

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1357

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 11-483, Arizona Revised Statutes, is amended to
3 read:

4 11-483. Records maintained by county recorder;
5 confidentiality; definitions

6 A. Notwithstanding any other provision of this article, in any
7 county an eligible person may request that the general public be prohibited
8 from accessing the unique identifier and the recording date contained in
9 indexes of recorded instruments maintained by the county recorder and may
10 request the county recorder to prohibit access to that person's identifying
11 information, including any of the following:

12 1. That person's documents, instruments or writings recorded by the
13 county recorder.

14 2. If the person is a public official, the address of a property
15 held in trust by the public official.

16 B. An eligible person may request this action by filing an affidavit
17 that states all of the following on an application form developed by the
18 administrative office of the courts in agreement with an association of

1 counties, an organization of peace officers and the motor vehicle division
2 of the department of transportation:

3 1. The person's full legal name and residential address.

4 2. The ~~full legal description and parcel number~~ ADDRESS of ~~the~~
5 ~~person's~~ ANY property THAT THE PERSON OWNS OR RESIDES AT.

6 3. Unless the person is ~~the spouse of a peace officer or~~ the spouse
7 or minor child of a deceased peace officer, THE PERSON IS A FAMILY MEMBER
8 OR HOUSEHOLD MEMBER, or the person is a former public official or former
9 judge, the position the person currently holds and a description of the
10 person's duties, except that an eligible person who is protected under an
11 order of protection or injunction against harassment shall instead attach a
12 copy of the order of protection or injunction against harassment or an
13 eligible person who is a participant in the address confidentiality program
14 shall instead attach a copy of the participant's current and valid address
15 confidentiality program authorization card issued pursuant to section
16 41-163 and a statement of certification provided by the secretary of
17 state's office.

18 4. The reasons the person reasonably believes that the person's life
19 or safety or that of another person is in danger and that restricting
20 access pursuant to this section will serve to reduce the danger.

21 5. The document locator number and recording date of each instrument
22 for which the person requests access restriction pursuant to this section.

1 6. A copy of pages from each instrument that includes the document
2 locator number and the person's identifying information, including the
3 person's full legal name and residential address or full legal name and
4 telephone number.

5 C. If an eligible person is also requesting pursuant to section
6 11-484 that the general public be prohibited from accessing records
7 maintained by the county assessor and county treasurer, the eligible person
8 may combine the request pursuant to subsection B of this section with the
9 request pursuant to section 11-484 by filing one affidavit. The affidavit
10 and subsequent action by the appropriate authorities shall meet all of the
11 requirements of this section and section 11-484.

12 D. The affidavit shall be filed with the presiding judge of the
13 superior court in the county in which the affiant resides. To prevent
14 multiple filings, an eligible person who is a peace officer, ~~spouse~~ FAMILY
15 MEMBER OR HOUSEHOLD MEMBER of a peace officer, spouse or minor child of a
16 deceased peace officer, public defender, prosecutor, code enforcement
17 officer, corrections or detention officer, corrections support staff member
18 or law enforcement support staff member shall deliver the affidavit to the
19 peace officer's commanding officer, or to the head of the prosecuting,
20 public defender, code enforcement, law enforcement, corrections or
21 detention agency, as applicable, or that person's designee, who shall file
22 the affidavits at one time. In the absence of an affidavit that contains a
23 request for immediate action and that is supported by facts justifying an

1 earlier presentation, the commanding officer, or the head of the
2 prosecuting, public defender, code enforcement, law enforcement,
3 corrections or detention agency, as applicable, or that person's designee,
4 shall not file affidavits more often than quarterly.

5 E. On receipt of an affidavit or affidavits, the presiding judge of
6 the superior court shall file with the clerk of the superior court a
7 petition on behalf of all requesting affiants. Each affidavit presented
8 shall be attached to the petition. In the absence of an affidavit that
9 contains a request for immediate action and that is supported by facts
10 justifying an earlier consideration, the presiding judge may accumulate
11 affidavits and file a petition at the end of each quarter.

12 F. The presiding judge of the superior court shall review the
13 petition and each attached affidavit to determine whether the action
14 requested by each affiant should be granted. If the presiding judge of the
15 superior court concludes that the action requested by the affiant will
16 reduce a danger to the life or safety of the affiant or another person, the
17 presiding judge of the superior court shall order that the county recorder
18 prohibit access for five years to the affiant's identifying information,
19 including any of that person's documents, instruments or writings recorded
20 by the county recorder and made available on the internet. If the
21 presiding judge of the superior court concludes that the affiant or another
22 person is in actual danger of physical harm from a person or persons with
23 whom the affiant has had official dealings and that action pursuant to this

1 section will reduce a danger to the life or safety of the affiant or
2 another person, the presiding judge of the superior court shall order that
3 the general public be prohibited for five years from accessing the unique
4 identifier and the recording date contained in indexes of recorded
5 instruments maintained by the county recorder and identified pursuant to
6 subsection B of this section.

7 G. On motion to the court, if the presiding judge of the superior
8 court concludes that an instrument or writing recorded by the county
9 recorder has been redacted or sealed in error, that the original affiant no
10 longer lives at the address OR OWNS THE PROPERTY listed in the original
11 affidavit, that the cause for the original affidavit no longer exists or
12 that temporary access to the instrument or writing is needed, the presiding
13 judge may temporarily stay or permanently vacate all or part of the court
14 order prohibiting public access to the recorded instrument or writing.

15 H. On entry of the court order, the clerk of the superior court
16 shall file the court order and a copy of the affidavit required by
17 subsection B of this section with the county recorder. Not more than ten
18 days after the date on which the county recorder receives the court order,
19 the county recorder shall restrict access to the information as required by
20 subsection F of this section.

21 I. If the court denies an affiant's request pursuant to this
22 section, the affiant may request a court hearing. The hearing shall be
23 conducted by the court in the county where the petition was filed.

1 J. The county recorder shall remove the restrictions on all records
2 restricted pursuant to this section by January 5 in the year after the
3 court order expires. The county recorder shall send by mail one notice to
4 either the health professional, election officer, public official, former
5 public official, peace officer, ~~spouse of a peace officer~~ FAMILY MEMBER,
6 HOUSEHOLD MEMBER, spouse or minor child of a deceased peace officer, public
7 defender, prosecutor, code enforcement officer, corrections or detention
8 officer, corrections support staff member, law enforcement support staff
9 member, employee of the department of child safety or employee of adult
10 protective services who has direct contact with families in the course of
11 employment or the employing agency of the peace officer, public defender,
12 prosecutor, code enforcement officer, corrections or detention officer,
13 corrections support staff member, law enforcement support staff member or
14 employee of adult protective services who was granted an order pursuant to
15 this section of the order's expiration date at least six months before the
16 expiration date. If the notice is sent to the employing agency, the
17 employing agency shall immediately notify the person who was granted the
18 order of the upcoming expiration date. The county recorder may coordinate
19 with the county assessor and county treasurer to prevent multiple notices
20 from being sent to the same person.

21 K. To include subsequent recordings in the court order, the eligible
22 person shall present to the county recorder at the time of recordation a
23 certified copy of the court order or shall provide to the county recorder

1 the recording number of the court order. The county recorder shall ensure
2 that public access is restricted pursuant to subsection A of this section.

3 L. This section does not restrict access to public records for the
4 purposes of perfecting a lien pursuant to title 12, chapter 9, article 2.

5 M. This section does not prohibit access to the records of the
6 county recorder by parties to the instrument, a law enforcement officer
7 performing the officer's official duties pursuant to subsection N of this
8 section, a title insurer, a title insurance agent or an escrow agent
9 licensed by the department of insurance and financial institutions.

10 N. A law enforcement officer is deemed to be performing the
11 officer's official duties if the officer provides a subpoena, court order
12 or search warrant for the records.

13 O. For the purposes of this section:

14 1. "Code enforcement officer" means a person who is employed by a
15 state or local government and whose duties include performing field
16 inspections of buildings, structures or property to ensure compliance with
17 and enforce national, state and local laws, ordinances and codes.

18 2. "Commissioner" means a commissioner of the superior court or
19 municipal court.

20 3. "Corrections support staff member" means an adult or juvenile
21 corrections employee who has direct contact with inmates.

1 4. "Election officer" means a state, county or municipal employee
2 who holds an election officer's certificate issued pursuant to section
3 16-407.

4 5. "Eligible person" means a health professional, election officer,
5 public official, former public official, peace officer, ~~spouse of a peace~~
6 ~~officer~~ FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a
7 deceased peace officer, justice, judge, commissioner, hearing officer,
8 public defender, prosecutor, code enforcement officer, adult or juvenile
9 corrections officer, corrections support staff member, probation officer,
10 member of the commission on appellate court appointments, member of the
11 board of executive clemency, law enforcement support staff member, employee
12 of the department of child safety or employee of adult protective services
13 who has direct contact with families in the course of employment, national
14 guard member who is acting in support of a law enforcement agency, person
15 who is protected under an order of protection or injunction against
16 harassment, person who is a participant in the address confidentiality
17 program pursuant to title 41, chapter 1, article 3 or firefighter who is
18 assigned to the Arizona counter terrorism information center in the
19 department of public safety.

20 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
21 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
22 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
23 MINOR CHILD OF A DECEASED PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER,

1 HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER,
2 ADULT OR JUVENILE CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER,
3 PROBATION OFFICER, MEMBER OF THE COMMISSION ON APPELLATE COURT
4 APPOINTMENTS, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT
5 SUPPORT STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR
6 EMPLOYEE OF ADULT PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES
7 IN THE COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT
8 OF A LAW ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN ORDER OF
9 PROTECTION OR INJUNCTION AGAINST HARASSMENT, PERSON WHO IS A PARTICIPANT IN
10 THE ADDRESS CONFIDENTIALITY PROGRAM PURSUANT TO TITLE 41, CHAPTER 1,
11 ARTICLE 3 OR FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM
12 INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY.

