

REFERENCE TITLE: school board members; qualifications; age

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

HB 2311

Introduced by
Representatives Jones: Harris, McGarr, Senator Wadsack

AN ACT

AMENDING SECTION 15-421, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARD ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-421, Arizona Revised Statutes, is amended to
3 read:

4 15-421. Governing boards; members; qualifications;
5 prohibitions; candidate statement; definitions

6 A. The governing body of a school district shall be a governing
7 board. There shall be three governing board members, except as otherwise
8 provided by this section and section 15-425, subsection A.

9 B. The governing body of a high school district shall be a
10 governing board composed of:

11 1. In a single district, the governing board members of the common
12 school district.

13 2. In a union high school district, five members.

14 C. A person who is a registered voter of this state, WHO IS AT
15 LEAST TWENTY-FIVE YEARS OF AGE and WHO has been a resident of the school
16 district for at least one year immediately preceding the day of election
17 is eligible for election to the office of governing board member.

18 D. ~~NO~~ AN employee of a school district, including a person who
19 directly provides certified or classified services to the school district
20 as an employee of a third-party contractor, or the spouse of such an
21 employee may NOT hold membership on ~~a~~ THE governing board of a school
22 district by which the employee is employed.

23 E. A member of one governing board is ineligible to be a candidate
24 for nomination or election to or serve simultaneously as a member of any
25 other governing board, except that a member of a governing board may be a
26 candidate for nomination or election for any other governing board if the
27 member is serving in the last year of a term of office. A member of a
28 governing board shall resign the member's seat on the governing board
29 before becoming a candidate for nomination or election to the governing
30 board of any other school district, unless the member of the governing
31 board is serving in the last year of a term of office.

32 F. Notwithstanding section 15-511, each county school
33 superintendent shall publish on the superintendent's website the statement
34 of each certified candidate for membership on a school district governing
35 board located in the county. The county school superintendent shall list
36 each school district on the superintendent's website from which a link
37 shall be established to the candidate's name, which shall link to the
38 candidate's statement and photograph. The candidate shall submit the
39 statement to the person at the county school superintendent's office
40 assigned to manage candidate statements, after notice of certification
41 from the county school superintendent's office but not later than
42 twenty-one days before the date that general election early ballots are
43 allowed to be mailed. The person shall post each candidate's statement on
44 the county school superintendent's website not later than fourteen days
45 before the date that general election early ballots are allowed to be

1 mailed. If a candidate does not submit a statement, the county school
2 superintendent's website shall state "no response submitted" for the
3 candidate. The candidate statements shall be posted on the website
4 alphabetically by each school district and by candidate. The candidate
5 statement shall be typewritten or electronically submitted. The county
6 school superintendent shall post the statements verbatim as they are
7 received unless a candidate requests in writing that typographical errors
8 be corrected. The candidate statement shall contain the following items
9 in the same size and format for each candidate:

10 1. A recent photograph of the candidate.

11 2. A statement not to exceed five hundred words.

12 3. A disclosure of any relationships by affinity, by consanguinity
13 or by law to the third degree that exist between the candidate and any
14 current governing board members or other candidates for election to the
15 same governing board.

16 G. Persons related as immediate family who have the same household
17 of residence within four years prior shall not serve simultaneously on the
18 governing board of the same school district if the governing board is
19 composed of five members. For a school district with a student count of
20 at least two hundred fifty ~~and~~ that is located in a county with a
21 population of more than five hundred thousand persons, not more than two
22 persons related by affinity, by consanguinity or by law to the third
23 degree shall serve simultaneously on the governing board of the same
24 school district if the governing board is composed of five members. A
25 qualified elector who resides in the school district may bring an action
26 in superior court to enforce this subsection.

27 H. A person related as immediate family who has the same household
28 of residence within four years prior to a member of the governing board of
29 the same school district is ineligible to be a candidate for nomination or
30 election to that governing board if the governing board is composed of
31 five members, except that a person related as immediate family who has the
32 same household of residence within four years prior to a member of a
33 governing board may be a candidate for nomination or election to the
34 governing board of the same school district if the member is serving in
35 the last year of a term of office. For a school district with a student
36 count of at least two hundred fifty ~~and~~ that is located in a county with a
37 population of more than five hundred thousand persons, not more than two
38 persons related by affinity, by consanguinity or by law to the third
39 degree shall be eligible to be a candidate for nomination or election to a
40 governing board that is composed of five members. A qualified elector who
41 resides in the school district may bring an action in superior court to
42 enforce this subsection.

43 I. Persons related as immediate family who have the same household
44 of residence within four years prior are ineligible to be simultaneous
45 candidates for nomination or election to the governing board of the same

1 school district if the governing board is composed of five members. For a
2 school district with a student count of at least two hundred fifty ~~and~~
3 that is located in a county with a population of more than five hundred
4 thousand persons, not more than two persons related by affinity, by
5 consanguinity or by law to the third degree shall be simultaneous
6 candidates for nomination or election to a governing board that is
7 composed of five members. A qualified elector who resides in the school
8 district may bring an action in superior court to enforce this subsection.

9 J. For the purposes of this section:

10 1. "Household of residence" means the place of abode during
11 applicable time periods or the residence address used by an individual for
12 voter registration or property tax purposes.

13 2. "Immediate family" means individuals who are married to each
14 other and any children of those individuals.

15 Sec. 2. Retention of members

16 Notwithstanding section 15-421, Arizona Revised Statutes, as amended
17 by this act, all persons serving as members of a school district governing
18 board on the effective date of this act may continue to serve until the
19 expiration of their normal terms.