Candidate Nomination Petition Procedures & Challenges

www.azsos.gov/elections

1700 W. Washington St., 7th Floor, Phoenix, AZ 85007

1-877-THE-VOTE (843-8683)

ADRIAN FONTES
SECRETARY OF STATE

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ABOUT THIS PUBLICATION

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CONTACT US

Mailing address for all correspondence or filings:
Office of the Secretary of State
Attention: Election Services Division
1700 W. Washington St., FL 7
Phoenix, AZ 85007-2808

Telephone: (602) 542-8683

www.azsos.gov

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This *Guide* will address the nomination and write-in candidacy procedures for partisan and nonpartisan elections for the July 21, 2026 Primary Election, and the November 3, 2026 General Election. Also, this *Guide* will outline the general procedures for candidate nomination petition challenges.

I. NOMINATION PROCEDURES

A. Candidates for Partisan Federal, State, and Local Office

A candidate may run for partisan office by obtaining a nomination or running as a write-in candidate. There are two methods for obtaining a nomination and having a candidate's name printed on the ballot in a partisan election: one reserved for candidates running under recognized party labels, and one reserved for "independent" candidates (*i.e.*, those not affiliated with a recognized political party).

In lieu of seeking a nomination, a person may run as a write-in candidate if the person files the required documentation in advance of the election and, for primary write-in candidates seeking to have their name placed on the general election ballot, meets applicable minimum vote requirements. This section outlines the requirements to run for partisan public offices in Arizona, with the exception of President of the United States.

1. Nomination for Public Office

For partisan elections, a candidate (other than a presidential or precinct committeeman candidate) must be nominated by one of two methods in order to appear on a general election ballot.

- A candidate may be nominated by winning a recognized political party's primary election. A.R.S. § 16-311.
- An independent candidate may be nominated by obtaining nomination petition signatures from qualified electors, known as "nomination other than by primary." A.R.S. § 16-341.

a. *Nomination by Primary Election*

Except for a candidate for U.S. Senator or Representative in Congress, a candidate seeking nomination for the general election ballot through a recognized political party's primary election must be a qualified elector in the electoral district for the office sought at the time of filing and a member of the political party for which the candidate is seeking a nomination beginning no later than the date of the first signature on the candidate's nomination petition through the date of the general election at which the person is a candidate. A.R.S. § 16-311(A).

To qualify for a primary election ballot, a candidate must timely file the following documents with the appropriate filing officer:

- A statement of interest;[1]

[1] A statement of interest is not required for candidates for special taxing districts, candidates for precinct committeeman, or candidates for President or Vice President of the United States. A.R.S. § 16-311(H); A.R.S. § 16-341(I). However, candidates for the office of presidential elector are required to file a statement of interest. A.R.S. § 16-341(G); *Clayton v. West*, 251 Ariz. 226, 489 P.3d 394 (2021).

- A nomination paper for the office sought;[2]
- A requisite number of nomination petition signatures; and
- A financial disclosure statement.[3]

i. Statement of Interest

Certain candidates seeking a primary election nomination or nomination other than by primary must file a statement of interest with the appropriate filing officer no later than the date of their first petition signature. Signatures collected before the filing of the statement of interest are subject to challenge. A.R.S. § 16-311(H); A.R.S. § 16-341(I).

ii. Nomination Petition Signatures

A candidate seeking a primary election nomination must file: (1) a minimum, and no more than the maximum, number of valid nomination petition signatures, as applicable to the office sought, with their nomination paper; and (2) if applicable, a financial disclosure statement. A.R.S. § 16-314(A)-(B); A.R.S. § 16-322.

Nomination signatures may be gathered on a paper nomination petition form prescribed by A.R.S. § 16-315(A) or, for federal, statewide, legislative, county, and city/town, through the Secretary of State's online signature portal known as E-Qual. A.R.S. § 16-315(A); A.R.S. § 16-316; A.R.S. § 16-317; A.R.S. § 16-318.