13 ~~6.~~ 7. "Former public official" means a person who was duly elected
14 or appointed to Congress, the legislature or a statewide office, who ceased
15 serving in that capacity and who was the victim of a dangerous offense as
16 defined in section 13-105 while in office.

17 ~~7.~~ 8. "Health professional" means an individual who is licensed
18 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

19 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
20 pursuant to section 28-1553.

21 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME
22 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
23 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED

1 PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER, HEARING OFFICER, PUBLIC
2 DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER, ADULT OR JUVENILE
3 CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION OFFICER,
4 MEMBER OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS, MEMBER OF THE
5 BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE
6 OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES
7 WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL
8 GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON
9 WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST
10 HARASSMENT, PERSON WHO IS A PARTICIPANT IN THE ADDRESS CONFIDENTIALITY
11 PROGRAM PURSUANT TO TITLE 41, CHAPTER 1, ARTICLE 3 OR FIREFIGHTER WHO IS
12 ASSIGNED TO THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE
13 DEPARTMENT OF PUBLIC SAFETY.

14 ~~9.~~ 11. "Indexes" means only those indexes that are maintained by
15 and located in the office of the county recorder, that are accessed
16 electronically and that contain information beginning from and after
17 January 1, 1987.

18 ~~10.~~ 12. "Judge" means a judge or former judge of the United States
19 district court, the United States court of appeals, the United States
20 magistrate court, the United States bankruptcy court, the United States
21 immigration court, the Arizona court of appeals, the superior court or a
22 municipal court.

1 ~~11.~~ 13. "Justice" means a justice of the United States or Arizona
2 supreme court or a justice of the peace.

3 ~~12.~~ 14. "Law enforcement support staff member" means a person who
4 serves in the role of an investigator or prosecutorial assistant in an
5 agency that investigates or prosecutes crimes, who is integral to the
6 investigation or prosecution of crimes and whose name or identity will be
7 revealed in the course of public proceedings.

8 ~~13.~~ 15. "Peace officer":

9 (a) Means any person vested by law, or formerly vested by law, with
10 a duty to maintain public order and make arrests.

11 (b) Includes a federal law enforcement officer or agent who resides
12 in this state and who has the power to make arrests pursuant to federal
13 law.

14 ~~14.~~ 16. "Prosecutor" means a current or former county attorney,
15 municipal prosecutor, attorney general or United States attorney and
16 includes a current or former assistant or deputy United States attorney,
17 county attorney, municipal prosecutor or attorney general.

18 ~~15.~~ 17. "Public defender" means a federal public defender, county
19 public defender, county legal defender or county contract indigent defense
20 counsel and includes an assistant or deputy federal public defender, county
21 public defender or county legal defender.

1 3. Unless the person is ~~the spouse of a peace officer or~~ the spouse
2 or minor child of a deceased peace officer, **THE PERSON IS A FAMILY MEMBER**
3 **OR HOUSEHOLD MEMBER** or the person is a former public official or former
4 judge, the position the person currently holds and a description of the
5 person's duties, except that an eligible person who is protected under an
6 order of protection or injunction against harassment shall attach a copy of
7 the order of protection or injunction against harassment or an eligible
8 person who is a participant in the address confidentiality program shall
9 instead attach a copy of the participant's current and valid address
10 confidentiality program authorization card issued pursuant to section
11 41-163 and a statement of certification provided by the secretary of
12 state's office.

13 4. The reasons the person reasonably believes that the person's life
14 or safety or that of another person is in danger and that redacting the
15 person's identifying information, including the residential address and
16 telephone number, will serve to reduce the danger.

17 C. If an eligible person is also requesting pursuant to section
18 11-483 that the general public be prohibited from accessing records
19 maintained by the county recorder, the eligible person may combine the
20 request pursuant to subsection B of this section with the request pursuant
21 to section 11-483 by filing one affidavit. The affidavit and subsequent
22 action by the appropriate authorities shall meet all of the requirements of
23 this section and section 11-483.

1 D. The affidavit shall be filed with the presiding judge of the
2 superior court in the county in which the affiant resides. To prevent
3 multiple filings, an eligible person who is a peace officer, ~~spouse~~ FAMILY
4 MEMBER OR HOUSEHOLD MEMBER of a peace officer, spouse or minor child of a
5 deceased peace officer, public defender, prosecutor, code enforcement
6 officer, corrections or detention officer, corrections support staff member
7 or law enforcement support staff member shall deliver the affidavit to the
8 peace officer's commanding officer, or to the head of the prosecuting,
9 public defender, code enforcement, law enforcement, corrections or
10 detention agency, as applicable, or that person's designee, who shall file
11 the affidavits at one time. In the absence of an affidavit that contains a
12 request for immediate action and that is supported by facts justifying an
13 earlier presentation, the commanding officer, or the head of the
14 prosecuting, public defender, code enforcement, law enforcement,
15 corrections or detention agency, as applicable, or that person's designee,
16 shall not file affidavits more often than quarterly.

17 E. On receipt of an affidavit or affidavits, the presiding judge of
18 the superior court shall file with the clerk of the superior court a
19 petition on behalf of all requesting affiants. Each affidavit presented
20 shall be attached to the petition. In the absence of an affidavit that
21 contains a request for immediate action and that is supported by facts
22 justifying an earlier consideration, the presiding judge may accumulate
23 affidavits and file a petition at the end of each quarter.

1 F. The presiding judge of the superior court shall review the
2 petition and each attached affidavit to determine whether the action
3 requested by each affiant should be granted. If the presiding judge of the
4 superior court concludes that the action requested by the affiant will
5 reduce a danger to the life or safety of the affiant or another person, the
6 presiding judge of the superior court shall order the redaction of the
7 affiant's identifying information, including any of that person's
8 documents, instruments, writings and information maintained by the county
9 assessor and the county treasurer. The redaction shall be in effect for
10 five years.

11 G. On motion to the court, if the presiding judge of the superior
12 court concludes that an instrument or writing maintained by the county
13 assessor or the county treasurer has been redacted or sealed in error, that
14 the original affiant no longer lives at the address listed in the original
15 affidavit, that the cause for the original affidavit no longer exists or
16 that temporary access to the instrument or writing is needed, the presiding
17 judge may temporarily stay or permanently vacate all or part of the court
18 order prohibiting public access to the instrument or writing.

19 H. On entry of the court order, the clerk of the superior court
20 shall file the court order and a copy of the affidavit required by
21 subsection B of this section with the county assessor and the county
22 treasurer. Not more than ten days after the date on which the county
23 assessor and the county treasurer receive the court order, the county

1 assessor and the county treasurer shall restrict access to the information
2 as required by subsection F of this section.

3 I. If the court denies an affiant's request pursuant to this
4 section, the affiant may request a court hearing. The hearing shall be
5 conducted by the court in the county where the petition was filed.

6 J. The county assessor and the county treasurer shall remove the
7 restrictions on all records that are redacted pursuant to this section by
8 January 5 in the year after the court order expires. The county assessor
9 or the county treasurer shall send by mail one notice to either the
10 health professional, election officer, public official, former public
11 official, peace officer, ~~spouse of a peace officer~~ FAMILY MEMBER, HOUSEHOLD
12 MEMBER, spouse or minor child of a deceased peace officer, public defender,
13 prosecutor, code enforcement officer, corrections or detention officer,
14 corrections support staff member, law enforcement support staff member,
15 employee of the department of child safety or employee of adult protective
16 services who has direct contact with families in the course of employment
17 or the employing agency of the peace officer, public defender, prosecutor,
18 code enforcement officer, corrections or detention officer, corrections
19 support staff member, law enforcement support staff member or employee of
20 adult protective services who was granted an order pursuant to this section
21 of the order's expiration date at least six months before the expiration
22 date. If the notice is sent to the employing agency, the employing agency
23 shall immediately notify the person who was granted the order of the

1 upcoming expiration date. The county assessor or county treasurer may
2 coordinate with the county recorder to prevent multiple notices from being
3 sent to the same person.

4 K. For the purposes of this section:

5 1. "Code enforcement officer" means a person who is employed by a
6 state or local government and whose duties include performing field
7 inspections of buildings, structures or property to ensure compliance with
8 and enforce national, state and local laws, ordinances and codes.

9 2. "Commissioner" means a commissioner of the superior court or
10 municipal court.

11 3. "Corrections support staff member" means an adult or juvenile
12 corrections employee who has direct contact with inmates.

13 4. "Election officer" means a state, county or municipal employee
14 who holds an election officer's certificate issued pursuant to section
15 16-407.

16 5. "Eligible person" means a health professional, election officer,
17 public official, former public official, peace officer, ~~spouse of a peace~~
18 ~~officer~~ FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a
19 deceased peace officer, justice, judge, commissioner, hearing officer,
20 public defender, prosecutor, code enforcement officer, adult or juvenile
21 corrections officer, corrections support staff member, probation officer,
22 member of the commission on appellate court appointments, member of the
23 board of executive clemency, law enforcement support staff member, employee

1 of the department of child safety or employee of adult protective services
2 who has direct contact with families in the course of employment, national
3 guard member who is acting in support of a law enforcement agency, person
4 who is protected under an order of protection or injunction against
5 harassment, person who is a participant in the address confidentiality
6 program pursuant to title 41, chapter 1, article 3, or firefighter who is
7 assigned to the Arizona counter terrorism information center in the
8 department of public safety.

