

Senate Engrossed

redistricting; petition signatures; 2022 candidates

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SENATE BILL 1107

AN ACT

AMENDING SECTION 16-322, ARIZONA REVISED STATUTES; RELATING TO CANDIDATES
AND PETITIONS FOR THE 2022 ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-322, Arizona Revised Statutes, is amended to
3 read:

4 16-322. Number of signatures required on nomination petitions

5 A. Nomination petitions shall be signed by a number of qualified
6 signers equal to:

7 1. If for a candidate for the office of United States senator or
8 for a state office, excepting members of the legislature and superior
9 court judges, at least one-fourth of one percent but not more than ten
10 percent of the total number of qualified signers in the state.

11 2. If for a candidate for the office of representative in Congress,
12 at least one-half of one percent but not more than ten percent of the
13 total number of qualified signers in the district from which the
14 representative shall be elected except that if for a candidate for a
15 special election to fill a vacancy in the office of representative in
16 Congress, at least one-fourth of one percent but not more than ten percent
17 of the total number of qualified signers in the district from which the
18 representative shall be elected.

19 3. If for a candidate for the office of member of the legislature,
20 at least one-half of one percent but not more than three percent of the
21 total number of qualified signers in the district from which the member of
22 the legislature may be elected.

23 4. If for a candidate for a county office or superior court judge,
24 at least one percent but not more than ten percent of the total number of
25 qualified signers in the county or district, except that if for a
26 candidate from a county with a population of two hundred thousand persons
27 or more, at least one-fourth of one percent but not more than ten percent
28 of the total number of qualified signers in the county or district.

29 5. If for a candidate for a community college district, at least
30 one-quarter of one percent but not more than ten percent of the total
31 voter registration in the precinct as established pursuant to section
32 15-1441. Notwithstanding the total voter registration in the community
33 college district, the maximum number of signatures required by this
34 paragraph is one thousand.

35 6. If for a candidate for county precinct committeeman, at least
36 two percent but not more than ten percent of the party voter registration
37 in the precinct or ten signatures, whichever is less.

38 7. If for a candidate for justice of the peace or constable, at
39 least one percent but not more than ten percent of the number of qualified
40 signers in the precinct.

41 8. If for a candidate for mayor or other office nominated by a city
42 at large, at least five percent and not more than ten percent of the
43 designated party vote in the city, except that a city that chooses to hold
44 nonpartisan elections may provide by ordinance that the minimum number of
45 signatures required for the candidate be one thousand signatures or five

1 percent of the vote in the city, whichever is less, but not more than ten
2 percent of the vote in the city.

3 9. If for an office nominated by ward, precinct or other district
4 of a city, at least five percent and not more than ten percent of the
5 designated party vote in the ward, precinct or other district, except that
6 a city that chooses to hold nonpartisan elections may provide by ordinance
7 that the minimum number of signatures required for the candidate be two
8 hundred fifty signatures or five percent of the vote in the district,
9 whichever is less, but not more than ten percent of the vote in the
10 district.

11 10. If for a candidate for an office nominated by a town at large,
12 by a number of qualified electors who are qualified to vote for the
13 candidate whose nomination petition they are signing equal to at least
14 five percent and not more than ten percent of the vote in the town, except
15 that a town that chooses to hold nonpartisan elections may provide by
16 ordinance that the minimum number of signatures required for the candidate
17 be one thousand signatures or five percent of the vote in the town,
18 whichever is less, but not more than ten percent of the vote in the town.

19 11. If for a candidate for a governing board of a school district
20 or a career technical education district, at least one-half of one percent
21 of the total voter registration in the school district or career technical
22 education district if the board members are elected at large or one
23 percent of the total voter registration in the single member district if
24 governing board members are elected from single member districts or
25 one-half of one percent of the total voter registration in the single
26 member district if career technical education district board members are
27 elected from single member districts. Notwithstanding the total voter
28 registration in the school district, career technical education district
29 or single member district of the school district or career technical
30 education district, the maximum number of signatures required by this
31 paragraph is four hundred.

32 12. If for a candidate for a governing body of a special district
33 as described in title 48, at least one-half of one percent of the vote in
34 the special district but not more than two hundred fifty and not fewer
35 than five signatures.

