

House Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 142

HOUSE BILL 2676

AN ACT

AMENDING SECTION 16-502, ARIZONA REVISED STATUTES; RELATING TO BALLOTS AND SUPPLIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-502, Arizona Revised Statutes, is amended to
3 read:

4 16-502. Form and contents of ballot

5 A. Ballots shall be printed with black ink on white paper of
6 sufficient thickness to prevent the printing thereon from being discernible
7 from the back, and the same type shall be used for the names of all
8 candidates. The ballots shall be headed "official ballot" in bold-faced
9 plain letters, with a heavy rule above and below the heading. Immediately
10 below shall be placed the words "type of election, (date of election)" and
11 the name of the county and state in which the election is held. The name or
12 number of the precinct in which the election is held shall be placed on the
13 ballot in a uniform location for all ballots. No other matter shall be
14 placed or printed at the head of any ballot, except above the heading there
15 may be a stub that contains the words "stub no. _____, register no. _____, to
16 be torn off by inspector." The stub shall be separated from the ballot by a
17 perforated line, so that it may be easily detached from the ballot.
18 Instructions to the voter on marking the ballot may be printed below the
19 heading. The official ballots shall be bound together in blocks of not less
20 than five nor more than one hundred.

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

22 "Section One

23 Partisan Ballot

24 1. Put a mark according to the instructions next to the
25 name of each candidate for each partisan office for whom you
26 wish to vote.

27 2. If you wish to vote for a person whose name is not
28 printed on the ballot, write such name in the blank space
29 provided on the ballot or write-in envelope and put a mark
30 according to the instructions next to the name so written."

31 C. Immediately below the instructions for voting in section one there
32 shall be placed in columns the names of the candidates of the several
33 political parties. Next to each candidate's name there shall be printed in
34 bold-faced letters the name of the political party. At the head of each
35 column shall be printed the names of the offices to be filled with the name
36 of each office being of uniform type size. At the head of each column shall
37 be printed in the following order the names of candidates for:

- 38 1. Presidential electors.
- 39 2. United States senator.
- 40 3. Representatives in congress.
- 41 4. The several state offices.
- 42 5. The several county and precinct offices.

43 D. The names of candidates for the offices of state senator and state
44 representative along with the district number shall be placed within the
45 heading of each column to the right of the office name for state offices and

1 immediately below the candidates for the office of governor. The number of
2 the supervisorial district of which a candidate is a nominee shall be printed
3 within the heading of each column to the right of the name of the office.

4 E. The lists of the candidates of the several parties shall be
5 arranged with the names of the parties in descending order according to the
6 votes cast for governor for that county in the most recent general election
7 for the office of governor, commencing with the left-hand column. In the
8 case of political parties which did not have candidates on the ballot in the
9 last general election, such parties shall be listed in alphabetical order
10 below the parties which did have candidates on the ballot in the last general
11 election. The names of all candidates nominated under ~~the provisions of~~
12 section 16-341 shall be placed in a single column below that of the
13 recognized parties. Next to the name of each candidate, in ~~parenthesis~~
14 PARENTHESES, shall be printed the designation not to exceed three words in
15 length as prescribed in the candidate's certificate of nomination.

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

19 G. In each column at the right of the name of each candidate and on
20 the same line there shall be a place for the voter to put a mark. Below the
21 name of the last named candidate for each office there shall be as many blank
22 lines as there are offices of the same title to be filled, with a place for
23 the voter to put a mark unless write-in envelopes are provided for that
24 purpose. Upon the blank line the voter may write the name of any person for
25 whom he desires to vote whose name is not printed, and next to the name so
26 written he shall designate his choice by a mark as in the case of printed
27 names.

28 H. When there are two or more candidates of the same political party
29 for the same office, or more than one candidate for a judicial office, the
30 names of all such candidates shall be so alternated on the ballots used in
31 each election district that the name of each candidate shall appear
32 substantially an equal number of times in each possible location. If there
33 are fewer or the same number of candidates seeking office than the number to
34 be elected, the rotation of names is not required and the names shall be
35 placed in alphabetical order.

36 I. Immediately below section one of the ballot shall be placed the
37 following:

38 "Section Two
39 Nonpartisan Ballot

40 1. Put a mark according to the instructions next to the
41 name of each candidate for each nonpartisan office for whom you
42 wish to vote.

43 2. If you wish to vote for a person whose name is not
44 printed on the ballot, write such name in the blank space

1 provided on the ballot or write-in envelope and put a mark
2 according to the instructions next to the name so written.

3 3. Put a mark according to the instructions next to the
4 word 'yes' (or for) for each proposition or question you wish to
5 be adopted. Put a mark according to the instructions next to
6 the word 'no' (or against) for each proposition or question you
7 wish not to be adopted."

8 J. Immediately below the instructions for voting in section two shall
9 be placed the names of the candidates for JUDGES OF THE SUPERIOR COURT
10 STANDING FOR ELECTION PURSUANT TO ARTICLE VI, SECTION 12, CONSTITUTION OF
11 ARIZONA, SCHOOL DISTRICT OFFICIALS, justice of the supreme court, judges of
12 the court of appeals, judges of the superior court STANDING FOR RETENTION OR
13 REJECTION PURSUANT TO ARTICLE VI, SECTION 38, CONSTITUTION OF ARIZONA, ~~school~~
14 ~~district officials~~ and other nonpartisan officials in a column or in columns
15 without partisan or other designation except the title of office in an order
16 determined by the officer in charge of the election.

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

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

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

39 1. The number of the measure in reverse type and at least twelve point
40 type.

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

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

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

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

APPROVED BY THE GOVERNOR APRIL 18, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2005.

Passed the House March 8, 2005,

Passed the Senate April 12, 2005,

by the following vote: 43 Ayes,

by the following vote: 16 Ayes,

16 Nays, 1 Not Voting

14 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
13th day of April 2005

at 12:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1:50 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 18 day of April, 2005,

at 4:42 o'clock P. M.

[Signature]
Secretary of State

Passed the House March 8, 2005,

Passed the Senate April 12, 2005,

by the following vote: 43 Ayes,

by the following vote: 16 Ayes,

16 Nays, 1 Not Voting

14 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April 2005

at 12:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1st o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

H.B. 2676

Secretary of State