

Senate Engrossed  
recall; requirements; petitions

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1593

AN ACT

AMENDING SECTIONS 19-209 AND 19-212, ARIZONA REVISED STATUTES; RELATING TO  
RECALL AND ADVISORY RECALL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 19-209, Arizona Revised Statutes, is amended to  
3 read:

4 19-209. Order for special recall election; officer in charge  
5 of election; definition

6 A. If the officer against whom a petition is filed does not resign  
7 within five days, excluding Saturdays, Sundays and other legal holidays,  
8 after the filing as determined pursuant to section 19-208.03, the order  
9 calling a special recall election shall be issued within fifteen days and  
10 shall be ordered to be held on the next following consolidated election  
11 date pursuant to section 16-204 that is ~~ninety~~ ONE HUNDRED TWENTY days or  
12 more after the order calling the election.

13 B. A recall election shall be called:

14 1. If for a state office, including a member of the legislature, by  
15 the governor.

16 2. If for a county officer, special taxing district officer or  
17 judge or other officer of the superior court in a county, by the board of  
18 supervisors of that county.

19 3. If for a city or town officer, by the legislative body of the  
20 city or town.

21 4. If for a member of a school district governing board, by the  
22 county school superintendent of the county in which the school district is  
23 located.

24 C. If a recall petition is against an officer who is directed by  
25 this section to call the election it shall be called:

26 1. If for a state office, by the secretary of state.

27 2. If for a county office, by the clerk of the superior court.

28 3. If for a city or town office, by the city or town clerk.

29 D. The officer in charge of the election for any recall election  
30 called pursuant to this chapter is as follows:

31 1. If for a state office, including a member of the legislature,  
32 the secretary of state.

33 2. If for a county officer, special taxing district officer or  
34 superior court judge, the county officer in charge of elections.

35 3. If for a city or town officer, the city or town clerk.

36 4. If for a member of a school district governing board, the county  
37 school superintendent of the county in which the school district is  
38 located.

39 E. For the purposes of this section, "special taxing district"  
40 means a special taxing district that is established pursuant to title 48  
41 and that is supported primarily by taxes.

1           Sec. 2. Section 19-212, Arizona Revised Statutes, is amended to  
2 read:

3           19-212. Nomination petition; form; filing

4           A. Unless the officer otherwise requests in writing, the name of  
5 the officer against whom a recall petition is filed shall be placed as a  
6 candidate on the official ballot without nomination. Other candidates for  
7 the office may be nominated to be voted ~~upon~~ ON at the election and shall  
8 be placed ~~upon~~ ON the official recall ballot after filing a nomination  
9 petition that is signed by a number of qualified electors that is equal to  
10 at least two ~~per cent~~ PERCENT of the total votes cast for all candidates  
11 for that office at the last election for that office. A CANDIDATE FOR THE  
12 OFFICE MAY CIRCULATE A NOMINATION PETITION DURING THE TIME PROVIDED BY LAW  
13 FOR CIRCULATING THE RECALL PETITION. Nomination petition signers shall be  
14 qualified electors of the electoral district of the officer against whom  
15 the recall petition is filed.

16           B. If the officer against whom a recall petition is filed was  
17 appointed to the office or was deemed elected after an election was  
18 canceled due to the absence of opposing candidates as provided in section  
19 15-424, 48-802, 48-1012, 48-1208, 48-1404, 48-1908, 48-2010, 48-2107 or  
20 48-2208, other candidates for the office to be voted on in the recall  
21 election shall be placed on the official recall ballot after filing a  
22 nomination petition that is signed by the number of qualified electors  
23 that is equal to at least one-half of one ~~per cent~~ PERCENT of the number  
24 of active registered voters in the jurisdiction or district represented by  
25 that elective officer as determined on the date of the last general  
26 election with ~~no~~ NOT less than five signatures. Nomination petition  
27 signers shall be qualified electors of the electoral district of the  
28 officer against whom the recall petition is filed.

29           C. The title and body of the nomination petition shall be  
30 substantially in the following form:

31                               Nomination Petition--Recall Election

32           We, the undersigned electors, qualified to vote in the  
33 recall election mentioned herein, residents of the precinct  
34 indicated by the residence addresses given, and residents of  
35 the county of \_\_\_\_\_, state of Arizona, hereby nominate  
36 \_\_\_\_\_, who resides at \_\_\_\_\_, in the county of \_\_\_\_\_ to be  
37 a candidate in the recall election for the office of \_\_\_\_\_  
38 to be held on \_\_\_\_\_, and we further declare that

39   (date)

40           we have not signed and will not sign any nomination paper for  
41 any other person for such office.

42 The remainder of the petition shall be substantially in the form  
43 prescribed in section 16-315.

1           D. If recall petitions have been filed against more than one member  
2 of a multimember public body whose members serve at large, the nomination  
3 petition and paper of the other candidates shall state which member they  
4 oppose.

5           E. To each nomination petition shall be appended a certificate by a  
6 person who is qualified to register to vote pursuant to section 16-101  
7 stating that to the best of his knowledge and belief all the signers of  
8 the nomination petition are qualified electors of the precinct which they  
9 give as their residence.

10          F. ~~Such~~ THE nomination petition shall be filed not more than ~~ninety~~  
11 ONE HUNDRED TWENTY days nor less than ~~sixty~~ NINETY days ~~prior to~~ BEFORE  
12 the date of the recall election.