9 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
10 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
11 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
12 MINOR CHILD OF A DECEASED PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER,
13 HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER,
14 ADULT OR JUVENILE CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER,
15 PROBATION OFFICER, MEMBER OF THE COMMISSION ON APPELLATE COURT
16 APPOINTMENTS, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT
17 SUPPORT STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR
18 EMPLOYEE OF ADULT PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES
19 IN THE COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT
20 OF A LAW ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN ORDER OF
21 PROTECTION OR INJUNCTION AGAINST HARASSMENT, PERSON WHO IS A PARTICIPANT IN
22 THE ADDRESS CONFIDENTIALITY PROGRAM PURSUANT TO TITLE 41, CHAPTER 1,

1 ARTICLE 3, OR FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM
2 INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY.

3 ~~6.~~ 7. "Former public official" means a person who was duly elected
4 or appointed to Congress, the legislature or a statewide office, who ceased
5 serving in that capacity and who was the victim of a dangerous offense as
6 defined in section 13-105 while in office.

7 ~~7.~~ 8. "Health professional" means an individual who is licensed
8 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

9 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
10 pursuant to section 28-1553.

11 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME
12 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
13 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED
14 PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER, HEARING OFFICER, PUBLIC
15 DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER, ADULT OR JUVENILE
16 CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION OFFICER,
17 MEMBER OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS, MEMBER OF THE
18 BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE
19 OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES
20 WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL
21 GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON
22 WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST
23 HARASSMENT, PERSON WHO IS A PARTICIPANT IN THE ADDRESS CONFIDENTIALITY

1 PROGRAM PURSUANT TO TITLE 41, CHAPTER 1, ARTICLE 3, OR FIREFIGHTER WHO IS
2 ASSIGNED TO THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE
3 DEPARTMENT OF PUBLIC SAFETY.

4 ~~9.~~ 11. "Judge" means a judge or former judge of the United States
5 district court, the United States court of appeals, the United States
6 magistrate court, the United States bankruptcy court, the United States
7 immigration court, the Arizona court of appeals, the superior court or a
8 municipal court.

9 ~~10.~~ 12. "Justice" means a justice of the United States or Arizona
10 supreme court or a justice of the peace.

11 ~~11.~~ 13. "Law enforcement support staff member" means a person who
12 serves in the role of an investigator or prosecutorial assistant in an
13 agency that investigates or prosecutes crimes, who is integral to the
14 investigation or prosecution of crimes and whose name or identity will be
15 revealed in the course of public proceedings.

16 ~~12.~~ 14. "Peace officer":

17 (a) Means any person vested by law, or formerly vested by law, with
18 a duty to maintain public order and make arrests.

19 (b) Includes a federal law enforcement officer or agent who resides
20 in this state and who has the power to make arrests pursuant to federal
21 law.

22 ~~13.~~ 15. "Prosecutor" means a current or former county attorney,
23 municipal prosecutor, attorney general or United States attorney and

1 includes a current or former assistant or deputy United States attorney,
2 county attorney, municipal prosecutor or attorney general.

3 ~~14.~~ 16. "Public defender" means a federal public defender, county
4 public defender, county legal defender or county contract indigent defense
5 counsel and includes an assistant or deputy federal public defender, county
6 public defender or county legal defender.

7 ~~15.~~ 17. "Public official" means a person who is duly elected or
8 appointed to Congress, the legislature, a statewide office or a county,
9 city or town office.

10 Sec. 3. Section 13-2401, Arizona Revised Statutes, is amended to
11 read:

12 13-2401. Personal information on the internet; exception;
13 classification; definitions

14 A. It is unlawful for a person to knowingly make available on the
15 internet the personal information of a health professional, election
16 officer, public official, peace officer, justice, judge, commissioner,
17 hearing officer, public defender, member of the commission on appellate
18 court appointments, employee of the department of child safety or employee
19 of adult protective services who has direct contact with families in the
20 course of employment or prosecutor if the dissemination of the personal
21 information poses an imminent and serious threat to the health
22 professional's, election officer's, public official's, peace officer's,
23 justice's, judge's, commissioner's, hearing officer's, public defender's,

1 member's, department of child safety employee's, adult protective services
2 employee's or prosecutor's safety or the safety of that person's immediate
3 family and the threat is reasonably apparent to the person making the
4 information available on the internet to be serious and imminent. For the
5 purposes of this subsection, "personal information" includes the address of
6 a property held in trust by a public official OR A PROPERTY THAT THE PUBLIC
7 OFFICIAL OWNS OR RESIDES AT.

8 B. It is not a violation of this section if an employee of a county
9 recorder, county treasurer or county assessor publishes personal
10 information, in good faith, on the website of the county recorder, county
11 treasurer or county assessor in the ordinary course of carrying out public
12 functions.

13 C. A violation of subsection A of this section is a class 5 felony.

14 D. For the purposes of this section:

15 1. "Commissioner" means a commissioner of the superior court or
16 municipal court.

17 2. "Election officer" means a state, county or municipal employee
18 who holds an election officer's certificate issued pursuant to section
19 16-407.

20 3. "Health professional" means an individual who is licensed
21 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

22 4. "Hearing officer" means a hearing officer who is appointed
23 pursuant to section 28-1553.

1 5. "Immediate family" means a health professional's, peace
2 officer's, justice's, judge's, commissioner's, public defender's or
3 prosecutor's spouse, child or parent and any other adult who lives in the
4 same residence as the person.

5 6. "Judge" means a judge of the United States district court, the
6 United States court of appeals, the United States magistrate court, the
7 United States bankruptcy court, the Arizona court of appeals, the superior
8 court or a municipal court.

9 7. "Justice" means a justice of the United States or Arizona supreme
10 court or a justice of the peace.

11 8. "Personal information" means a health professional's, election
12 officer's, public official's, peace officer's, justice's, judge's,
13 commissioner's, hearing officer's, public defender's, commission on
14 appellate court appointments member's or prosecutor's home address, home
15 telephone number, pager number or personal photograph, directions to the
16 person's home or photographs of the person's home or vehicle.

17 9. "Prosecutor" means a current or former county attorney, municipal
18 prosecutor, attorney general or United States attorney and includes a
19 current or former assistant or deputy United States attorney, county
20 attorney, municipal prosecutor or attorney general.

21 10. "Public defender" means a federal public defender, county public
22 defender, county legal defender or county contract indigent defense counsel

1 and includes an assistant or deputy federal public defender, county public
2 defender or county legal defender.

3 11. "Public official" means a person who is duly elected or
4 appointed to Congress, the legislature, a statewide office or a county,
5 city or town office.

6 Sec. 4. Section 16-153, Arizona Revised Statutes, is amended to
7 read:

8 16-153. Voter registration; confidentiality; definitions

9 A. Eligible persons, and any other registered voter, **FAMILY MEMBER**
10 **OR HOUSEHOLD MEMBER** who resides at the same residence address as the
11 eligible person, may request that the general public be prohibited from
12 accessing the eligible person's identifying information, including any of
13 the following:

14 1. That person's documents and voting precinct number contained in
15 that person's voter registration record.

16 2. If the person is a public official, the address of a property
17 held in trust by the public official **OR A PROPERTY THAT THE PUBLIC OFFICIAL**
18 **OWNS OR RESIDES AT.**

19 B. Eligible persons may request this action by filing an affidavit
20 that states all of the following on an application form developed by the
21 administrative office of the courts in agreement with an association of
22 counties and an organization of peace officers:

1 1. The person's full legal name, residential address and date of
2 birth.

3 2. Unless the person is ~~the spouse of a peace officer~~ a FAMILY
4 MEMBER, A HOUSEHOLD MEMBER or the spouse or minor child of a deceased peace
5 officer or the person is a former public official or former judge, the
6 position the person currently holds and a description of the person's
7 duties, except that an eligible person who is protected under an order of
8 protection or injunction against harassment shall instead attach a copy of
9 the order of protection or injunction against harassment.

10 3. The reasons for reasonably believing that the person's life or
11 safety or that of another person is in danger and that sealing the
12 identifying information and voting precinct number of the person's voting
13 record will serve to reduce the danger.

14 C. The affidavit shall be filed with the presiding judge of the
15 superior court in the county in which the affiant resides. To prevent
16 multiple filings, an eligible person who is a peace officer, prosecutor,
17 public defender, code enforcement officer, corrections or detention
18 officer, corrections support staff member or law enforcement support staff
19 member shall deliver the affidavit to the peace officer's commanding
20 officer, or to the head of the prosecuting, public defender, code
21 enforcement, law enforcement, corrections or detention agency, as
22 applicable, or that person's designee, who shall file the affidavits at one
23 time. In the absence of an affidavit that contains a request for immediate

1 action and is supported by facts justifying an earlier presentation, the
2 commanding officer, or the head of the prosecuting, public defender, code
3 enforcement, law enforcement, corrections or detention agency, as
4 applicable, or that person's designee, shall not file affidavits more often
5 than quarterly.

6 D. On receipt of an affidavit or affidavits, the presiding judge of
7 the superior court shall file with the clerk of the superior court a
8 petition on behalf of all requesting affiants. The petition shall have
9 attached each affidavit presented. In the absence of an affidavit that
10 contains a request for immediate action and that is supported by facts
11 justifying an earlier consideration, the presiding judge may accumulate
12 affidavits and file a petition at the end of each quarter.

13 E. The presiding judge of the superior court shall review the
14 petition and each attached affidavit to determine whether the action
15 requested by each affiant should be granted. The presiding judge of the
16 superior court shall order the sealing for five years of the information
17 contained in the voter record of the affiant and, on request, any other
18 registered voter, **FAMILY MEMBER OR HOUSEHOLD MEMBER** who resides at the same
19 residence address if the presiding judge concludes that this action will
20 reduce a danger to the life or safety of the affiant.

