

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

SENATE BILL 1152

AN ACT

AMENDING SECTION 16-204, ARIZONA REVISED STATUTES; RELATING TO ELECTION DATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-204, Arizona Revised Statutes, is amended to
3 read:

4 16-204. Declaration of statewide concern: consolidated
5 election dates; definition

6 A. The legislature finds and determines that for the purposes of
7 increasing voter participation and for decreasing the costs to the
8 taxpayers it is a matter of statewide concern that all elections in this
9 state be conducted on a limited number of days and, therefore, the
10 legislature finds and declares that the holding of all elections on
11 certain specific consolidated days is a matter of statewide concern. This
12 section preempts all local laws, ordinances and charter provisions to the
13 contrary.

14 B. For elections held before 2014 and notwithstanding any other law
15 or any charter or ordinance of any county, city or town to the contrary,
16 an election held for or on behalf of a county, city or town, a school
17 district, a community college district or special districts organized
18 pursuant to title 48, chapters 5, 6, 8, 10, 13 through 16 and 33 may only
19 be held on the following dates:

20 1. Except for regular elections for candidates in a city or town
21 with a population of one hundred seventy-five thousand or more persons,
22 all elections, including recall elections and special elections to fill
23 vacancies, shall be held on:

24 (a) The second Tuesday in March.

25 (b) The third Tuesday in May.

26 (c) The tenth Tuesday before the first Tuesday after the first
27 Monday in November.

28 (d) The first Tuesday after the first Monday in November.
29 Notwithstanding any other law, an election must be held on this date for
30 the approval of an obligation or other authorization requiring or
31 authorizing the assessment of secondary property taxes by a county, city,
32 town, school district, community college district or special taxing
33 district, except as provided by title 48.

34 2. For regular elections that are only for candidates in a city or
35 town with a population of one hundred seventy-five thousand or more
36 persons and not including recall elections and special elections to fill
37 vacancies in those cities or towns, elections shall be held on:

38 (a) The tenth Tuesday before the first Tuesday after the first
39 Monday in November.

40 (b) The first Tuesday after the first Monday in November.

41 C. For elections held before 2014, for any city or town, including
42 a charter city, that holds its regularly scheduled candidate elections in
43 even-numbered years pursuant to subsection B, paragraph 2 **OF THIS SECTION**,
44 the term of office for a member of the city council or for the office of

1 mayor begins on or after the second Tuesday in January in the year
2 following the election.

3 D. Subsections B and C of this section do not apply to an election
4 regarding a county or city charter committee or county or city charter
5 proposal that is conducted pursuant to article XIII, section 2 or 3 or
6 article XII, section 5, Constitution of Arizona.

7 E. Beginning with elections held in 2014 and later and
8 notwithstanding any other law or any charter or ordinance to the contrary,
9 a candidate election held for or on behalf of any political subdivision of
10 this state other than a special election to fill a vacancy or a recall
11 election may only be held on the following dates and only in even-numbered
12 years:

13 1. The tenth Tuesday before the first Tuesday after the first
14 Monday in November. If the political subdivision holds a primary or first
15 election and a general or runoff election is either required or optional
16 for that political subdivision, the first election shall be held on this
17 date, without regard to whether the political subdivision designates the
18 election a primary election, a first election, a preliminary election or
19 any other descriptive term.

20 2. The first Tuesday after the first Monday in November. If the
21 political subdivision holds a general election or a runoff election, the
22 second election held shall be held on this date. If the political
23 subdivision holds only a single election and no preliminary or primary or
24 other election is ever held for the purpose of reducing the number of
25 candidates, or receiving a partisan nomination or designation or for any
26 other purpose for that political subdivision, the single election shall be
27 held on this date.

28 F. Beginning with elections held in 2014 and later that are not
29 candidate elections, an election held for or on behalf of any political
30 subdivision of this state, and including a special election to fill a
31 vacancy or a recall election, may only be held on the following dates:

32 1. The second Tuesday in March.

33 2. The third Tuesday in May.

34 3. The tenth Tuesday before the first Tuesday after the first
35 Monday in November.

36 4. The first Tuesday after the first Monday in November.
37 Notwithstanding any other law, an election must be held on this date for
38 the approval of an obligation or other authorization requiring or
39 authorizing the assessment of secondary property taxes by a county, city,
40 town, school district, community college district or special taxing
41 district, except as provided by title 48. **NOTWITHSTANDING ANY OTHER LAW,
42 AN ELECTION MUST BE HELD ON THE DATE SPECIFIED IN THIS PARAGRAPH AND ONLY
43 IN EVEN-NUMBERED YEARS FOR THE APPROVAL OF OR AUTHORIZING THE ASSESSMENT
44 OF TRANSACTION PRIVILEGE TAXES BY A COUNTY, CITY OR TOWN.**

1 G. Notwithstanding any other law, for an election administered by a
2 county recorder or other officer in charge of elections on behalf of a
3 city, town or school district and that is an all mail ballot election for
4 that city, town or school district, the county recorder or other officer
5 in charge of elections may use a unified ballot format that combines all
6 of the issues applicable to the voters in the city, town or school
7 district requesting the all mail ballot election.

8 H. For the purposes of this section, "political subdivision" means
9 any governmental entity operating under the authority of this state and
10 governed by an elected body, including a city, town, county, school
11 district, ~~OR~~ community college district or any other district organized
12 under state law but not including a special taxing district.

13 Sec. 2. Effective date

14 Section 16-204, Arizona Revised Statutes, as amended by this act, is
15 effective from and after December 31, 2017.