

House Engrossed Senate Bill

local candidates; petitions; electronic signatures

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1285

AN ACT

AMENDING SECTIONS 16-317 AND 16-550, ARIZONA REVISED STATUTES; AMENDING LAWS 2024, CHAPTER 1, SECTIONS 21 AND 22; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-317, Arizona Revised Statutes, is amended to
3 read:

4 16-317. Secure online signature collection; municipal, county
5 and precinct committeeman offices

6 A. Notwithstanding any other statute in this title, the secretary
7 of state shall provide a system for qualified electors to sign a
8 nomination petition for candidates for city or town office, county office
9 and the office of precinct committeeman by way of a secure internet
10 portal. The system shall allow only those qualified electors who are
11 eligible to sign a petition for a particular candidate to sign the
12 petition, shall provide a method for the qualified elector's identity to
13 be properly verified and shall provide for the secretary of state to
14 transmit those filings or a facsimile of those filings to the officer in
15 charge of elections for the appropriate office. **THROUGH 2024, A CANDIDATE**
16 **MAY CHOOSE TO COLLECT UP TO THE MINIMUM NUMBER OF REQUIRED NOMINATION**
17 **PETITION SIGNATURES BY USE OF THE ONLINE SIGNATURE COLLECTION SYSTEM**
18 **PRESCRIBED BY THIS SECTION. BEGINNING IN 2025,** a candidate may choose to
19 collect up to **ONE HUNDRED TEN PERCENT OF** the minimum number of required
20 nomination petition signatures by use of the online signature collection
21 system prescribed by this section.

22 B. This section applies only to candidates for city or town elected
23 office, county office and the office of precinct committeeman.

24 Sec. 2. Section 16-550, Arizona Revised Statutes, is amended to
25 read:

26 16-550. Receipt of voter's ballot; cure period; tracking
27 system

28 A. Except for early ballots tabulated as prescribed in section
29 16-579.02 or, beginning in 2026, received at a voting location after a
30 voter's identification is confirmed as prescribed by section 16-579,
31 subsection A, paragraph 4, on receipt of the envelope containing the early
32 ballot and the mail ballot affidavit, the county recorder or other officer
33 in charge of elections shall compare the signature on the envelope with
34 the signature of the elector on the elector's registration record as
35 prescribed by section 16-550.01. If the signature is inconsistent with
36 the elector's signature on the elector's registration record, the county
37 recorder or other officer in charge of elections shall make reasonable
38 efforts to contact the voter, advise the voter of the inconsistent
39 signature and allow the voter to correct or the county to confirm the
40 inconsistent signature. The county recorder or other officer in charge of
41 elections shall allow signatures to be corrected not later than the fifth
42 business day after a primary, general or special election that includes a
43 federal office or the third business day after any other election. If the
44 election is a primary, general or special election that includes a federal
45 office, in addition to the office's regular business hours, the county

