

REFERENCE TITLE: court of appeals; retention election

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

HB 2757

Introduced by
Representative Toma

AN ACT

AMENDING SECTIONS 12-120.02 AND 12-120.10, ARIZONA REVISED STATUTES;
RELATING TO THE COURT OF APPEALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-120.02, Arizona Revised Statutes, is amended
3 to read:

4 12-120.02. Election of judges

5 A. In division 1, of the nineteen judges, ten of the judges shall
6 be residents of ~~and elected for retention from~~ Maricopa county, five of
7 the judges shall be residents of the remaining counties in the division
8 ~~and shall be elected for retention by the voters of the counties in~~
9 ~~division 1, excluding Maricopa county,~~ and four of the judges shall be
10 at-large judges and be residents of any county in the division. ~~If an~~
11 ~~at-large judge is a resident of Maricopa county, the judge shall be~~
12 ~~elected for retention by the voters of Maricopa county. If an at-large~~
13 ~~judge is not a resident of Maricopa county, the judge shall be elected for~~
14 ~~retention by the voters of the counties in division 1, excluding Maricopa~~
15 ~~county.~~

16 B. In division 2, of the nine judges, four of the judges shall be
17 residents of ~~and elected from~~ Pima county, two of the judges shall be
18 residents of the remaining counties in the division ~~and shall be elected~~
19 ~~by the voters of the counties in division 2,~~ excluding Pima county, and
20 three of the judges shall be at-large judges and be residents of any
21 county in the division. ~~If an at-large judge is a resident of Pima~~
22 ~~county, the judge shall be elected for retention by the voters of Pima~~
23 ~~county. If an at-large judge is not a resident of Pima county, the judge~~
24 ~~shall be elected for retention by the voters of the counties in~~
25 ~~division 2, excluding Pima county.~~

26 C. EACH JUDGE OF THE COURT OF APPEALS SHALL BE ELECTED FOR
27 RETENTION ON A STATEWIDE BASIS AT THE GENERAL ELECTION NEXT PRECEDING THE
28 EXPIRATION OF THE JUDGE'S TERM IN OFFICE AND ALL OTHERWISE ELIGIBLE
29 REGISTERED VOTERS IN THIS STATE ARE ELIGIBLE TO VOTE IN THESE STATEWIDE
30 RACES.

31 Sec. 2. Section 12-120.10, Arizona Revised Statutes, is amended to
32 read:

33 12-120.10. Post of duty

34 The designated post of duty of judges of the court of appeals ~~who~~
35 ~~are elected by the voters of the counties~~ in division one, excluding
36 Maricopa county, and in division two, excluding Pima county, ~~as prescribed~~
37 ~~by the terms of section 12-120.02,~~ shall be deemed to be ~~their~~ THE JUDGE'S
38 place of physical residence.