A nomination petition signer must be a qualified elector who is registered to vote in the electoral jurisdiction or district in which the candidate seeks office at the time of signing. A.R.S. § 16-321(B). In partisan elections, the petition signer also must be registered to vote with the same recognized political party from which the candidate is seeking a nomination, with a political party not recognized for continued representation on the ballot, or as an independent or unaffiliated voter (*i.e.*, the voter must not be registered with a different recognized political party than that of the candidate whose petition they are signing).[4] A.R.S. § 16-321(F). "Federal-only" voters are only eligible to sign nomination petitions for federal candidates and may not sign nomination petitions for state or local candidates. AG Opinion I13-011(R13-016) 2013.

An elector may only sign one nomination petition for the same office unless more than one candidate is to be elected for that office. For example, an elector may only sign one candidate's petition for state senate but may sign two candidates' petitions for state house. If an elector signed more nomination petitions than

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[2] A candidate for the office of state mine inspector must also sign an affidavit attesting that they fulfill the statutory qualifications for the office and file it with their nomination papers prescribed by A.R.S. § 16-311; A.R.S. § 16-312; A.R.S. § 16-341. A.R.S. § 27-121(B).

[3] A.R.S. § 16-311(H)(1); A.R.S. § 18-444(A), (F); A.R.S. § 38-543. Title 48 special district candidates, school district governing board candidates, and precinct committeeman candidates are not required to file a financial disclosure statement. *See* A.R.S. § 38-543; A.R.S. § 38-541(8). A federal candidate is also not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State. A.R.S. § 19-221.

[4] This rule applies to all partisan nomination petitions, regardless of whether or not the candidate's political party's primary election is open to independent/unaffiliated voters.

permitted, only the earlier signatures are deemed valid. If the duplicate signatures were signed on the same date, all signatures signed by the elector on that date are deemed invalid. A.R.S. § 16-321(A), (C).

Depending on the type of candidacy, the minimum number of nomination petition signatures may be based on the number of persons qualified to sign a candidate's petition, the number of registered voters in a jurisdiction, the number of votes cast in a jurisdiction, or a static number of signatures. *See* A.R.S. § 16-322(A)-(C).

The Secretary of State must prepare sample nomination petition forms for use in federal, statewide, legislative, county, city, and town elections. A.R.S. § 16-315(C). The Secretary of State may prescribe the method of filing nomination petitions for federal, statewide, and legislative offices, including but not limited to the electronic creation and filing of petitions. A.R.S. § 16-315(E).

iii. Filing Officer Processing of Nomination Petition Signatures

A filing officer shall reject nomination petitions for failure to file by the applicable deadline or failure to file the minimum number of required petition signatures.

If there is no basis to reject a candidate filing, the filing officer must count the nomination petition signatures to ensure the minimum number of signatures has been filed. A nomination petition signature line should be counted by the filing officer if it contains at least:

- An address, description of place of residence, or P.O. Box;
- A signature in either the signature or printed name column *or* a printed name in the signature column; and
- A date containing, at minimum, a month and day.

Although nomination petition signature lines that are missing a signature but contain a printed name, or use a P.O. Box as a residence address, are presumed valid and counted in the filing officer's determination of the number of signatures submitted, such signatures may be subject to legal challenge.

If the candidate submits more than the maximum number of signatures permitted, the filing officer may accept the filing and review the signature lines up to the point at which the candidate exceeds the maximum when counting only valid signature lines. The filing officer must deem invalid, and, therefore, need not review, signature lines beyond the maximum.

The filing officer must issue a receipt to the candidate or candidate's committee. If the candidate meets the minimum signature threshold for the office sought, the candidate is qualified for the ballot, subject to any subsequent court challenges or candidate withdrawals.

iv. Deadline to File Nomination Documents

A candidate seeking a primary nomination must file a nomination paper, nomination petitions and, if applicable, financial disclosure statement between 150 and 120 days before the primary election. A.R.S. § 16-311(A)-(B), (E)-(F), (H); A.R.S. § 16-314(A).

