

REFERENCE TITLE: schools; governing board; unexpired term

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

# **SB 1674**

Introduced by  
Senator Gowan

AN ACT

AMENDING SECTIONS 15-424 AND 16-314, 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 15-424, Arizona Revised Statutes, is amended to  
3 read:

4 15-424. Election of governing board members; terms; reduction  
5 of membership; statement of contributions and  
6 expenditures

7 A. A regular election shall be held for each school district at the  
8 time and place, and in the manner, of general elections as provided in  
9 title 16.

10 B. Except as provided in ~~subsection~~ SUBSECTIONS C OR D of this  
11 section and sections 15-429 and 15-430, the term of office for each member  
12 shall be four years from January 1 next following the member's election.

13 C. At the first general election held for a newly formed district,  
14 three members shall be elected. The candidate receiving the highest  
15 number of votes shall be elected to a four-year term, and the candidates  
16 having the second and third highest number of votes shall be elected to  
17 two-year terms. A district increasing its governing board to five members  
18 shall elect at the next general election members in the following manner:

19 1. If one of the previous three offices is to be filled, the three  
20 candidates receiving the highest, the second highest and the third highest  
21 number of votes shall be elected to four-year terms.

22 2. If two of the previous three offices are to be filled, the  
23 candidates receiving the highest, the second highest and the third highest  
24 number of votes shall be elected to four-year terms. The candidate  
25 receiving the fourth highest number of votes shall be elected to a  
26 two-year term. Thereafter, all such offices shall have four-year terms.

27 D. IF A GOVERNING BOARD ELECTION INCLUDES ANY UNEXPIRED VACANT  
28 TERMS, THE CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL FILL ALL  
29 FULL FOUR-YEAR TERMS AND THE CANDIDATES RECEIVING THE NEXT HIGHEST NUMBER  
30 OF VOTES SHALL FILL THE REMAINDER OF ANY UNEXPIRED VACANT TERMS.

31 ~~D.~~ E. A member who is serving on a governing board for a district  
32 that reduces the number of its governing board members to three pursuant  
33 to section 15-425.01 shall continue to serve as a member of the governing  
34 board until expiration of the member's current term of office. A district  
35 that reduces the number of its governing board members to three pursuant  
36 to section 15-425.01 shall reduce the number of its members as follows:

37 1. If two of the previous five offices are expiring at the first  
38 general election held after the general election in which a district  
39 reduces the number of its governing board members to three pursuant to  
40 section 15-425.01:

41 (a) At the first general election held after the general election  
42 in which a district reduces the number of its governing board members to  
43 three pursuant to section 15-425.01, the candidate receiving the highest  
44 number of votes shall be elected to a four-year term.

1 (b) At the second general election held after the general election  
2 in which a district reduces the number of its governing board members to  
3 three pursuant to section 15-425.01, the candidates receiving the highest  
4 and second highest number of votes shall be elected to four-year terms.

5 2. If three of the previous five offices are expiring at the first  
6 general election held after the general election in which a district  
7 reduces the number of its governing board members to three pursuant to  
8 section 15-425.01, the candidate receiving the highest number of votes  
9 shall be elected to a four-year term at the election.

10 ~~F.~~ F. If only one person files a nominating petition or nomination  
11 paper for a write-in candidate for an election to fill a district office,  
12 the board of supervisors, not earlier than one hundred five days before  
13 the election, may cancel the election for the position and appoint the  
14 person who filed the nominating petition or nomination paper to fill the  
15 position. If no person files a nominating petition or nomination paper  
16 for an election to fill a district office, the board of supervisors, not  
17 earlier than one hundred five days before the election, may cancel the  
18 election for that office and that office is deemed vacant and shall be  
19 filled as provided in section 15-302. A person who is appointed pursuant  
20 to this subsection is fully vested with the powers and duties of the  
21 office as if elected to that office.

22 ~~F.~~ G. If two or more candidates receive an equal number of votes  
23 for the same office, and a higher number than any other candidate for that  
24 office, whether on the tally by the school election board or canvass of  
25 returns by the board of supervisors, or on recount by a court, the officer  
26 or board whose duty it is to declare the result shall determine by lot and  
27 in the presence of the candidates which candidate shall be declared  
28 elected.