21 F. The recorder shall remove the restrictions on all voter records
22 submitted pursuant to subsection E of this section by January 5 in the year
23 after the court order expires. The county recorder shall send by mail one

1 notice to either the health professional, election officer, public
2 official, former public official, peace officer, ~~spouse of a peace officer~~
3 FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a deceased peace
4 officer, public defender, prosecutor, code enforcement officer, corrections
5 or detention officer, corrections support staff member, law enforcement
6 support staff member, employee of the department of child safety or
7 employee of adult protective services who has direct contact with families
8 in the course of employment or the employing agency of the peace officer,
9 public defender, prosecutor, code enforcement officer, corrections or
10 detention officer, corrections support staff member or law enforcement
11 support staff member who was granted an order pursuant to this section of
12 the order's expiration date at least six months before the January 5
13 removal date. If the notice is sent to the employing agency, the employing
14 agency shall immediately notify the person who was granted the order of the
15 upcoming expiration date. The county recorder may coordinate with the
16 county assessor and county treasurer to prevent multiple notices from being
17 sent to the same person.

18 G. On entry of the court order, the clerk of the superior court
19 shall file the court order with the county recorder. On receipt of the
20 court order the county recorder shall seal the voter registration of the
21 persons listed in the court order not later than one hundred twenty days
22 from the date of receipt of the court order. To include a subsequent voter
23 registration in the court order, a person listed in the court order shall

1 present to the county recorder at the time of registration a certified copy
2 of the court order or shall provide the county recorder the recording
3 number of the court order. The information in the registration shall not
4 be disclosed and is not a public record.

5 H. If the court denies an affiant's requested sealing of the voter
6 registration record, the affiant may request a court hearing. The hearing
7 shall be conducted by the court where the petition was filed.

8 I. On motion to the court, if the presiding judge of the superior
9 court concludes that a voter registration record has been sealed in error
10 or that the cause for the original affidavit no longer exists, the
11 presiding judge may vacate the court order prohibiting public access to the
12 voter registration record.

13 J. On request by a person who is protected under an order of
14 protection or injunction against harassment and presentation of an order of
15 protection issued pursuant to section 13-3602, an injunction against
16 harassment issued pursuant to section 12-1809 or an order of protection or
17 injunction against harassment issued by a court in another state or a
18 program participant in the address confidentiality program pursuant to
19 title 41, chapter 1, article 3, the county recorder shall seal the voter
20 registration record of the person who is protected and, on request, any
21 other registered voter who resides at the residence address of the
22 protected person. The record shall be sealed not later than one hundred

1 twenty days from the date of receipt of the court order. The information
2 in the registration shall not be disclosed and is not a public record.

3 K. For the purposes of this section:

4 1. "Code enforcement officer" means a person who is employed by a
5 state or local government and whose duties include performing field
6 inspections of buildings, structures or property to ensure compliance with
7 and enforce national, state and local laws, ordinances and codes.

8 2. "Commissioner" means a commissioner of the superior court or
9 municipal court.

10 3. "Corrections support staff member" means an adult or juvenile
11 corrections employee who has direct contact with inmates.

12 4. "Election officer" means a state, county or municipal employee
13 who holds an election officer's certificate issued pursuant to section
14 16-407.

15 5. "Eligible person" means a health professional, election officer,
16 public official, former public official, peace officer, ~~spouse of a peace~~
17 ~~officer~~ FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a
18 deceased peace officer, justice, judge, commissioner, hearing officer,
19 public defender, prosecutor, member of the commission on appellate court
20 appointments, code enforcement officer, adult or juvenile corrections
21 officer, corrections support staff member, probation officer, member of the
22 board of executive clemency, law enforcement support staff member, employee
23 of the department of child safety or employee of adult protective services

1 who has direct contact with families in the course of employment, national
2 guard member who is acting in support of a law enforcement agency, person
3 who is protected under an order of protection or injunction against
4 harassment or firefighter who is assigned to the Arizona counter terrorism
5 information center in the department of public safety.

6 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
7 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
8 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
9 MINOR CHILD OF A DECEASED PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER,
10 HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, MEMBER OF THE COMMISSION ON
11 APPELLATE COURT APPOINTMENTS, CODE ENFORCEMENT OFFICER, ADULT OR JUVENILE
12 CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION OFFICER,
13 MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF
14 MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT
15 PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF
16 EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW
17 ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR
18 INJUNCTION AGAINST HARASSMENT OR FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA
19 COUNTER TERRORISM INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY.

20 ~~6.~~ 7. "Former public official" means a person who was duly elected
21 or appointed to Congress, the legislature or a statewide office, who ceased
22 serving in that capacity and who was the victim of a dangerous offense as
23 defined in section 13-105 while in office.

1 ~~7.~~ 8. "Health professional" means an individual who is licensed
2 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

3 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
4 pursuant to section 28-1553.

5 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THAT SAME
6 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
7 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED
8 PEACE OFFICER, JUSTICE, JUDGE, COMMISSIONER, HEARING OFFICER, PUBLIC
9 DEFENDER, PROSECUTOR, MEMBER OF THE COMMISSION ON APPELLATE COURT
10 APPOINTMENTS, CODE ENFORCEMENT OFFICER, ADULT OR JUVENILE CORRECTIONS
11 OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION OFFICER, MEMBER OF THE
12 BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE
13 OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES
14 WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL
15 GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON
16 WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST
17 HARASSMENT OR FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM
18 INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY.

19 ~~9.~~ 11. "Judge" means a judge or former judge of the United States
20 district court, the United States court of appeals, the United States
21 magistrate court, the United States bankruptcy court, the United States
22 immigration court, the Arizona court of appeals, the superior court or a
23 municipal court.

1 ~~10.~~ 12. "Justice" means a justice of the United States or Arizona
2 supreme court or a justice of the peace.

3 ~~11.~~ 13. "Law enforcement support staff member" means a person who
4 serves in the role of an investigator or prosecutorial assistant in an
5 agency that investigates or prosecutes crimes, who is integral to the
6 investigation or prosecution of crimes and whose name or identity will be
7 revealed in the course of public proceedings.

8 ~~12.~~ 14. "Peace officer":

9 (a) Has the same meaning prescribed in section 1-215.

10 (b) Includes a federal law enforcement officer or agent who resides
11 in this state and who has the power to make arrests pursuant to federal
12 law.

13 ~~13.~~ 15. "Prosecutor" means a current or former United States
14 attorney, county attorney, municipal prosecutor or attorney general and
15 includes a current or former assistant or deputy United States attorney,
16 county attorney, municipal prosecutor or attorney general.

17 ~~14.~~ 16. "Public defender" means a federal public defender, county
18 public defender, county legal defender or county contract indigent defense
19 counsel and includes an assistant or deputy federal public defender, county
20 public defender or county legal defender.

21 ~~15.~~ 17. "Public official" means a person who is duly elected or
22 appointed to Congress, the legislature, a statewide office or a county,
23 city or town office.

1 Sec. 5. Section 16-311, Arizona Revised Statutes, is amended to
2 read:

3 16-311. Nomination papers; statement of interest; filing;
4 definitions

5 A. Any person desiring to become a candidate at a primary election
6 for a political party and to have the person's name printed on the official
7 ballot shall be a qualified elector of the party and, not less than one
8 hundred twenty nor more than one hundred fifty days before the primary
9 election, shall sign and cause to be filed a nomination paper giving the
10 person's ~~actual residence address or, if the person does not have an actual~~
11 ~~residence address, a description of place of residence and post office~~
12 ~~address, or, if the person's actual residence address is protected pursuant~~
13 ~~to section 16-153, a post office box or private mailbox address in the~~
14 ~~candidate's district or precinct, as applicable for a district or precinct~~
15 ~~office~~ **PRECINCT AND CITY OR TOWN AND COUNTY**, naming the party of which the
16 person desires to become a candidate, stating the office and district or
17 precinct, if any, for which the person offers the person's candidacy,
18 stating the exact manner in which the person desires to have the person's
19 name printed on the official ballot pursuant to subsection G of this
20 section, and giving the date of the primary election and, if nominated, the
21 date of the general election at which the person desires to become a
22 candidate. Except for a candidate for United States senator or
23 representative in Congress, a candidate for public office shall be a

1 qualified elector at the time of filing and shall reside in the county,
2 district or precinct that the person proposes to represent. A candidate
3 for partisan public office shall be continuously registered with the
4 political party of which the person desires to be a candidate beginning no
5 later than the date of the first petition signature on the candidate's
6 petition through the date of the general election at which the person is a
7 candidate.

8 B. Any person desiring to become a candidate at any nonpartisan
9 election and to have the person's name printed on the official ballot shall
10 be at the time of filing a qualified elector of the county, city, town or
11 district and, not less than one hundred twenty nor more than one hundred
12 fifty days before the election, shall sign and cause to be filed a
13 nomination paper giving the person's ~~actual residence address or, if the~~
14 ~~person does not have an actual residence address, a description of place of~~
15 ~~residence and post office address, or, if the person's actual residence~~
16 ~~address is protected pursuant to section 16-153, a post office box or~~
17 ~~private mailbox address in the candidate's county, city, town or district~~
18 ~~and ward or precinct, as applicable for a county, city, town or district~~
19 ~~and ward or precinct office~~ PRECINCT, DISTRICT OR WARD AND CITY OR TOWN AND
20 COUNTY, stating the office and county, city, town or district and ward or
21 precinct, if any, for which the person offers the person's candidacy,
22 stating the exact manner in which the person desires to have the person's
23 name printed on the official ballot pursuant to subsection G of this

1 section and giving the date of the election. A candidate for office shall
2 reside at the time of filing in the county, city, town, district, ward or
3 precinct that the person proposes to represent.