- **First day to file nomination papers and petition signatures: 2/21/2026**[5]
- **Last day to file nomination papers and petition signatures: 3/23/2026 at 5:00p.m.**

However, a statewide or legislative candidate seeking public funding under the Citizens Clean Elections Act may file these nomination documents with the Secretary of State as early as January 2 of an election year. A.R.S. § 16-951(B).

A candidate seeking a primary nomination in a special election to fill a congressional vacancy must file a nomination paper and nomination petitions no more than 30 days after the date of the Governor's proclamation calling the special election. A.R.S. § 16-222(B)(2).

A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the primary election ballot. A.R.S. § 16-311(E)-(F).

b. *Independent Nomination (Other than by Primary)*

In lieu of seeking a nomination through a political party primary, a candidate who is not registered with a recognized political party (*i.e.*, an "independent" or "unaffiliated" candidate) may be nominated for partisan office by filing the requisite number of nomination petition signatures with the filing officer. Such an "independent" or "unaffiliated" candidate who meets this threshold will be placed directly on the general election ballot, along with a three-letter "party" designation. A.R.S. § 16-502(E). However, a candidate may not seek a nomination in this manner if the candidate filed nomination petitions for the primary election and failed to qualify due to insufficient valid signatures. A.R.S. § 16-341(A)-(B).

Similar to candidates seeking nomination by political party primary, candidates seeking independent nomination must timely file a statement of interest, nomination paper, and a requisite number of nomination petition signatures with the appropriate filing officer. A.R.S. § 16-341(E), (J)(1)-(2); A.R.S. § 16-314(A); A.R.S. § 16-311(D). Non-federal candidates must also file a financial disclosure statement if applicable.[6] A federal candidate is not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State. A.R.S. § 19-221.

i. Nomination Petition Signatures

An independent candidate must collect nomination petition signatures equal to at least 3% of all registered voters in the jurisdiction in which the candidate is running who are not registered with a recognized political party, based on voter registration totals reported by the Secretary of State or County Recorder, as applicable, as of January 2nd in the general election year. There is no limit or maximum number of signatures that may be submitted for an independent candidate. Although the minimum number of signatures required is based on the number of voters not registered with a recognized political party, any person who is registered to vote in the state, county, subdivision, or district for which the candidate is nominated is eligible to sign the nomination petition without regard to the signer's party affiliation.

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[5] Because the first day of the filing period falls on a Saturday, the first day to file with our office is the next business day, Monday, February 23, 2026.

[6] A.R.S. § 16-311(H)(1); A.R.S. § 18-444(A), (F); A.R.S. § 38-543. Title 48 special district candidates, school district governing board candidates, and precinct committeemen candidates are not required to file a financial disclosure statement. *See* A.R.S. § 38-543; A.R.S. § 38-541(8).

Nomination signatures may be gathered on a hard-copy independent nomination petition form prescribed by the Secretary of State or, for federal, statewide, legislative, county, and city/town candidates, through the Secretary of State's online signature portal known as E-Qual.

A filing officer must process (and in appropriate cases reject) independent nomination petition signatures in the same manner as partisan and nonpartisan nomination petitions. Likewise, if an independent candidate's nomination petitions are challenged in court, the applicable County Recorder must review the challenged signatures in the same manner as partisan or nonpartisan nomination petitions.

A.R.S. § 16-316; A.R.S. § 16-317; A.R.S. § 16-318; A.R.S. § 16-341.

ii. Deadline to File Independent Nomination Documents

Like candidates seeking nomination through a political party primary:

- A candidate seeking a nomination other than by primary (to be placed on the general election ballot) must file an independent nomination paper, independent nomination petitions, and a financial disclosure statement between 150 and 120 days before the primary election, A.R.S. § 16-341(C); and
- An independent statewide or legislative candidate seeking public funding under the Citizens Clean Elections Act may file these nomination documents with the Secretary of State as early as January 2 of an election year. A.R.S. § 16-951(B)

An independent candidate seeking a nomination in a special election to fill a congressional vacancy must file a nomination paper and nomination petitions no more than 30 days after the date of the Governor's proclamation calling the special election. A.R.S. § 16-222(B)(2).