29 ~~H.~~ H. THE position of the names of candidates for each office  
30 shall be rotated so that each candidate occupies each position on the  
31 ballot an equal number of times, insofar as is possible, for each ballot  
32 style. For candidates seeking election to fill a vacancy on the governing  
33 board, the ballot shall be designated as provided in section 16-502.

34 ~~H.~~ I. This section does not require that a school election at  
35 which no member is to be elected be held on a general election day.

36 ~~I.~~ J. All candidates for the office of school district governing  
37 board member shall file with the county school superintendent a statement  
38 of contributions and expenditures as provided in section 16-926.

39 Sec. 2. Section 16-314, Arizona Revised Statutes, is amended to  
40 read:

41 16-314. Filing and form of nomination petitions; definition

42 A. Any person desiring to become a candidate at any election and to  
43 have the person's name printed on the official ballot shall file, not less  
44 than one hundred twenty nor more than one hundred fifty days before the

1 primary election and with the same officer as provided by section 16-311,  
2 a nomination petition in addition to the nomination paper required.

3 B. For the purposes of this title, "nomination petition" means the  
4 form or forms used for obtaining the required number of signatures of  
5 qualified electors, which is circulated by or on behalf of the person  
6 wishing to become a candidate for a political office.

7 C. Nomination petitions shall be captioned "partisan nomination  
8 petition" or "nonpartisan nomination petition", followed by the language  
9 of the petition in substantially the following form, except that if the  
10 candidate does not have an actual residence address, the candidate may use  
11 a description of place of residence and post office address, or, if the  
12 candidate's actual residence address is protected pursuant to section  
13 16-153, a post office box or private mailbox address in the candidate's  
14 political division or district from which the nomination is sought is  
15 sufficient:

16 Partisan Nomination Petition

17 I, the undersigned, a qualified elector of the county of  
18 \_\_\_\_\_, state of Arizona, and of (here name political  
19 division or district from which the nomination is sought) and  
20 a member of the \_\_\_\_\_ party or a person who is  
21 registered as no party preference or independent as the party  
22 preference or who is registered with a political party that is  
23 not qualified for representation on the ballot, hereby  
24 nominate \_\_\_\_\_ who resides at \_\_\_\_\_ in the  
25 county of \_\_\_\_\_ for the party nomination for the office  
26 of \_\_\_\_\_ to be voted at the primary election to be  
27 held \_\_\_\_\_ as representing the principles of such  
28 party, and I hereby declare that I am qualified to vote for  
29 this office and that I have not signed, and will not sign, any  
30 nomination petition for more persons than the number of  
31 candidates necessary to fill such office at the next ensuing  
32 election. I further declare that if I choose to use a post  
33 office box address on this petition, my residence address has  
34 not changed since I last reported it to the county recorder  
35 for purposes of updating my voter registration file.

36 Nonpartisan Nomination Petition

37 I, the undersigned, a qualified elector of the county of  
38 \_\_\_\_\_, state of Arizona, and of (here name political  
39 division or district from which the nomination is sought)  
40 hereby nominate \_\_\_\_\_ who resides at \_\_\_\_\_  
41 in the county of \_\_\_\_\_ for the office of  
42 \_\_\_\_\_ to be voted at the \_\_\_\_\_ election to  
43 be held \_\_\_\_\_, and hereby declare that I am  
44 qualified to vote for this office and that I have not signed  
45 and will not sign any nomination petitions for more persons

1           than the number of candidates necessary to fill such office at  
2           the next ensuing election. I further declare that if I choose  
3           to use a post office box address on this petition, my  
4           residence address has not changed since I last reported it to  
5           the county recorder for purposes of updating my voter  
6           registration file.

7           D. The nomination petition of a person seeking to fill an unexpired  
8           vacant term for any public office, **EXCEPT FOR A GENERAL SCHOOL DISTRICT**  
9           **GOVERNING BOARD ELECTION**, shall designate the expiration date of the term  
10          following the name of the office being sought.