4 C. Notwithstanding subsection B of this section, any city or town
5 may adopt by ordinance for its elections the time frame provided in
6 subsection A of this section for filing nomination petitions. The
7 ordinance shall be adopted not less than one hundred fifty days before the
8 first election to which it applies.

9 D. All persons desiring to become a candidate shall file with the
10 nomination paper provided for in subsection A of this section a
11 declaration, which shall be printed in a form prescribed by the secretary
12 of state. The declaration shall include facts sufficient to show that,
13 other than the residency requirement provided in subsection A of this
14 section and the satisfaction of any monetary penalties, fines or judgments
15 as prescribed in subsection J of this section, the candidate will be
16 qualified at the time of election to hold the office the person seeks, and
17 that for any monetary penalties, fines or judgments as prescribed in
18 subsection J of this section, the candidate has made complete payment
19 before the time of filing.

20 E. The nomination paper of a candidate for the office of United
21 States senator or representative in Congress, for the office of
22 presidential elector or for a state office, including a member of the
23 legislature, or for any other office for which the electors of the entire

1 state or a subdivision of the state greater than a county are entitled to
2 vote, shall be filed with the secretary of state no later than 5:00 p.m. on
3 the last date for filing.

4 F. The nomination paper of a candidate for superior court judge or
5 for a county, district and precinct office for which the electors of a
6 county or a subdivision of a county other than an incorporated city or town
7 are entitled to vote shall be filed with the county elections officer no
8 later than 5:00 p.m. on the last date for filing as prescribed by
9 subsection A of this section. The nomination paper of a candidate for a
10 city or town office shall be filed with the city or town clerk no later
11 than 5:00 p.m. on the last date for filing. The nomination paper of a
12 candidate for school district office shall be filed with the county school
13 superintendent no later than 5:00 p.m. on the last date for filing.

14 G. The nomination paper shall include the exact manner in which the
15 candidate desires to have the person's name printed on the official ballot
16 and shall be limited to the candidate's surname and given name or names, an
17 abbreviated version of such names or appropriate initials such as "Bob" for
18 "Robert", "Jim" for "James", "Wm." for "William" or "S." for "Samuel".
19 Nicknames are permissible, but nicknames, abbreviated versions or initials
20 of given names may not suggest reference to professional, fraternal,
21 religious or military titles and may not include a slogan, a promotional
22 word or phrase or any word that does not actually constitute a
23 nickname. No other descriptive name or names shall be printed on the

1 official ballot, except as provided in this section. Candidates'
2 abbreviated names or nicknames may be printed within quotation marks. The
3 candidate's surname shall be printed first, followed by the given name or
4 names.

5 H. Not later than the date of the first petition signature on a
6 nomination petition, a person who may be a candidate for office pursuant to
7 this section shall file a statement of interest with the appropriate filing
8 officer for that office. The statement of interest shall contain the name
9 of the person, the political party, if any, and the name of the office that
10 may be sought. Any nomination petition signatures collected before the
11 date the statement of interest is filed are invalid and subject to
12 challenge. This subsection does not apply to:

13 1. Candidates for elected office for special taxing districts that
14 are established pursuant to title 48.

15 2. Candidates for precinct committeeman.

16 3. Candidates for president or vice president of the United States.

17 I. A person who does not file a timely nomination paper that
18 complies with this section is not eligible to have the person's name
19 printed on the official ballot for that office. The filing officer shall
20 not accept the nomination paper of a candidate for state or local office
21 unless the person provides or has provided all of the following:

22 1. The financial disclosure statement as prescribed for candidates
23 for that office.

1 2. The declaration of qualification and eligibility as prescribed in
2 subsection D of this section.

3 J. Except in cases where the liability is being appealed, the filing
4 officer shall not accept the nomination paper of a candidate for state or
5 local office if the person is liable for an aggregation of \$1,000 or more
6 in fines, penalties, late fees or administrative or civil judgments,
7 including any interest or costs, in any combination, that have not been
8 fully satisfied at the time of the attempted filing of the nomination paper
9 and the liability arose from failure to comply with or enforcement of
10 chapter 6 of this title.

11 K. For the purposes of this title:

12 1. "Election district" means this state, any county, city, town,
13 precinct or other political subdivision or a special district that is not a
14 political subdivision, that is authorized by statute to conduct an election
15 and that is authorized or required to conduct its election in accordance
16 with this title.

17 2. "Nomination paper" means the form filed with the appropriate
18 office by a person wishing to declare the person's intent to become a
19 candidate for a particular political office.

1 Sec. 6. Section 16-312, Arizona Revised Statutes, is amended to
2 read:

3 16-312. Filing of nomination papers for write-in candidates

4 A. Any person desiring to become a write-in candidate for an
5 elective office in any election shall be at the time of filing a qualified
6 elector of the county or district the person proposes to represent and
7 shall have been a resident of that county or district for one hundred
8 twenty days before the date of the election, except that for a city or town
9 office, section 9-232 applies with respect to residency for the candidate.
10 The person shall file a nomination paper, signed by the candidate, giving
11 the person's ~~actual residence address or, if the person does not have an~~
12 ~~actual residence address, a description of place of residence and post~~
13 ~~office address, or, if the person's actual residence address is protected~~
14 ~~pursuant to section 16-153, a post office box or private mailbox address in~~
15 ~~the candidate's district, precinct or municipality~~ DISTRICT, PRECINCT AND
16 CITY OR TOWN AND COUNTY, as applicable for the district, precinct or
17 municipal office that the person proposes to represent, and the person's
18 age, length of residence in the state and date of birth.

19 B. A write-in candidate shall file the nomination paper not earlier
20 than one hundred fifty days before the election and not later than 5:00
21 p.m. on the fortieth day before the election, except that:

1 1. A candidate running as a write-in candidate as provided in
2 section 16-343, subsection D shall file the nomination paper not later than
3 5:00 p.m. on the fifth day before the election.

4 2. A candidate running as a write-in candidate for an election that
5 may be canceled pursuant to section 16-410 shall file the nomination paper
6 not later than 5:00 p.m. on the one hundred sixth day before the election.

7 C. The write-in filing procedure shall be in the same manner as
8 prescribed in section 16-311. Any person who does not file a timely
9 nomination paper shall not be counted in the tally of ballots. The filing
10 officer shall not accept the nomination paper of a candidate for state or
11 local office unless the candidate provides or has provided the financial
12 disclosure statement as prescribed for candidates for that office.

13 D. Except in cases where the liability is being appealed, the filing
14 officer shall not accept the nomination paper of a write-in candidate for
15 state or local office if the person is liable for an aggregation of \$1,000
16 or more in fines, penalties, late fees or administrative or civil
17 judgments, including any interest or costs, in any combination, that have
18 not been fully satisfied at the time of the attempted filing of the
19 nomination paper and the liability arose from failure to comply with or
20 enforcement of chapter 6 of this title.

21 E. The secretary of state shall notify the various boards of
22 supervisors as to write-in candidates filing with the secretary of state's
23 office. The county school superintendent shall notify the appropriate

1 board of supervisors as to write-in candidates filing with the
2 superintendent's office. The board of supervisors shall notify the
3 appropriate election board inspector of all candidates who have properly
4 filed such statements. In the case of a city or town election, the city or
5 town clerk shall notify the appropriate election board inspector of
6 candidates properly filed. No other write-ins shall be counted. The
7 election board inspector shall post the notice of official write-in
8 candidates in a conspicuous location within the polling place.

9 F. Except as provided in section 16-343, subsection E, a candidate
10 may not file pursuant to this section if any of the following applies:

11 1. For a candidate in the general election, the candidate ran in the
12 immediately preceding primary election and failed to be nominated to the
13 office sought in the current election.

14 2. For a candidate in the general election, the candidate filed a
15 nomination petition for the immediately preceding primary election for the
16 office sought and failed to provide a sufficient number of valid petition
17 signatures as prescribed by section 16-322.

18 3. For a candidate in the primary election, the candidate filed a
19 nomination petition for the current primary election for the office sought
20 and failed to provide a sufficient number of valid petition signatures as
21 prescribed by section 16-322, withdrew from the primary election after a
22 challenge was filed or was removed from or otherwise determined by court
23 order to be ineligible for the primary election ballot.

1 4. For a candidate in the general election, the candidate filed a
2 nomination petition for nomination other than by primary for the office
3 sought and failed to provide a sufficient number of valid petition
4 signatures as prescribed by section 16-341.

5 G. A person who files a nomination paper pursuant to this section
6 for the office of president of the United States shall designate in writing
7 to the secretary of state at the time of filing the name of the candidate's
8 vice-presidential running mate, the names of presidential electors who will
9 represent that candidate and a statement signed by the vice-presidential
10 running mate and designated presidential electors that indicates their
11 consent to be designated. A nomination paper for each presidential elector
12 designated shall be filed with the candidate's nomination paper. The
13 number of presidential electors shall equal the number of United States
14 senators and representatives in Congress from this state.

15 Sec. 7. Section 16-341, Arizona Revised Statutes, is amended to
16 read:

17 16-341. Nomination petition; method and time of filing; form;
18 qualifications and number of petitioners required;
19 statement of interest

20 A. Any qualified elector who is not a registered member of a
21 political party that is recognized pursuant to this title may be nominated
22 as a candidate for public office otherwise than by primary election or by
23 party committee pursuant to this section.

