

REFERENCE TITLE: ballot order; names; parties; rotation

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2045

Introduced by
Representative Kolodin

AN ACT

AMENDING SECTIONS 16-464, 16-465, 16-468 AND 16-502, ARIZONA REVISED
STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-464, Arizona Revised Statutes, is amended to
3 read:

4 16-464. Rotation of names on ballots

5 A. When there are two or more candidates for a nomination, except
6 in the case of precinct committeemen, the names of all candidates for the
7 nomination shall be so alternated on the ballots used in each election
8 precinct that the name of each candidate shall appear substantially an
9 equal number of times at the top, at the bottom and in each intermediate
10 place of the list or group of candidates in which they belong. ~~When there
11 are fewer than or the same number of candidates seeking office as the
12 number to be elected, rotation of names is not required and the names
13 shall be placed in alphabetical order.~~

14 B. The position of the names of candidates for precinct
15 committeemen shall be alphabetical by surname for appearance on the ballot
16 when there are more candidates than positions available.

17 C. When there are two or more precincts in a political subdivision
18 that hold an all mail ballot election, candidate name rotation shall be
19 the presumed method of ballot organization, unless candidate name rotation
20 is found to be impracticable. When candidate name rotation is found to be
21 impracticable, the position of the names of candidates shall be drawn by
22 lot at a public meeting.

23 D. ~~The provisions of~~ This section ~~do~~ DOES not apply where voting
24 machines are used.

25 Sec. 2. Section 16-465, Arizona Revised Statutes, is amended to
26 read:

27 16-465. Arrangement of candidates' names at primary election

28 A. When there are two or more candidates of the same political
29 party on the ballot, the names of ~~such~~ ALL candidates, except in the case
30 of precinct committeemen, shall be so alternated on the ballots used in
31 each election precinct that the name of each candidate shall appear
32 substantially an equal number of times in each possible location. ~~When
33 there are fewer than or the same number of candidates seeking office as
34 the number to be elected, rotation of names is not required and the names
35 shall be placed in alphabetical order.~~

36 B. In a primary election where voting machines are used, names of
37 candidates for precinct committeemen shall appear on the voting machine in
38 alphabetical order according to the first letter of the surnames of the
39 candidates.

40 Sec. 3. Section 16-468, Arizona Revised Statutes, is amended to
41 read:

42 16-468. Form of ballot; optical scanning system; sample
43 ballots

44 For any ballots intended for use in an optical scanning system, the
45 following apply:

1 1. As nearly as is practicable, ballots shall have material printed
2 in the same order as provided for paper ballots, except that material may
3 be printed in vertical or horizontal rows or on separate pages.

4 2. Ballots shall be printed in plain clear type in black ink, and
5 for a general election, on clear white materials, and shall be of a size
6 and arrangement to fit the construction of the vote tabulating equipment
7 or other voting device. For a primary election, ballots shall have a
8 different color indicator for each political party that is
9 represented. Ballots may contain printed code marks that may be used for
10 placing the ballots in the correct position for tabulating devices. The
11 code marks shall not be printed or used in any manner that will disclose
12 the identity of the voter who votes that ballot.

13 3. The titles of offices may be arranged in vertical columns or in
14 a series of separate pages and shall be printed above or at the side of
15 the names of candidates in order to clearly indicate the candidates for
16 each office and the number to be elected. If there are more candidates
17 for an office than can be printed in one column or on one ballot page, the
18 ballot shall be clearly marked to indicate that the list of candidates is
19 continued on the following column or page and, as nearly as is
20 practicable, so that the same number of names is printed in each column or
21 on each page.

22 4. As nearly as is practicable, in primary and nonpartisan
23 elections, the names of candidates for each office shall appear on the
24 ballot so that each candidate occupies each position on the ballot the
25 same number of times. ~~If there are fewer or the same number of candidates~~
26 ~~seeking office than the number to be elected, rotation of names is not~~
27 ~~required and the names shall be placed in alphabetical order.~~

28 5. As nearly as is practicable, in a primary election for a
29 judicial office, if there are two or more candidates of the same political
30 party, the candidate names shall be alternated on the ballot so that the
31 name of each candidate appears an equal number of times in each possible
32 location on the ballot.