36 B. The basis of percentage in each instance referred to in
37 subsection A of this section, except in cities, towns and school
38 districts, shall be the number of qualified signers as determined from the
39 voter registration totals as reported pursuant to section 16-168,
40 subsection G on January 2 of the year in which the general election is
41 held. In cities, the basis of percentage shall be the vote of the party
42 for mayor at the last preceding election at which a mayor was elected. In
43 towns, the basis of percentage shall be the highest vote cast for an
44 elected official of the town at the last preceding election at which an
45 official of the town was elected. In school districts or career technical

1 education districts, the basis of percentage shall be the total number of
2 active registered voters in the school district or career technical
3 education district or single member district, whichever applies. The
4 total number of active registered voters for school districts or career
5 technical education districts shall be calculated using the periodic
6 reports prepared by the county recorder pursuant to section 16-168,
7 subsection G. The count that is reported on January 2 of the year in
8 which the general election is held shall be the basis for the calculation
9 of total voter registration for school districts or career technical
10 education districts.

11 C. In primary elections the signature requirement for party
12 nominees, other than nominees of the parties entitled to continued
13 representation pursuant to section 16-804, is at least one-tenth of one
14 percent of the total vote for the winning candidate or candidates for
15 governor or presidential electors at the last general election within the
16 district. Signatures must be obtained from qualified electors who are
17 qualified to vote for the candidate whose nomination petition they are
18 signing.

19 D. If new boundaries for congressional districts, legislative
20 districts, supervisorial districts, justice precincts or election
21 precincts are established and effective subsequent to January 2 of the
22 year of a general election and before the date for filing of nomination
23 petitions, the basis for determining the required number of nomination
24 petition signatures is the number of qualified signers in the elective
25 office, district or precinct **THAT WAS EFFECTIVE ON JANUARY 2 OF THE YEAR**
26 **OF A GENERAL ELECTION** ~~on the day the new districts or precincts are~~
27 ~~effective.~~

28 Sec. 2. 2022 legislative, congressional candidates; secretary
29 of state; nomination papers and petitions;
30 nomination signatures

31 A. Notwithstanding any other law, for candidates for election in
32 2022 to the legislature or to the United States congress, if the statement
33 of interest, nomination paper and nomination petition are in compliance
34 with otherwise applicable law, the secretary of state shall accept as a
35 valid filing the nomination paper and nomination petition of a person that
36 designate a district for that person's candidacy and that use any or all
37 of the following:

38 1. For a candidate for the legislature:

39 (a) The candidate's legislative district as used in the 2020
40 elections.

41 (b) The candidate's legislative district as designated in a
42 redistricting plan adopted by the 2021 independent redistricting
43 commission.

1 (c) The candidate's legislative district as designated in a
2 redistricting plan that is ordered for use in the 2022 election by a court
3 of competent jurisdiction.

4 2. For a candidate for the United States congress:

5 (a) The candidate's congressional district as used in the 2020
6 elections.

7 (b) The candidate's congressional district as designated in a
8 redistricting plan adopted by the 2021 independent redistricting
9 commission.

10 (c) The candidate's congressional district as designated in a
11 redistricting plan that is ordered for use in the 2022 election by a court
12 of competent jurisdiction.

13 B. Notwithstanding any other law, for candidates for election in
14 2022 to the legislature or to the United States congress, if the candidate
15 nomination petition and the petition signers are in compliance with
16 otherwise applicable law, the secretary of state shall accept and petition
17 signers are valid if the petition signers are registered voters who are
18 residents of any or all of the following districts that the candidate
19 proposes to represent:

20 1. For a candidate for the legislature:

21 (a) The candidate's legislative district as used in the 2020
22 elections.

23 (b) The candidate's legislative district as designated in a
24 redistricting plan adopted by the 2021 independent redistricting
25 commission.

26 (c) The candidate's legislative district as designated in a
27 redistricting plan that is ordered for use in the 2022 election by a court
28 of competent jurisdiction.

29 2. For a candidate for the United States congress:

30 (a) The candidate's congressional district as used in the 2020
31 elections.

32 (b) The candidate's congressional district as designated in a
33 redistricting plan adopted by the 2021 independent redistricting
34 commission.

35 (c) The candidate's congressional district as designated in a
36 redistricting plan that is ordered for use in the 2022 election by a court
37 of competent jurisdiction.

38 C. This section does not apply to statements of interest,
39 nomination papers, and nomination petitions for a special election to fill
40 a vacancy in the office of the United States house of representatives.

41 Sec. 3. Emergency

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