

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

Senate Engrossed  
**FILED**  
**JANICE K. BREWER**  
**SECRETARY OF STATE**

CHAPTER 11

# **SENATE BILL 1071**

AN ACT

AMENDING SECTION 16-461, 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 16-461, Arizona Revised Statutes, is amended to  
3 read:

4 16-461. Sample primary election ballots; submission to party  
5 chairmen for examination; preparation, printing and  
6 distribution of ballot

7 A. At least forty-five days before a primary election, the officer in  
8 charge of that election shall:

9 1. Prepare a proof of a sample ballot.

10 2. Submit the sample ballot proof of each party to the county chairman  
11 or in city or town primaries to the city or town chairman.

12 3. Mail a sample ballot proof to each candidate for whom a nomination  
13 paper and petitions have been filed.

14 B. Within five days after receipt of the sample ballot, the county  
15 chairman of each political party shall suggest to the election officer any  
16 change the officer CHAIRMAN considers should be made in the officer's  
17 CHAIRMAN'S party ballot, and if upon examination the election officer finds  
18 an error or omission in the ballot the officer shall correct it. The  
19 election officer shall cause the sample ballots to be printed and distributed  
20 as required by law, shall maintain a copy of each sample ballot and shall  
21 post a notice indicating that sample ballots are available on request. The  
22 official sample ballot shall be printed on colored paper OR WHITE PAPER WITH  
23 A DIFFERENT COLORED STRIPE FOR EACH PARTY THAT IS REPRESENTED ON THAT BALLOT.  
24 For voters who are not registered with a party that is entitled to continued  
25 representation on the ballot pursuant to section 16-804, the election officer  
26 may print and distribute the required sample ballots in an alternative  
27 format, including a reduced size format.

28 C. Not later than forty days before a primary election, the county  
29 chairman of a political party may request one sample primary election ballot  
30 of the chairman's party for each election precinct.

31 D. The board of supervisors shall have printed mailer-type sample  
32 ballots for a primary election and shall mail at least eleven days ~~prior to~~  
33 BEFORE the election one sample ballot of a political party to each household  
34 containing a registered voter of that political party. A certified claim  
35 shall be presented to the secretary of state by the board of supervisors for  
36 the actual cost of printing, labeling and postage of each sample ballot  
37 actually mailed, and the secretary of state shall direct payment of the  
38 authenticated claim from funds of the secretary of state's office.

39 E. For city and town elections, the governing body of a city or town  
40 may have printed mailer-type sample ballots for a primary election. If the  
41 city or town has printed such sample ballots, the city or town shall provide  
42 for the distribution of such ballots and shall bear the expense of printing  
43 and distribution of such sample ballots.

1 F. The return address on the mailer-type sample ballots shall not  
2 contain the name of an appointed or elected public officer nor may the name  
3 of an appointed or elected public officer be used to indicate who produced  
4 the sample ballot.

5 G. The great seal of the state of Arizona shall be imprinted along  
6 with the words "official voting materials" on the mailing face of each sample  
7 ballot. In county, city or town elections the seal of such jurisdiction  
8 shall be substituted for the state seal.

9 Sec. 2. Emergency

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

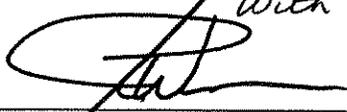
APPROVED BY THE GOVERNOR APRIL 4, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 4, 2008.

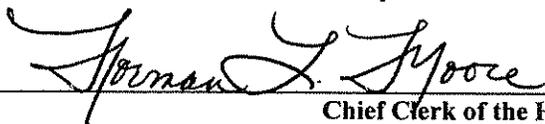
Passed the House April 1, 20 08,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting  
*With Emergency*



Speaker of the House



Chief Clerk of the House

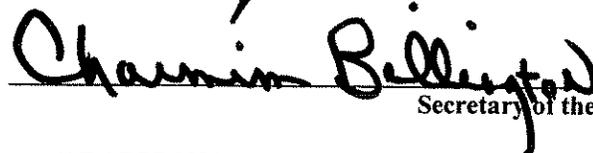
Passed the Senate February 11, 20 08,

by the following vote: 25 Ayes,

1 Nays, 4 Not Voting  
*With Emergency*



President of the Senate



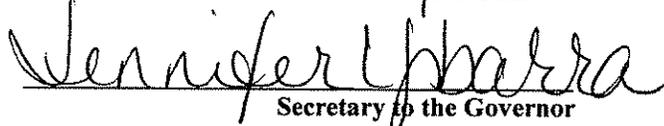
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1st day of April, 20 08

at 5:52 o'clock P. M.



Secretary to the Governor

Approved this 4 day of

April, 20 08,

at 8:40 o'clock A. M.



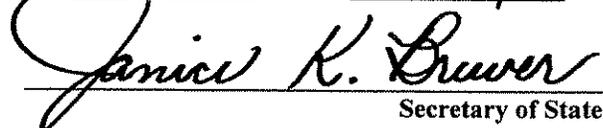
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 4 day of April, 20 08,

at 12:40 o'clock P. M.



Secretary of State

S.B. 1071