staff member" means a person who serves
31 in the role of an investigator or prosecutorial assistant in an agency
32 that investigates or prosecutes crimes, who is integral to the
33 investigation or prosecution of crimes and whose name or identity will be
34 revealed in the course of public proceedings.

35 10. "Peace officer" has the same meaning prescribed in section
36 13-105.

37 11. "Prosecutor" means a current or former county attorney,
38 municipal prosecutor, attorney general or United States attorney and
39 includes a current or former assistant or deputy United States attorney,
40 county attorney, municipal prosecutor or attorney general.

41 12. "Public defender" means a federal public defender, county
42 public defender, county legal defender or county contract indigent defense
43 counsel and includes an assistant or deputy federal public defender,
44 county public defender or county legal defender.

1 13. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
2 APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,
3 CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.

4 Sec. 11. Section 39-124, Arizona Revised Statutes, is amended to
5 read:

6 39-124. Releasing information identifying an eligible person;
7 violations; classification; definitions

8 A. Any person who is employed by a state or local government entity
9 and who, in violation of section 39-123, knowingly releases the home
10 address or home telephone number of an eligible person with the intent to
11 hinder an investigation, cause physical injury to an eligible person or
12 the eligible person's immediate family or cause damage to the property of
13 an eligible person or the eligible person's immediate family is guilty of
14 a class 6 felony.

15 B. Any person who is employed by a state or local government entity
16 and who, in violation of section 39-123, knowingly releases a photograph
17 of a peace officer with the intent to hinder an investigation, cause
18 physical injury to a peace officer or the peace officer's immediate family
19 or cause damage to the property of a peace officer or the peace officer's
20 immediate family is guilty of a class 6 felony.

21 C. For the purposes of this section:

22 1. "Code enforcement officer" means a person who is employed by a
23 state or local government and whose duties include performing field
24 inspections of buildings, structures or property to ensure compliance with
25 and enforce national, state and local laws, ordinances and codes.

26 2. "Commissioner" means a commissioner of the superior court or
27 municipal court.

28 3. "Corrections support staff member" means an adult or juvenile
29 corrections employee who has direct contact with inmates.

30 4. "Eligible person" means a PUBLIC OFFICIAL, former public
31 official, peace officer, spouse of a peace officer, spouse or minor child
32 of a deceased peace officer, border patrol agent, justice, judge,
33 commissioner, hearing officer, public defender, prosecutor, code
34 enforcement officer, adult or juvenile corrections officer, corrections
35 support staff member, probation officer, member of the board of executive
36 clemency, law enforcement support staff member, employee of the department
37 of child safety or employee of adult protective services who has direct
38 contact with families in the course of employment, national guard member
39 who is acting in support of a law enforcement agency, person who is
40 protected under an order of protection or injunction against harassment,
41 firefighter who is assigned to the Arizona counter terrorism information
42 center in the department of public safety or victim of domestic violence
43 or stalking who is protected under an order of protection or injunction
44 against harassment.

1 5. "Former public official" means a person who was duly elected or
2 appointed to Congress, the legislature or a statewide office, who ceased
3 serving in that capacity and who was the victim of a dangerous offense as
4 defined in section 13-105 while in office.

5 6. "Hearing officer" means a hearing officer who is appointed
6 pursuant to section 28-1553.

7 7. "Judge" means a judge or former judge of the United States
8 district court, the United States court of appeals, the United States
9 magistrate court, the United States bankruptcy court, the United States
10 immigration court, the Arizona court of appeals, the superior court or a
11 municipal court.

12 8. "Justice" means a justice of the United States or Arizona
13 supreme court or a justice of the peace.

14 9. "Law enforcement support staff member" means a person who serves
15 in the role of an investigator or prosecutorial assistant in an agency
16 that investigates or prosecutes crimes, who is integral to the
17 investigation or prosecution of crimes and whose name or identity will be
18 revealed in the course of public proceedings.

19 10. "Peace officer" has the same meaning prescribed in section
20 13-105.

21 11. "Prosecutor" means a current or former county attorney,
22 municipal prosecutor, attorney general or United States attorney and
23 includes a current or former assistant or deputy United States attorney,
24 county attorney, municipal prosecutor or attorney general.

25 12. "Public defender" means a federal public defender, county
26 public defender, county legal defender or county contract indigent defense
27 counsel and includes an assistant or deputy federal public defender,
28 county public defender or county legal defender.

29 13. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
30 APPOINTED TO CONGRESS, THE LEGISLATURE, A STATEWIDE OFFICE OR A COUNTY,
31 CITY, TOWN OR POLITICAL SUBDIVISION OFFICE.