schools; governing board; unexpired term

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

SENATE BILL 1674

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)

S.B. 1674

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   E. 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   G. 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.