1 B. This article shall not be used to place on the general election
2 ballot the name of a political party that fails to meet the qualifications
3 specified in section 16-802 or 16-804, or the name of any candidate
4 representing such party or the name of a candidate who has filed a
5 nomination petition in the immediately preceding primary election and has
6 failed to qualify as the result of an insufficient number of valid
7 signatures.

8 C. A nomination petition stating the name of the office to be
9 filled, the name ~~and residence~~ of the candidate, ~~or, if the candidate does~~
10 ~~not have an actual residence address, a description of place of residence~~
11 ~~and post office address, or, if the person's actual residence address is~~
12 ~~protected pursuant to section 16-153, a post office box or private mailbox~~
13 ~~address in the candidate's district, precinct or municipality, as~~
14 ~~applicable for a district, precinct or municipal office~~ THE CANDIDATE'S
15 PRECINCT AND CITY OR TOWN AND COUNTY, and other information required by
16 this section shall be filed with the same officer with whom primary
17 nomination papers and petitions are required to be filed as prescribed in
18 section 16-311. Except for candidates for the office of presidential
19 elector filed pursuant to this section, the petition shall be filed not
20 less than one hundred twenty days nor more than one hundred fifty days
21 before the primary election. The petition shall be signed only by voters
22 who have not signed the nomination petitions of a candidate for the office
23 to be voted for at that primary election.

1 D. The nomination petition shall be in substantially the following
2 form, except that ~~if the candidate does not have an actual residence~~
3 ~~address,~~ the candidate may use ~~a description of place of residence and post~~
4 ~~office address, or, if the candidate's actual residence address is~~
5 ~~protected pursuant to section 16-153, a post office box or private mailbox~~
6 ~~address in the candidate's district, precinct or municipality, as~~
7 ~~applicable for a district, precinct or municipal office, is sufficient~~ THE
8 CANDIDATE'S PRECINCT AND CITY OR TOWN AND COUNTY:

9 The undersigned, qualified electors of _____ county,
10 state of Arizona, do hereby nominate _____, who resides at
11 _____ in the county of _____, as a candidate for the
12 office of _____ at the general (or special, as the case may
13 be) election to be held on the _____ day of _____,
14 _____.

15 I hereby declare that I have not signed the nomination
16 petitions of any candidate for the office to be voted for at
17 this primary election, and I do hereby select the following
18 designation under which name the said candidate shall be placed
19 on the official ballot (here insert such designation not
20 exceeding three words in length as the signers may select).

21 E. The nomination petition shall conform as nearly as possible to
22 the provisions relating to nomination petitions of candidates to be voted
23 for at primary elections and shall be signed by at least the number of

1 persons who are registered to vote determined by calculating three percent
2 of the persons who are registered to vote of the state, county, subdivision
3 or district for which the candidate is nominated who are not members of a
4 political party that is qualified to be represented by an official party
5 ballot at the next ensuing primary election and accorded representation on
6 the general election ballot.

7 F. The percentage of persons who are registered to vote necessary to
8 sign the nomination petition shall be determined by the total number of
9 registered voters from other than political parties that are qualified to
10 be represented by an official party ballot at the next ensuing primary
11 election and accorded representation on the general election ballot in the
12 state, county, subdivision or district on January 2 of the year in which
13 the general election is held. Notwithstanding the method prescribed by
14 subsection E of this section and this subsection for calculating the
15 minimum number of signatures necessary, any person who is registered to
16 vote in the state, county, subdivision or district for which the candidate
17 is nominated is eligible to sign the nomination petition without regard to
18 the signer's party affiliation.

19 G. A nomination petition for any candidate may be circulated by a
20 person who is not a resident of this state but who is otherwise eligible to
21 register to vote in this state if that person registers as a circulator
22 with the secretary of state before circulating petitions. The nomination
23 petition for the office of presidential elector shall include a group of

1 names of candidates equal to the number of United States senators and
2 representatives in Congress from this state instead of separate nomination
3 petitions for each candidate for the office of presidential elector. A
4 valid signature on a petition containing a group of presidential electors
5 candidates is counted as a signature for the nomination of each of the
6 candidates. The presidential candidate whom the candidates for
7 presidential elector will represent shall designate in writing to the
8 secretary of state the names of the candidates who will represent the
9 presidential candidate before any signatures for the candidate can be
10 accepted for filing. A nomination petition for the office of presidential
11 elector shall be filed not less than eighty nor more than one hundred days
12 before the general election. The petition shall be signed only by
13 qualified electors who have not signed the nomination petitions of a
14 candidate for the office of presidential elector to be voted for at that
15 election.

16 H. The secretary of state shall require in the instructions and
17 procedures manual issued pursuant to section 16-452 that persons who
18 circulate nomination petitions pursuant to this section and who are not
19 residents of this state but who are otherwise eligible to register to vote
20 in this state shall register as circulators with the office of the
21 secretary of state before circulating petitions. The secretary of state
22 shall provide for a method of receiving service of process for those
23 petition circulators who are registered.

1 I. Not later than the date of the first petition signature on a
2 nomination petition, a person who may be a candidate for office pursuant to
3 this section shall file a statement of interest with the appropriate filing
4 officer for that office. The statement of interest shall contain the name
5 of the person, the political party, if any, and the name of the office that
6 may be sought. Any nomination petition signatures collected before the
7 date the statement of interest is filed are invalid and subject to
8 challenge. This subsection does not apply to:

9 1. Candidates for elected office for special taxing districts that
10 are established pursuant to title 48.

11 2. Candidates for precinct committeeman.

12 3. Candidates for president or vice president of the United States.

13 J. A person who files a nomination paper pursuant to this section
14 for the office of president of the United States shall designate in writing
15 to the secretary of state at the time of filing the name of the candidate's
16 vice presidential running mate, the names of the presidential electors who
17 will represent that candidate and a statement that is signed by the vice
18 presidential running mate and the designated presidential electors and that
19 indicates their consent to be designated. A nomination paper for each
20 presidential elector designated shall be filed with the candidate's
21 nomination paper. The number of presidential electors shall equal the
22 number of United States senators and representatives in Congress from this
23 state.

1 K. A candidate who does not file a timely nomination petition that
2 complies with this section is not eligible to have the candidate's name
3 printed on the official ballot for that office. The filing officer shall
4 not accept the nomination paper of a candidate for state or local office
5 unless the candidate provides or has provided all of the following:

6 1. The financial disclosure statement as prescribed for candidates
7 for that office.

8 2. The declaration of qualification and eligibility as prescribed in
9 section 16-311.

10 L. Not later than sixty days before the date of the general
11 election, a candidate for governor who files a nomination petition pursuant
12 to this section shall submit to the secretary of state the name of the
13 person who will be the joint candidate for lieutenant governor with that
14 gubernatorial candidate and whose name will appear on the general election
15 ballot jointly with the candidate for governor.

16 M. Except in cases where the liability is being appealed, the filing
17 officer shall not accept the nomination paper of a candidate for state or
18 local office if the person is liable for an aggregation of \$1,000 or more
19 in fines, penalties, late fees or administrative or civil judgments,
20 including any interest or costs, in any combination, that have not been
21 fully satisfied at the time of the attempted filing of the nomination paper
22 and the liability arose from failure to comply with or enforcement of
23 chapter 6 of this title.

1 1. The person's full legal name and residential address.

2 2. Unless the person is ~~the spouse of a peace officer~~ A FAMILY
3 MEMBER OR HOUSEHOLD MEMBER or the spouse or minor child of a deceased peace
4 officer or the person is a former public official or former judge, the
5 position the person currently holds and a description of the person's
6 duties, except that an eligible person who is protected under an order of
7 protection or injunction against harassment shall attach a copy of the
8 order of protection or injunction against harassment.

9 3. The reasons the person reasonably believes that the person's life
10 or safety or that of another person is in danger and that redacting the
11 identifying information from the department's public records will serve to
12 reduce the danger.

13 C. The affidavit shall be filed with the presiding judge of the
14 superior court in the county in which the affiant resides. To prevent
15 multiple filings, an eligible person who is a peace officer, ~~spouse~~ FAMILY
16 MEMBER OR HOUSEHOLD MEMBER of a peace officer, spouse or minor child of a
17 deceased peace officer, prosecutor, code enforcement officer, corrections
18 or detention officer, corrections support staff member or law enforcement
19 support staff member shall deliver the affidavit to the peace officer's
20 commanding officer, or to the head of the prosecuting, code enforcement,
21 law enforcement, corrections or detention agency, as applicable, or that
22 person's designee, who shall file the affidavits at one time. In the
23 absence of an affidavit that contains a request for immediate action and

1 that is supported by facts justifying an earlier presentation, the
2 commanding officer, or the head of the prosecuting, code enforcement, law
3 enforcement, corrections or detention agency, as applicable, or that
4 person's designee, shall not file affidavits more often than quarterly.

5 D. On receipt of an affidavit or affidavits, the presiding judge of
6 the superior court shall file with the clerk of the superior court a
7 petition on behalf of all requesting affiants. Each affidavit presented
8 shall be attached to the petition. In the absence of an affidavit that
9 contains a request for immediate action and that is supported by facts
10 justifying an earlier consideration, the presiding judge may accumulate
11 affidavits and file a petition at the end of each quarter.

12 E. The presiding judge of the superior court shall review the
13 petition and each attached affidavit to determine whether the action
14 requested by each affiant should be granted. The presiding judge of the
15 superior court shall order the redaction of the residence address and
16 telephone number from the public records maintained by the department if
17 the judge concludes that this action will reduce a danger to the life or
18 safety of the affiant or another person.

19 F. On entry of the court order, the clerk of the superior court
20 shall file the court order with the department. Not more than one hundred
21 fifty days after the date the department receives the court order, the
22 department shall redact the identifying information of the affiants listed
23 in the court order from the public records of the department. The

1 identifying information shall not be disclosed and is not part of a public
2 record.