1 recorder's and ANY city or town clerks' offices THAT HAVE AN AGREEMENT
2 WITH A COUNTY TO BE USED AS LOCATIONS AT WHICH A VOTER MAY SUBMIT PROOF OF
3 IDENTIFICATION shall be open during regular business hours to allow for
4 curing signatures during the Friday and weekend before and the Friday and
5 weekend after the election. REGULAR BUSINESS HOURS INCLUDE AT A MINIMUM
6 8:00 A.M. UNTIL 5:00 P.M. If the signature is missing, the county
7 recorder or other officer in charge of elections shall make reasonable
8 efforts to contact the elector, advise the elector of the missing
9 signature and allow the elector to add the elector's signature not later
10 than 7:00 p.m. on election day. If satisfied that the signatures
11 correspond, the recorder or other officer in charge of elections shall
12 hold the envelope containing the early ballot and the completed mail
13 affidavit unopened in accordance with the rules of the secretary of state.
14 Signatures that cannot be verified pursuant to section 16-550.01 or cured
15 pursuant to this section shall be rejected. IF THE BALLOT IS A
16 CONDITIONAL PROVISIONAL BALLOT, THE VOTER SHALL PROVIDE PROOF OF
17 IDENTIFICATION TO THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF
18 ELECTIONS NOT LATER THAN THE FIFTH BUSINESS DAY AFTER A PRIMARY, GENERAL
19 OR SPECIAL ELECTION THAT INCLUDES A FEDERAL OFFICE OR THE THIRD BUSINESS
20 DAY AFTER ANY OTHER ELECTION. Beginning with the first missing or
21 mismatched signature that is identified after the period of early voting
22 begins through the Monday immediately preceding the election, the county
23 recorder or other officer in charge of elections shall submit daily to the
24 political parties that are qualified for continued representation on the
25 state ballot an updated list of all voters whose signatures are missing or
26 inconsistent with the voter's signature on the voter's registration
27 record. Beginning on the Wednesday immediately following the election
28 through the end of the signature cure period after a primary, general or
29 special election that includes a federal office, or the third business day
30 after the election for any other election, the county recorder or other
31 officer in charge of elections shall submit daily to the political parties
32 that are qualified for continued representation on the state ballot an
33 updated list of all voters whose signatures are inconsistent with the
34 voter's signature on the voter's registration record and all voters who
35 voted with a conditional provisional ballot. This list of voters whose
36 signatures require curing shall include for those voters all voter
37 information that is provided to the political parties that are qualified
38 for continued representation on the state ballot as prescribed by section
39 16-168.

40 B. The recorder or other officer in charge of elections shall
41 thereafter safely keep the mail ballot affidavits and early ballots in the
42 recorder's or other officer's office and may deliver them for tallying
43 pursuant to section 16-551.

44 C. Processing and tabulation of individual ballots may begin
45 immediately after the envelope and completed mail ballot affidavit are

1 processed pursuant to this section and delivered to the early election
2 board and shall continue without delay until completed. Until election
3 day, the early election board and the county recorder or other officer in
4 charge of elections shall:

5 1. Not access an aggregated complete results file of early voting
6 and vote by mail ballots that were processed and tabulated by the end of
7 the early voting period.

8 2. Not produce for internal or external use an aggregated results
9 report or associated files of complete results.

10 3. Only produce a partial results report or associated files if it
11 is part of the internal preparation for the hand count pursuant to section
12 16-602 or for the logic and accuracy testing required pursuant to section
13 16-449.

14 4. Not publicly release complete or partial results, whether for
15 internal or external use, until all precincts have reported or one hour
16 after the closing of the polls on election day, whichever is earlier.

17 D. The county recorder or other officer in charge of elections
18 shall post on its website within forty-eight hours after all ballot
19 tabulation is complete all system log files and other similar files from
20 the election management system that verify compliance with subsection C of
21 this section.

22 E. The county recorder shall send a list of all voters who were
23 issued early ballots to the election board of the precinct in which the
24 voter is registered.

25 F. For a county that uses early ballots, the county recorder or
26 other officer in charge of elections shall provide an early ballot
27 tracking system that indicates whether the voter's early ballot has been
28 received and whether the early ballot has been verified and sent to be
29 tabulated or rejected. The county recorder or other officer in charge of
30 elections shall provide voters with access to the early ballot tracking
31 system on the county's website.

32 G. This section does not apply to:

33 1. A special taxing district that is authorized pursuant to section
34 16-191 to conduct its own elections.

35 2. A special district mail ballot election that is conducted
36 pursuant to article 8.1 of this chapter.

37 Sec. 3. Laws 2024, chapter 1, section 21 is amended to read:

38 Sec. 21. 2024 primary election; nomination petition forms;
39 local initiative petition forms; statements of
40 interest; previous primary election date

41 A. A person who desires to become a candidate at the 2024 primary
42 election, who collects signatures on a nomination petition form, **INCLUDING**
43 **AN ELECTRONIC PETITION WITH SIGNATURES AS PRESCRIBED BY SECTION 16-316,**
44 **ARIZONA REVISED STATUTES, SECTION 16-317, ARIZONA REVISED STATUTES, AS**
45 **AMENDED BY THIS ACT, OR SECTION 16-318, ARIZONA REVISED STATUTES, before,**

