

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 90

HOUSE BILL 2432

AN ACT

AMENDING SECTION 15-421, ARIZONA REVISED STATUTES; RELATING TO SCHOOL
DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-421, Arizona Revised Statutes, is amended to
3 read:

4 15-421. Governing board; members; qualifications; statement;
5 definitions

6 A. The governing body of a school district shall be a governing board.
7 There shall be three governing board members, except as otherwise provided by
8 this section and section 15-425, subsection A.

9 B. The governing body of a high school district shall be a governing
10 board composed of:

11 1. In a single district, the governing board members of the common
12 school district.

13 2. In a union high school district, five members.

14 C. A person who is a registered voter of this state and has been a
15 resident of the school district for at least one year immediately preceding
16 the day of election is eligible for election to the office of governing board
17 member.

18 D. No employee of a school district or the spouse of such employee may
19 hold membership on a governing board of a school district by which such
20 employee is employed.

21 E. A member of one governing board is ineligible to be a candidate for
22 nomination or election to or serve simultaneously as a member of any other
23 governing board, except that a member of a governing board may be a candidate
24 for nomination or election for any other governing board if the member is
25 serving in the last year of a term of office. A member of a governing board
26 shall resign the member's seat on the governing board before becoming a
27 candidate for nomination or election to the governing board of any other
28 school district, unless the member of the governing board is serving in the
29 last year of a term of office.

30 F. Notwithstanding section 15-511, each county school superintendent
31 shall publish on its website the statement of each certified candidate for
32 membership on a school district governing board located in the county. The
33 county school superintendent shall list each school district on its website
34 from which a link shall be established to the candidate's name, which shall
35 link to the candidate's statement and photograph. The candidate shall submit
36 the statement to the person at the county school superintendent's office
37 assigned to manage candidate statements, after notice of certification from
38 the county school superintendent's office but not later than twenty-one days
39 before the date that general election early ballots are allowed to be mailed.
40 The person shall post each candidate's statement on the county school
41 superintendent's website not later than fourteen days before the date that
42 general election early ballots are allowed to be mailed. If a candidate does
43 not submit a statement, the county school superintendent's website shall
44 state "no response submitted" for the candidate. The candidate statements
45 shall be posted on the website alphabetically by each school district and by

1 candidate. The candidate statement shall be typewritten or electronically
2 submitted. The county school superintendent shall post the statements
3 verbatim as they are received unless a candidate requests in writing that
4 typographical errors be corrected. The candidate statement shall contain the
5 following items in the same size and format for each candidate:

- 6 1. A recent photograph of the candidate.
- 7 2. A statement not to exceed five hundred words.

8 G. PERSONS RELATED AS IMMEDIATE FAMILY WHO HAVE THE SAME HOUSEHOLD OF
9 RESIDENCE WITHIN FOUR YEARS PRIOR SHALL NOT SERVE SIMULTANEOUSLY ON THE
10 GOVERNING BOARD OF THE SAME SCHOOL DISTRICT IF THE GOVERNING BOARD IS
11 COMPOSED OF FIVE MEMBERS. A QUALIFIED ELECTOR WHO RESIDES IN THE SCHOOL
12 DISTRICT MAY BRING AN ACTION IN SUPERIOR COURT TO ENFORCE THIS SUBSECTION.

13 H. A PERSON RELATED AS IMMEDIATE FAMILY WHO HAS THE SAME HOUSEHOLD OF
14 RESIDENCE WITHIN FOUR YEARS PRIOR TO A MEMBER OF THE GOVERNING BOARD OF THE
15 SAME SCHOOL DISTRICT IS INELIGIBLE TO BE A CANDIDATE FOR NOMINATION OR
16 ELECTION TO THAT GOVERNING BOARD IF THE GOVERNING BOARD IS COMPOSED OF FIVE
17 MEMBERS, EXCEPT THAT A PERSON RELATED AS IMMEDIATE FAMILY WHO HAS THE SAME
18 HOUSEHOLD OF RESIDENCE WITHIN FOUR YEARS PRIOR TO A MEMBER OF A GOVERNING
19 BOARD MAY BE A CANDIDATE FOR NOMINATION OR ELECTION TO THE GOVERNING BOARD OF
20 THE SAME SCHOOL DISTRICT IF THE MEMBER IS SERVING IN THE LAST YEAR OF A TERM
21 OF OFFICE. A QUALIFIED ELECTOR WHO RESIDES IN THE SCHOOL DISTRICT MAY BRING
22 AN ACTION IN SUPERIOR COURT TO ENFORCE THIS SUBSECTION.

23 I. PERSONS RELATED AS IMMEDIATE FAMILY WHO HAVE THE SAME HOUSEHOLD OF
24 RESIDENCE WITHIN FOUR YEARS PRIOR ARE INELIGIBLE TO BE SIMULTANEOUS
25 CANDIDATES FOR NOMINATION OR ELECTION TO THE GOVERNING BOARD OF THE SAME
26 SCHOOL DISTRICT IF THE GOVERNING BOARD IS COMPOSED OF FIVE MEMBERS. A
27 QUALIFIED ELECTOR WHO RESIDES IN THE SCHOOL DISTRICT MAY BRING AN ACTION IN
28 SUPERIOR COURT TO ENFORCE THIS SUBSECTION.

29 J. FOR THE PURPOSES OF THIS SECTION:

30 1. "IMMEDIATE FAMILY" MEANS INDIVIDUALS WHO ARE MARRIED TO EACH OTHER
31 AND ANY CHILDREN OF THOSE INDIVIDUALS.

32 2. "HOUSEHOLD OF RESIDENCE" MEANS THE PLACE OF ABODE DURING APPLICABLE
33 TIME PERIODS OR THE RESIDENCE ADDRESS USED BY AN INDIVIDUAL FOR VOTER
34 REGISTRATION OR PROPERTY TAX PURPOSES.

35 Sec. 2. Current governing board members
36 Notwithstanding section 15-421, Arizona Revised Statutes, as amended by
37 this act, any person who is a member of a school district governing board on
38 the effective date of this act may continue to serve until the expiration of
39 that person's current term of office.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.

Passed the House June 17, 20 09

by the following vote: 31 Ayes,

22 Nays, 7 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate July 1, 20 09

by the following vote: 22 Ayes,

5 Nays, 3 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

15th day of July, 20 09

at 8:25 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 10th day of

July 2009

at 1:05 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 10 day of July, 20 09

at 4:20 o'clock P. M.

[Signature]
Secretary of State

H.B. 2432