3 G. If the court denies an affiant's request pursuant to this
4 section, the affiant may request a court hearing. The hearing shall be
5 conducted by the court in the county where the petition was filed.

6 H. On motion to the court, if the presiding judge of the superior
7 court concludes that identifying information has been sealed in error or
8 that the cause for the original affidavit no longer exists, the presiding
9 judge may vacate the court order prohibiting public access to the
10 identifying information.

11 I. Notwithstanding sections 28-447 and 28-455, the department shall
12 not release a photograph of a peace officer if the peace officer has made a
13 request as prescribed in this section that persons be prohibited from
14 accessing the peace officer's identifying information in any record
15 maintained by the department.

16 J. This section does not prohibit the use of a peace officer's
17 photograph that is either:

18 1. Used by a law enforcement agency to assist a person who has a
19 complaint against an officer to identify the officer.

20 2. Obtained from a source other than the department.

21 K. For the purposes of this section:

22 1. "Code enforcement officer" means a person who is employed by a
23 state or local government and whose duties include performing field

1 inspections of buildings, structures or property to ensure compliance with
2 and enforce national, state and local laws, ordinances and codes.

3 2. "Commissioner" means a commissioner of the superior court or
4 municipal court.

5 3. "Corrections support staff member" means an adult or juvenile
6 corrections employee who has direct contact with inmates.

7 4. "Election officer" means a state, county or municipal employee
8 who holds an election officer's certificate issued pursuant to section
9 16-407.

10 5. "Eligible person" means a health professional, election officer,
11 public official, former public official, peace officer, spouse of a peace
12 officer, spouse or minor child of a deceased ~~public~~ PEACE officer, justice,
13 judge or former judge, commissioner, hearing officer, public defender,
14 prosecutor, code enforcement officer, adult or juvenile corrections
15 officer, corrections support staff member, probation officer, member of the
16 commission on appellate court appointments, member of the board of
17 executive clemency, law enforcement support staff member, employee of the
18 department of child safety or employee of adult protective services who has
19 direct contact with families in the course of employment, national guard
20 member who is acting in support of a law enforcement agency, person who is
21 protected under an order of protection or injunction against harassment or
22 firefighter who is assigned to the Arizona counter terrorism information
23 center in the department of public safety.

1 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
2 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
3 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
4 MINOR CHILD OF A DECEASED PUBLIC OFFICER, JUSTICE, JUDGE OR FORMER JUDGE,
5 COMMISSIONER, HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE
6 ENFORCEMENT OFFICER, ADULT OR JUVENILE CORRECTIONS OFFICER, CORRECTIONS
7 SUPPORT STAFF MEMBER, PROBATION OFFICER, MEMBER OF THE COMMISSION ON
8 APPELLATE COURT APPOINTMENTS, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY,
9 LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD
10 SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH
11 FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING
12 IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN
13 ORDER OF PROTECTION OR INJUNCTION AGAINST HARASSMENT OR FIREFIGHTER WHO IS
14 ASSIGNED TO THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE
15 DEPARTMENT OF PUBLIC SAFETY.

16 ~~6.~~ 7. "Former public official" means a person who was duly elected
17 or appointed to Congress, the legislature or a statewide office, who ceased
18 serving in that capacity and who was the victim of a dangerous offense as
19 defined in section 13-105 while in office.

20 ~~7.~~ 8. "Health professional" means an individual who is licensed
21 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

22 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
23 pursuant to section 28-1553.

1 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME
2 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
3 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED
4 PUBLIC OFFICER, JUSTICE, JUDGE OR FORMER JUDGE, COMMISSIONER, HEARING
5 OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER, ADULT OR
6 JUVENILE CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION
7 OFFICER, MEMBER OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS, MEMBER
8 OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER,
9 EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE
10 SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT,
11 NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY,
12 PERSON WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST
13 HARASSMENT OR FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM
14 INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY.

15 ~~9.~~ 11. "Judge" means a judge or former judge of the United States
16 district court, the United States court of appeals, the United States
17 magistrate court, the United States bankruptcy court, the United States
18 immigration court, the Arizona court of appeals, the superior court or a
19 municipal court.

20 ~~10.~~ 12. "Justice" means a justice of the United States supreme
21 court or the Arizona supreme court or a justice of the peace.

22 ~~11.~~ 13. "Law enforcement support staff member" means a person who
23 serves in the role of an investigator or prosecutorial assistant in an

1 agency that investigates or prosecutes crimes, who is integral to the
2 investigation or prosecution of crimes and whose name or identity will be
3 revealed in the course of public proceedings.

4 ~~12.~~ 14. "Peace officer":

5 (a) Has the same meaning prescribed in section 1-215.

6 (b) Includes a federal law enforcement officer or agent who resides
7 in this state and who has the power to make arrests pursuant to federal
8 law.

9 ~~13.~~ 15. "Prosecutor" means a current or former United States
10 attorney, county attorney, municipal prosecutor or attorney general and
11 includes a current or former assistant or deputy United States attorney,
12 county attorney, municipal prosecutor or attorney general.

13 ~~14.~~ 16. "Public official" means a person who is duly elected or
14 appointed to Congress, the legislature, a statewide office or a county,
15 city or town office.

16 Sec. 9. Section 39-123, Arizona Revised Statutes, is amended to
17 read:

18 39-123. Information identifying eligible persons;
19 confidentiality; definitions

20 A. ~~Nothing in~~ This chapter ~~requires~~ DOES NOT REQUIRE disclosure from
21 a personnel file by a law enforcement agency or employing state or local
22 governmental entity of the home address or home telephone number of

1 eligible persons or the address of a property held in trust by a public
2 official OR A PROPERTY THAT THE PUBLIC OFFICIAL OWNS OR RESIDES AT.

3 B. The agency or governmental entity may release the information in
4 subsection A of this section only if either:

5 1. The person consents in writing to the release.

6 2. The custodian of records of the agency or governmental entity
7 determines that release of the information does not create a reasonable
8 risk of physical injury to the person or the person's immediate family or
9 damage to the property of the person or the person's immediate family.

10 C. A law enforcement agency may release a photograph of a peace
11 officer if either:

12 1. The peace officer has been arrested or has been formally charged
13 by complaint, information or indictment for a misdemeanor or a felony
14 offense.

15 2. The photograph is requested by a representative of a newspaper
16 for a specific newsworthy event unless:

17 (a) The peace officer is serving in an undercover capacity or is
18 scheduled to be serving in an undercover capacity within sixty days.

19 (b) The release of the photograph is not in the best interest of
20 this state after taking into consideration the privacy, confidentiality and
21 safety of the peace officer.

22 (c) An order pursuant to section 28-454 is in effect.

1 D. This section does not prohibit the use of a peace officer's
2 photograph that is either:

3 1. Used by a law enforcement agency to assist a person who has a
4 complaint against an officer to identify the officer.

5 2. Obtained from a source other than the law enforcement agency.

6 E. This section does not apply to a certified peace officer or code
7 enforcement officer who is no longer employed as a peace officer or code
8 enforcement officer by a state or local government entity.

9 F. For the purposes of this section:

10 1. "Code enforcement officer" means a person who is employed by a
11 state or local government and whose duties include performing field
12 inspections of buildings, structures or property to ensure compliance with
13 and enforce national, state and local laws, ordinances and codes.

14 2. "Commissioner" means a commissioner of the superior court or
15 municipal court.

16 3. "Corrections support staff member" means an adult or juvenile
17 corrections employee who has direct contact with inmates.

18 4. "Election officer" means a state, county or municipal employee
19 who holds an election officer's certificate issued pursuant to section
20 16-407.

21 5. "Eligible person" means a health professional, election officer,
22 public official, former public official, peace officer, ~~spouse of a peace~~
23 ~~officer~~ FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a

1 deceased peace officer, border patrol agent, justice, judge, commissioner,
2 hearing officer, public defender, prosecutor, code enforcement officer,
3 adult or juvenile corrections officer, corrections support staff member,
4 probation officer, member of the commission on appellate court
5 appointments, member of the board of executive clemency, law enforcement
6 support staff member, employee of the department of child safety or
7 employee of adult protective services who has direct contact with families
8 in the course of employment, national guard member who is acting in support
9 of a law enforcement agency, person who is protected under an order of
10 protection or injunction against harassment, firefighter who is assigned to
11 the Arizona counter terrorism information center in the department of
12 public safety or victim of domestic violence or stalking who is protected
13 under an order of protection or injunction against harassment.

14 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
15 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
16 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
17 MINOR CHILD OF A DECEASED PEACE OFFICER, BORDER PATROL AGENT, JUSTICE,
18 JUDGE, COMMISSIONER, HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE
19 ENFORCEMENT OFFICER, ADULT OR JUVENILE CORRECTIONS OFFICER, CORRECTIONS
20 SUPPORT STAFF MEMBER, PROBATION OFFICER, MEMBER OF THE COMMISSION ON
21 APPELLATE COURT APPOINTMENTS, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY,
22 LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD
23 SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH

1 FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING
2 IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN
3 ORDER OF PROTECTION OR INJUNCTION AGAINST HARASSMENT, FIREFIGHTER WHO IS
4 ASSIGNED TO THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE
5 DEPARTMENT OF PUBLIC SAFETY OR VICTIM OF DOMESTIC VIOLENCE OR STALKING WHO
6 IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST HARASSMENT.

7 ~~6.~~ 7. "Former public official" means a person who was duly elected
8 or appointed to Congress, the legislature or a statewide office, who ceased
9 serving in that capacity and who was the victim of a dangerous offense as
10 defined in section 13-105 while in office.

