

Senate Engrossed House Bill

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 202
HOUSE BILL 2416

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
7 board. There shall be three governing board members, except as otherwise
8 provided by this section and section 15-425, subsection A.

9 B. The governing body of a high school district shall be a
10 governing 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
16 preceding the day of election is eligible for election to the office of
17 governing board member.

18 D. No employee of a school district, INCLUDING A PERSON WHO
19 DIRECTLY PROVIDES CERTIFIED OR CLASSIFIED SERVICES TO THE SCHOOL DISTRICT
20 AS AN EMPLOYEE OF A THIRD-PARTY CONTRACTOR, or the spouse of such AN
21 employee may hold membership on a governing board of a school district by
22 which ~~such~~ THE employee is employed.

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

32 F. Notwithstanding section 15-511, each county school
33 superintendent shall publish on ~~its~~ THE SUPERINTENDENT'S website the
34 statement of each certified candidate for membership on a school district
35 governing board located in the county. The county school superintendent
36 shall list each school district on ~~its~~ THE SUPERINTENDENT'S website from
37 which a link shall be established to the candidate's name, which shall
38 link to the candidate's statement and photograph. The candidate shall
39 submit the statement to the person at the county school superintendent's
40 office assigned to manage candidate statements, after notice of
41 certification from the county school superintendent's office but not later
42 than twenty-one days before the date that general election early ballots
43 are allowed to be mailed. The person shall post each candidate's
44 statement on the county school superintendent's website not later than

1 fourteen days before the date that general election early ballots are
2 allowed to be mailed. If a candidate does not submit a statement, the
3 county school superintendent's website shall state "no response submitted"
4 for the candidate. The candidate statements shall be posted on the
5 website alphabetically by each school district and by candidate. The
6 candidate statement shall be typewritten or electronically submitted. The
7 county school superintendent shall post the statements verbatim as they
8 are received unless a candidate requests in writing that typographical
9 errors be corrected. The candidate statement shall contain the following
10 items in the same size and format for each candidate:

- 11 1. A recent photograph of the candidate.
- 12 2. A statement not to exceed five hundred words.
- 13 3. A DISCLOSURE OF ANY RELATIONSHIPS BY AFFINITY, BY CONSANGUINITY
14 OR BY LAW TO THE THIRD DEGREE THAT EXIST BETWEEN THE CANDIDATE AND ANY
15 CURRENT GOVERNING BOARD MEMBERS OR OTHER CANDIDATES FOR ELECTION TO THE
16 SAME GOVERNING BOARD.

17 G. Persons related as immediate family who have the same household
18 of residence within four years prior shall not serve simultaneously on the
19 governing board of the same school district if the governing board is
20 composed of five members. FOR A SCHOOL DISTRICT WITH A STUDENT COUNT OF
21 AT LEAST TWO HUNDRED FIFTY AND THAT IS LOCATED IN A COUNTY WITH A
22 POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS, NOT MORE THAN TWO
23 PERSONS RELATED BY AFFINITY, BY CONSANGUINITY OR BY LAW TO THE THIRD
24 DEGREE SHALL SERVE SIMULTANEOUSLY ON THE GOVERNING BOARD OF THE SAME
25 SCHOOL DISTRICT IF THE GOVERNING BOARD IS COMPOSED OF FIVE MEMBERS. A
26 qualified elector who resides in the school district may bring an action
27 in superior court to enforce this subsection.

28 H. A person related as immediate family who has the same household
29 of residence within four years prior to a member of the governing board of
30 the same school district is ineligible to be a candidate for nomination or
31 election to that governing board if the governing board is composed of
32 five members, except that a person related as immediate family who has the
33 same household of residence within four years prior to a member of a
34 governing board may be a candidate for nomination or election to the
35 governing board of the same school district if the member is serving in
36 the last year of a term of office. FOR A SCHOOL DISTRICT WITH A STUDENT
37 COUNT OF AT LEAST TWO HUNDRED FIFTY AND THAT IS LOCATED IN A COUNTY WITH A
38 POPULATION OF MORE THAN FIVE HUNDRED THOUSAND PERSONS, NOT MORE THAN TWO
39 PERSONS RELATED BY AFFINITY, BY CONSANGUINITY OR BY LAW TO THE THIRD
40 DEGREE SHALL BE ELIGIBLE TO BE A CANDIDATE FOR NOMINATION OR ELECTION TO A
41 GOVERNING BOARD THAT IS COMPOSED OF FIVE MEMBERS. A qualified elector
42 who resides in the school district may bring an action in superior court
43 to enforce this subsection.