1 ~~the effective date of this act~~ ON OR AFTER FEBRUARY 9, 2024 OR BEFORE, ON
2 OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION and who has
3 used a petition form that includes the former primary election date of
4 August 6, 2024 may lawfully submit those signatures for the 2024 primary
5 election to be held on July 30, 2024. Signatures that are collected with
6 the August 6, 2024 primary election date, that are submitted as prescribed
7 in this subsection and that otherwise comply with the requirements
8 provided by law are deemed to be as valid as signatures collected on a
9 nomination petition form, INCLUDING AN ELECTRONIC PETITION WITH SIGNATURES
10 AS PRESCRIBED BY SECTION 16-316, ARIZONA REVISED STATUTES, SECTION 16-317,
11 ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT, OR SECTION 16-318,
12 ARIZONA REVISED STATUTES, that complies with the newly designated primary
13 election date of July 30, 2024 and shall not be ruled invalid due solely
14 to the changed date of the primary election. THE FILING OFFICER SHALL NOT
15 REJECT THOSE PETITIONS OR SIGNATURES BASED SOLELY ON THE DATE OF THE
16 PRIMARY ELECTION. THIS SUBSECTION APPLIES TO AND INCLUDES PETITIONS AND
17 SIGNATURES THAT ARE SUBMITTED THROUGH THE SECURE ONLINE SIGNATURE
18 COLLECTION SYSTEM PROVIDED BY THE SECRETARY OF STATE.

19 B. Any city, town or county initiative petition that is circulated
20 before, ~~the effective date of this act~~ ON OR AFTER FEBRUARY 9, 2024 OR
21 BEFORE, ON OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION
22 and that is on a petition form that includes the former 2024 primary
23 election date of August 6, 2024 may lawfully submit those petitions and
24 signatures for the primary election to be held on July 30, 2024.
25 Signatures that are collected with the August 6, 2024 primary election
26 date, that are submitted as prescribed in this subsection and that
27 otherwise comply with the requirements provided by law are deemed to be as
28 valid as signatures collected on an initiative petition form that complies
29 with the newly designated primary election date of July 30, 2024 and shall
30 not be ruled invalid due solely to the changed date of the primary
31 election. THE FILING OFFICER SHALL NOT REJECT THOSE SIGNATURES OR
32 PETITIONS BASED SOLELY ON THE DATE OF THE PRIMARY ELECTION.

33 C. THIS SECTION DOES NOT REQUIRE A PERSON TO FILE A NEW OR AMENDED
34 STATEMENT OF INTEREST BASED SOLELY ON THE CHANGE IN THE 2024 PRIMARY
35 ELECTION DATE.

36 Sec. 4. Laws 2024, chapter 1, section 22 is amended to read:

37 Sec. 22. 2024, 2025 and 2026 elections; signature cure period

38 Notwithstanding section 16-550, subsection A, Arizona Revised
39 Statutes, as amended by ~~this act~~ LAWS 2024, CHAPTER 1, SECTION 6, and any
40 other law, the following apply:

41 1. For a primary, general or special election in 2024, 2025 and
42 2026 that includes a federal office, the county recorder or other officer
43 in charge of elections shall allow signatures to be corrected AND, FOR
44 CONDITIONAL PROVISIONAL BALLOTS, SHALL ALLOW VOTER PROOF OF IDENTIFICATION
45 TO BE PROVIDED not later than the fifth calendar day after the election.

1 2. For all other elections in 2024, 2025 and 2026, the county
2 recorder or other officer in charge of elections shall allow signatures to
3 be corrected AND, FOR CONDITIONAL PROVISIONAL BALLOTS, SHALL ALLOW PROOF
4 OF VOTER IDENTIFICATION TO BE PROVIDED not later than the third business
5 day after the election.

6 Sec. 5. 2024 primary election date; city, town and county
7 matters

8 Any election item that was duly called by a city, town or county
9 pursuant to section 16-226, Arizona Revised Statutes, for the August 6,
10 2024 primary election date shall be placed on the ballot for the newly
11 designated primary election date of July 30, 2024.

12 Sec. 6. Emergency

13 This act is an emergency measure that is necessary to preserve the
14 public peace, health or safety and is operative immediately as provided by
15 law.