11 ~~7.~~ 8. "Health professional" means an individual who is licensed
12 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

13 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
14 pursuant to section 28-1553.

15 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME
16 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
17 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED
18 PEACE OFFICER, BORDER PATROL AGENT, JUSTICE, JUDGE, COMMISSIONER, HEARING
19 OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER, ADULT OR
20 JUVENILE CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION
21 OFFICER, MEMBER OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS, MEMBER
22 OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER,
23 EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE

1 SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT,
2 NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY,
3 PERSON WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST
4 HARASSMENT, FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM
5 INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY OR VICTIM OF DOMESTIC
6 VIOLENCE OR STALKING WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR
7 INJUNCTION AGAINST HARASSMENT.

8 ~~9.~~ 11. "Judge" means a judge or former judge of the United States
9 district court, the United States court of appeals, the United States
10 magistrate court, the United States bankruptcy court, the United States
11 immigration court, the Arizona court of appeals, the superior court or a
12 municipal court.

13 ~~10.~~ 12. "Justice" means a justice of the United States or Arizona
14 supreme court or a justice of the peace.

15 ~~11.~~ 13. "Law enforcement support staff member" means a person who
16 serves in the role of an investigator or prosecutorial assistant in an
17 agency that investigates or prosecutes crimes, who is integral to the
18 investigation or prosecution of crimes and whose name or identity will be
19 revealed in the course of public proceedings.

20 ~~12.~~ 14. "Peace officer" has the same meaning prescribed in section
21 13-105.

22 ~~13.~~ 15. "Prosecutor" means a current or former county attorney,
23 municipal prosecutor, attorney general or United States attorney and

1 includes a current or former assistant or deputy United States attorney,
2 county attorney, municipal prosecutor or attorney general.

3 ~~14.~~ 16. "Public defender" means a federal public defender, county
4 public defender, county legal defender or county contract indigent defense
5 counsel and includes an assistant or deputy federal public defender, county
6 public defender or county legal defender.

7 ~~15.~~ 17. "Public official" means a person who is duly elected or
8 appointed to Congress, the legislature, a statewide office or a county,
9 city or town office.

10 Sec. 10. Section 39-124, Arizona Revised Statutes, is amended to
11 read:

12 39-124. Releasing information identifying an eligible person;
13 violations; classification; definitions

14 A. Any person who is employed by a state or local government entity
15 and who, in violation of section 39-123, knowingly releases the home
16 address or home telephone number of an eligible person or the address of a
17 property held in trust by a public official **OR PROPERTY THAT THE PUBLIC**
18 **OFFICIAL OWNS OR RESIDES AT** with the intent to hinder an investigation,
19 cause physical injury to an eligible person or the eligible person's
20 immediate family or cause damage to the property of an eligible person or
21 the eligible person's immediate family is guilty of a class 6 felony.

22 B. Any person who is employed by a state or local government entity
23 and who, in violation of section 39-123, knowingly releases a photograph of

1 a peace officer with the intent to hinder an investigation, cause physical
2 injury to a peace officer or the peace officer's immediate family or cause
3 damage to the property of a peace officer or the peace officer's immediate
4 family is guilty of a class 6 felony.

5 C. For the purposes of this section:

6 1. "Code enforcement officer" means a person who is employed by a
7 state or local government and whose duties include performing field
8 inspections of buildings, structures or property to ensure compliance with
9 and enforce national, state and local laws, ordinances and codes.

10 2. "Commissioner" means a commissioner of the superior court or
11 municipal court.

12 3. "Corrections support staff member" means an adult or juvenile
13 corrections employee who has direct contact with inmates.

14 4. "Election officer" means a state, county or municipal employee
15 who holds an election officer's certificate issued pursuant to section
16 16-407.

17 5. "Eligible person" means a health professional, election officer,
18 public official, former public official, peace officer, ~~spouse of a peace~~
19 ~~officer~~ FAMILY MEMBER, HOUSEHOLD MEMBER, spouse or minor child of a
20 deceased peace officer, border patrol agent, justice, judge, commissioner,
21 hearing officer, public defender, prosecutor, code enforcement officer,
22 adult or juvenile corrections officer, corrections support staff member,
23 probation officer, member of the board of executive clemency, law

1 enforcement support staff member, employee of the department of child
2 safety or employee of adult protective services who has direct contact with
3 families in the course of employment, national guard member who is acting
4 in support of a law enforcement agency, person who is protected under an
5 order of protection or injunction against harassment, firefighter who is
6 assigned to the Arizona counter terrorism information center in the
7 department of public safety or victim of domestic violence or stalking who
8 is protected under an order of protection or injunction against harassment.

9 6. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED BY BLOOD, MARRIAGE,
10 ADOPTION OR LEGAL GUARDIANSHIP TO THE HEALTH PROFESSIONAL, ELECTION
11 OFFICER, PUBLIC OFFICIAL, FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR
12 MINOR CHILD OF A DECEASED PEACE OFFICER, BORDER PATROL AGENT, JUSTICE,
13 JUDGE, COMMISSIONER, HEARING OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE
14 ENFORCEMENT OFFICER, ADULT OR JUVENILE CORRECTIONS OFFICER, CORRECTIONS
15 SUPPORT STAFF MEMBER, PROBATION OFFICER, MEMBER OF THE BOARD OF EXECUTIVE
16 CLEMENCY, LAW ENFORCEMENT SUPPORT STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT
17 OF CHILD SAFETY OR EMPLOYEE OF ADULT PROTECTIVE SERVICES WHO HAS DIRECT
18 CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER
19 WHO IS ACTING IN SUPPORT OF A LAW ENFORCEMENT AGENCY, PERSON WHO IS
20 PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST HARASSMENT,
21 FIREFIGHTER WHO IS ASSIGNED TO THE ARIZONA COUNTER TERRORISM INFORMATION
22 CENTER IN THE DEPARTMENT OF PUBLIC SAFETY OR VICTIM OF DOMESTIC VIOLENCE OR

1 STALKING WHO IS PROTECTED UNDER AN ORDER OF PROTECTION OR INJUNCTION
2 AGAINST HARASSMENT.

3 ~~6.~~ 7. "Former public official" means a person who was duly elected
4 or appointed to Congress, the legislature or a statewide office, who ceased
5 serving in that capacity and who was the victim of a dangerous offense as
6 defined in section 13-105 while in office.

7 ~~7.~~ 8. "Health professional" means an individual who is licensed
8 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

9 ~~8.~~ 9. "Hearing officer" means a hearing officer who is appointed
10 pursuant to section 28-1553.

11 10. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME
12 RESIDENCE AS THE HEALTH PROFESSIONAL, ELECTION OFFICER, PUBLIC OFFICIAL,
13 FORMER PUBLIC OFFICIAL, PEACE OFFICER, SPOUSE OR MINOR CHILD OF A DECEASED
14 PEACE OFFICER, BORDER PATROL AGENT, JUSTICE, JUDGE, COMMISSIONER, HEARING
15 OFFICER, PUBLIC DEFENDER, PROSECUTOR, CODE ENFORCEMENT OFFICER, ADULT OR
16 JUVENILE CORRECTIONS OFFICER, CORRECTIONS SUPPORT STAFF MEMBER, PROBATION
17 OFFICER, MEMBER OF THE BOARD OF EXECUTIVE CLEMENCY, LAW ENFORCEMENT SUPPORT
18 STAFF MEMBER, EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY OR EMPLOYEE OF
19 ADULT PROTECTIVE SERVICES WHO HAS DIRECT CONTACT WITH FAMILIES IN THE
20 COURSE OF EMPLOYMENT, NATIONAL GUARD MEMBER WHO IS ACTING IN SUPPORT OF A
21 LAW ENFORCEMENT AGENCY, PERSON WHO IS PROTECTED UNDER AN ORDER OF
22 PROTECTION OR INJUNCTION AGAINST HARASSMENT, FIREFIGHTER WHO IS ASSIGNED TO
23 THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE DEPARTMENT OF

1 PUBLIC SAFETY OR VICTIM OF DOMESTIC VIOLENCE OR STALKING WHO IS PROTECTED
2 UNDER AN ORDER OF PROTECTION OR INJUNCTION AGAINST HARASSMENT.

3 ~~9.~~ 11. "Judge" means a judge or former judge of the United States
4 district court, the United States court of appeals, the United States
5 magistrate court, the United States bankruptcy court, the United States
6 immigration court, the Arizona court of appeals, the superior court or a
7 municipal court.

8 ~~10.~~ 12. "Justice" means a justice of the United States or Arizona
9 supreme court or a justice of the peace.

10 ~~11.~~ 13. "Law enforcement support staff member" means a person who
11 serves in the role of an investigator or prosecutorial assistant in an
12 agency that investigates or prosecutes crimes, who is integral to the
13 investigation or prosecution of crimes and whose name or identity will be
14 revealed in the course of public proceedings.

15 ~~12.~~ 14. "Peace officer" has the same meaning prescribed in section
16 13-105.

17 ~~13.~~ 15. "Prosecutor" means a current or former county attorney,
18 municipal prosecutor, attorney general or United States attorney and
19 includes a current or former assistant or deputy United States attorney,
20 county attorney, municipal prosecutor or attorney general.

21 ~~14.~~ 16. "Public defender" means a federal public defender, county
22 public defender, county legal defender or county contract indigent defense

1 counsel and includes an assistant or deputy federal public defender, county
2 public defender or county legal defender.

3 ~~15.~~ 17. "Public official" means a person who is duly elected or
4 appointed to Congress, the legislature, a statewide office or a county,
5 city or town office."

6 Sec. 11. Emergency

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

10 Amend title to conform

JACQUELINE PARKER

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