33 6. Two sample ballots shall be provided for each polling place and
34 shall be posted at the polling place on election day. Sample ballots may
35 be printed on a single page or on a number of pages that are assembled
36 together. A sample ballot shall be a facsimile copy of the official
37 ballot.

38 Sec. 4. Section 16-502, Arizona Revised Statutes, is amended to
39 read:

40 16-502. Form and contents of ballot

41 A. Ballots shall be printed with black ink on white paper of
42 sufficient thickness to prevent the printing thereon from being
43 discernible from the back, and the same type shall be used for the names
44 of all candidates. The ballots shall be headed "official ballot" in
45 bold-faced plain letters, with a heavy rule above and below the heading.

1 Immediately below shall be placed the words "type of election, (date of
2 election)" and the name of the county and state in which the election is
3 held. The name or number of the precinct in which the election is held
4 shall be placed on the ballot in a uniform location for all ballots. No
5 other matter shall be placed or printed at the head of any ballot.
6 Instructions to the voter on marking the ballot may be printed below the
7 heading as follows:

8 1. Put a mark according to the instructions next to the
9 name of each candidate for each office for whom you wish to
10 vote.

11 2. If you wish to vote for a person whose name is not
12 printed on the ballot, write such name in the blank space
13 provided on the ballot and put a mark according to the
14 instructions next to the name so written.

15 3. Put a mark according to the instructions next to the
16 word "yes" or "for" for each proposition or question you wish
17 to be adopted. Put a mark according to the instructions next
18 to the word "no" or "against" for each proposition or question
19 you wish not to be adopted.

20 B. Immediately below the ballot instructions shall be placed the
21 following:

22 Section One
23 Partisan Ballot

24 C. Immediately below the heading for section one there shall be
25 placed in columns the names of the candidates of the several political
26 parties. Next to each candidate's name there shall be printed in
27 bold-faced letters the name of the political party. At the head of each
28 column shall be printed the names of the offices to be filled with the
29 name of each office being of uniform type size. At the head of each
30 column shall be printed in the following order the names of candidates
31 for:

32 1. Presidential electors, which shall be in a list and next to the
33 list shall be printed in bold type the surname of the presidential
34 candidate, and the surname of the vice presidential candidate who is
35 seeking election jointly with the presidential candidate shall be listed
36 directly below the name of the presidential candidate. The indicator for
37 the selection of the presidential and vice presidential candidates shall
38 be directly next to the surname of the presidential candidate, and one
39 mark directly next to a presidential candidate's surname shall be counted
40 as a vote for each elector in the list next to the presidential and vice
41 presidential candidates.

42 2. United States senator.

43 3. Representatives in Congress.

44 4. The several state offices.

45 5. The several county and precinct offices.

1 D. The names of candidates for the offices of state senator and
 2 state representative along with the district number shall be placed within
 3 the heading of each column to the right of the office name for state
 4 offices and immediately below the candidates for the office of governor.
 5 The number of the supervisorial district of which a candidate is a nominee
 6 shall be printed within the heading of each column to the right of the
 7 name of the office.

8 E. **THROUGH 2026**, the lists of the candidates of the several parties
 9 shall be arranged with the names of the parties in descending order
 10 according to the votes cast for governor for that county in the most
 11 recent general election for the office of governor, commencing with the
 12 left-hand column. **BEGINNING IN 2027, THE PARTIES ARE TO BE SO ALTERNATED**
 13 **ON THE BALLOTS USED IN EACH ELECTION PRECINCT THAT EACH PARTY APPEARS**
 14 **SUBSTANTIALLY AN EQUAL NUMBER OF TIMES AT THE TOP, AT THE BOTTOM AND IN**
 15 **EACH INTERMEDIATE PLACE OF THE LIST OR GROUP OF PARTIES IN WHICH THEY**
 16 **BELONG.** In the case of political parties that did not have candidates on
 17 the ballot in the last general election, such parties shall be listed in
 18 alphabetical order below the parties that did have candidates on the
 19 ballot in the last general election. The names of all candidates
 20 nominated under section 16-341 shall be placed in a single column below
 21 that of the recognized parties. Next to the name of each candidate, in
 22 parentheses, shall be printed a three-letter abbreviation that is taken
 23 from the three words prescribed in the candidate's certificate of
 24 nomination.