1 I. Persons related as immediate family who have the same household
2 of residence within four years prior are ineligible to be simultaneous
3 candidates for nomination or election to the governing board of the same
4 school district if the governing board is composed of five members. FOR A
5 SCHOOL DISTRICT WITH A STUDENT COUNT OF AT LEAST TWO HUNDRED FIFTY AND
6 THAT IS LOCATED IN A COUNTY WITH A POPULATION OF MORE THAN FIVE HUNDRED
7 THOUSAND PERSONS, NOT MORE THAN TWO PERSONS RELATED BY AFFINITY, BY
8 CONSANGUINITY OR BY LAW TO THE THIRD DEGREE SHALL BE SIMULTANEOUS
9 CANDIDATES FOR NOMINATION OR ELECTION TO A GOVERNING BOARD THAT IS
10 COMPOSED OF FIVE MEMBERS. A qualified elector who resides in the school
11 district may bring an action in superior court to enforce this subsection.

12 J. For the purposes of this section:

13 1. "Household of residence" means the place of abode during
14 applicable time periods or the residence address used by an individual for
15 voter registration or property tax purposes.

16 2. "Immediate family" means individuals who are married to each
17 other and any children of those individuals.

18 Sec. 2. Current governing board members

19 Notwithstanding section 15-421, Arizona Revised Statutes, as amended
20 by this act, any person who is a member of a school district governing
21 board on the effective date of this act may continue to serve until the
22 expiration of that person's current term of office.

APPROVED BY THE GOVERNOR APRIL 26, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2017.

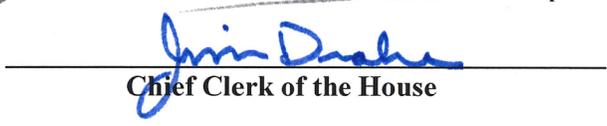
Passed the House February 21, 2017

by the following vote: 43 Ayes,

15 Nays, 2 Not Voting



Speaker of the House Pro Tempore

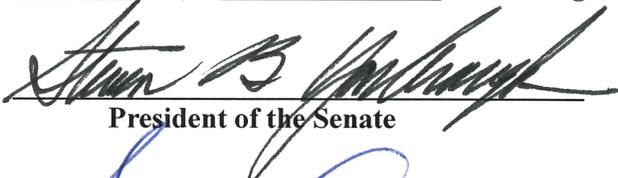


Chief Clerk of the House

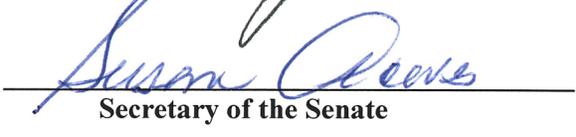
Passed the Senate April 10, 2017

by the following vote: 28 Ayes,

2 Nays, 0 Not Voting



President of the Senate



Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill received by the Governor this~~

~~_____ day of _____, 20_____~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill received by the Secretary of State~~

~~this _____ day of _____, 20_____~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

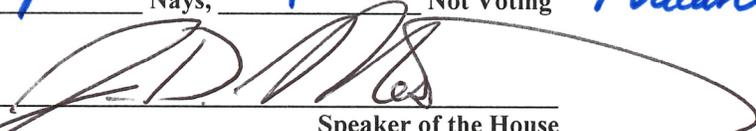
H.B. 2416

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

_____ April 24 , 20 17 ,

by the following vote: _____ 48 _____ Ayes,

_____ 7 _____ Nays, _____ 4 _____ Not Voting 1 Vacant


Speaker of the House

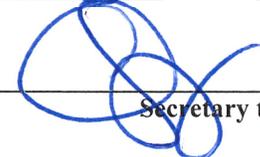
Jim Drake
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ 24th day of April , 20 17 ,

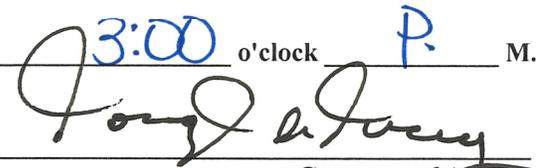
at _____ 2:03 o'clock P. M.


Secretary to the Governor

Approved this _____ 26th _____ day of

_____ April , 20 17 ,

at _____ 3:00 o'clock P. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ 26 _____ day of April , 20 17 ,

at _____ 4:44 o'clock _____ P. M.

Michele Reagan
Secretary of State

H.B. 2416