

REFERENCE TITLE: schools; governing board members; employment

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

## **HB 2459**

Introduced by  
Representatives Pingerelli: Bliss, Carter, Chaplik, Gillette, Gress,  
Hendrix, Marshall, McGarr, Senators Carroll, Wadsack

AN ACT

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

(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 statements; 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 and WHO has  
15 been a resident of the school district for at least one year immediately  
16 preceding the day of election is eligible for election to the office of  
17 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 SCHOOL DISTRICT MAY NOT EMPLOY, INCLUDING EMPLOYMENT THROUGH A  
24 THIRD-PARTY CONTRACTOR THAT PROVIDES SERVICES TO THE SCHOOL DISTRICT, ANY  
25 PERSON WHO SERVED AS A MEMBER OF THE SCHOOL DISTRICT'S GOVERNING BOARD  
26 DURING THE PRECEDING TWO YEARS. A SCHOOL DISTRICT MAY INCREASE THE  
27 PROHIBITION PERIOD PRESCRIBED IN THIS SUBSECTION TO BE MORE THAN TWO  
28 YEARS.

29 ~~E.~~ F. A member of one governing board is ineligible to be a  
30 candidate for nomination or election to or serve simultaneously as a  
31 member of any other governing board, except that a member of a governing  
32 board may be a candidate for nomination or election for any other  
33 governing board if the member is serving in the last year of a term of  
34 office. A member of a governing board shall resign the member's seat on  
35 the governing board before becoming a candidate for nomination or election  
36 to the governing board of any other school district, unless the member of  
37 the governing board is serving in the last year of a term of office.

38 ~~F.~~ G. Notwithstanding section 15-511, each county school  
39 superintendent shall publish on the superintendent's website the statement  
40 of each certified candidate for membership on a school district governing  
41 board located in the county. The county school superintendent shall list  
42 each school district on the superintendent's website from which a link  
43 shall be established to the candidate's name, which shall link to the  
44 candidate's statement and photograph. The candidate shall submit the  
45 statement to the person at the county school superintendent's office

1 assigned to manage candidate statements, after notice of certification  
 2 from the county school superintendent's office but not later than  
 3 twenty-one days before the date that general election early ballots are  
 4 allowed to be mailed. The person shall post each candidate's statement on  
 5 the county school superintendent's website not later than fourteen days  
 6 before the date that general election early ballots are allowed to be  
 7 mailed. If a candidate does not submit a statement, the county school  
 8 superintendent's website shall state "no response submitted" for the  
 9 candidate. The candidate statements shall be posted on the website  
 10 alphabetically by each school district and by candidate. The candidate  
 11 statement shall be typewritten or electronically submitted. The county  
 12 school superintendent shall post the statements verbatim as they are  
 13 received unless a candidate requests in writing that typographical errors  
 14 be corrected. The candidate statement shall contain the following items  
 15 in the same size and format for each candidate:

- 16 1. A recent photograph of the candidate.
- 17 2. A statement not to exceed five hundred words.
- 18 3. A disclosure of any relationships by affinity, by consanguinity  
 19 or by law to the third degree that exist between the candidate and any  
 20 current governing board members or other candidates for election to the  
 21 same governing board.

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

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

1 candidate for nomination or election to a governing board that is composed  
2 of five members. A qualified elector who resides in the school district  
3 may bring an action in superior court to enforce this subsection.

4 ~~i.~~ J. Persons related as immediate family who have the same  
5 household of residence within four years prior are ineligible to be  
6 simultaneous candidates for nomination or election to the governing board  
7 of the same school district if the governing board is composed of five  
8 members. For a school district with a student count of at least two  
9 hundred fifty ~~and~~ that is located in a county with a population of more  
10 than five hundred thousand persons, not more than two persons related by  
11 affinity, by consanguinity or by law to the third degree shall be  
12 simultaneous candidates for nomination or election to a governing board  
13 that is composed of five members. A qualified elector who resides in the  
14 school district may bring an action in superior court to enforce this  
15 subsection.

16 ~~j.~~ K. For the purposes of this section:

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

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