25 F. Immediately below the designation of the office to be voted for
 26 shall appear the words: "Vote for not more than _____" (insert the
 27 number to be elected).

28 G. In each column at the right or left of the name of each
 29 candidate and on the same line there shall be a place for the voter to put
 30 a mark. Below the name of the last named candidate for each office there
 31 shall be as many blank lines as there are offices of the same title to be
 32 filled, with a place for the voter to put a mark. On the blank line the
 33 voter may write the name of any person for whom the voter desires to vote
 34 whose name is not printed, and next to the name so written the voter shall
 35 designate his choice by a mark as in the case of printed names.

36 H. When there are two or more candidates of the same political
 37 party for the same office, or more than one candidate for a judicial
 38 office, the names of all such candidates shall be so alternated on the
 39 ballots used in each election district that the name of each candidate
 40 shall appear substantially an equal number of times in each possible
 41 location. ~~If there are fewer or the same number of candidates seeking~~
 42 ~~office than the number to be elected, the rotation of names is not~~
 43 ~~required and the names shall be placed in alphabetical order.~~

1 I. Immediately below section one of the ballot shall be placed the
2 following:

3 Section Two
4 Nonpartisan Ballot

5 J. Immediately below the heading for section two shall be placed
6 the names of the candidates for justices of the supreme court, judges of
7 the court of appeals, judges of the superior court standing for retention
8 or rejection pursuant to article VI, section 38, Constitution of Arizona,
9 judges of the superior court standing for election pursuant to article VI,
10 section 12, Constitution of Arizona, school district officials and other
11 nonpartisan officials in a column or in columns without partisan or other
12 designation except the title of office in an order determined by the
13 officer in charge of the election.

14 K. Immediately below the offices listed in subsection J of this
15 section, the ballot shall contain a separate heading of any nonpartisan
16 office for a vacant unexpired term and shall include the expiration date
17 of the term of the vacated office.

18 L. All proposed constitutional amendments and other propositions or
19 questions to be submitted to the voters shall be printed immediately below
20 the names of candidates for nonpartisan positions in such order as the
21 secretary of state, or if a city or town election, the city or town clerk,
22 designates. Placement of county and local charter amendments,
23 propositions or questions shall be determined by the officer in charge of
24 the election. Except as provided by section 19-125, each proposition or
25 question shall be followed by the words "yes" and "no" or "for _____" and
26 "against _____" as the nature of the proposition or question requires,
27 and at the right or left of and next to each of such words shall be a
28 place for the voter to put a mark according to the instructions that is
29 similar in size to those places appearing opposite the names of the
30 candidates, in which the voter may indicate his vote for or against such
31 proposition or question by a mark as defined in section 16-400.

32 M. Instead of printing the official and descriptive titles or the
33 full text of each measure or question on the official ballot, the officer
34 in charge of elections may print phrases on the official ballot that
35 contain all of the following:

36 1. The number of the measure in reverse type and at least ~~twelve~~
37 ~~point~~ TWELVE-POINT type.

38 2. The designation of the measure as prescribed by section 19-125,
39 subsection C or as a question, proposition or charter amendment, followed
40 by the words "relating to..." and inserting the subject.

41 3. Either the statement prescribed by section 19-125, subsection D
42 that describes the effects of a "yes" vote and a "no" vote or, for other
43 measures, the text of the question or proposition.

1 4. The words "yes" and "no" or "for" and "against", as may be
2 appropriate and a place for the voter to put a mark.

3 N. For any ballot printed pursuant to subsection M of this section,
4 the instructions on the official ballot shall direct the voter to the full
5 text of the official and descriptive titles and the questions and
6 propositions as printed on the sample ballot and posted in the polling
7 place.