A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the general election ballot. A.R.S. § 16-341(K).

2. Write-In Candidacy

In lieu of collecting nomination petition signatures to qualify for a primary or general election ballot, a person may run as a write-in candidate. Becoming an official write-in candidate requires the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. A.R.S. § 16-312. A list of official write-in candidates is posted at voting locations but is not included in the early ballot mailing.

To qualify as an official write-in candidate, a candidate must timely file a write-in nomination paper and, if applicable, a financial disclosure statement with the appropriate filing officer. A.R.S. § 16-312(C); A.R.S. § 18-444(A), (F); A.R.S. § 38-543. A write-in candidate must, at the time of filing, be a qualified elector of the county or district the candidate seeks to represent and must have been a resident of that county or district for 120 days before the date of the election. A.R.S. § 16-312(A). However, a one-year residency requirement applies for city or town candidates. A.R.S. § 16-312(A); A.R.S. § 9-232(A).

A federal write-in candidate is not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State.

A person may not seek a write-in candidacy in the primary or general election if the candidate filed a nomination petition for the primary election and failed to submit a sufficient number of valid signatures, withdrew from the primary election after a petition challenge in court, or was removed from the primary election ballot or otherwise found to be ineligible by a court of law. In addition, if the candidate ran and lost in the preceding primary election or did not receive the requisite number of votes required to proceed to the general election, that candidate may not seek a write-in candidacy in the general election for the same office. A.R.S. § 16-312(F)(1)-(4); A.R.S. § 9-821.01; A.R.S. § 16-645.

The required documents must be filed no earlier than 150 days before the election and no later than 5:00 p.m. on the 40th day before the election, except: (i) a write-in candidate to fill a vacancy that occurs after the official ballots have been printed must file the required nomination documents no later than five days before the election; and (ii) a write-in candidate who intends to run in a school district, community college district, special taxing district, or precinct committeeman election that may be canceled due to an insufficient number of candidates seeking election must file the required nomination documents no later than 106 days before the election in question. A.R.S. § 16-312(B); A.R.S. § 16-343(D). A statewide or legislative candidate may not use public funding under the Citizens Clean Elections Act to run as a write-in candidate. A.R.S. § 16-950(E); A.R.S. § 16-961(F)(2).

B. Candidates for Nonpartisan Office

A candidate seeking nomination for a nonpartisan office must be a qualified elector in the electoral district for the office sought at the time of filing. A.R.S. § 16-311(B). There are specific requirements for eligibility to serve in city and town offices, on school district governing boards, and on special district boards pursuant to Title 9, Title 15, and Title 48, respectively. In addition, the "resign-to-run" law provisions apply to nonpartisan candidates.

Similar to candidates for partisan office, candidates for nonpartisan office may run by filing nomination documents or by filing documents to run as an official write-in candidate.

1. Nonpartisan Nomination

To qualify to appear on the ballot, a candidate for nonpartisan office must timely file the following nomination documents with the appropriate filing officer:

- A statement of interest;[7]
- A nomination paper for the office sought; and
- A requisite number of nomination petition signatures.

A.R.S. § 16-311. Candidates for nonpartisan office are generally not required to file a financial disclosure statement.[8] However, cities and towns must require candidates to file a financial disclosure statement consistent with state law. A.R.S. § 38-545.

[7] A statement of interest is not required for candidates for special taxing districts, candidates for precinct committeeman, or candidates for President or Vice President of the United States. A.R.S. § 16-311(H); A.R.S. 16-341(I).

[8] Title 48 special district candidates, school district governing board candidates, and precinct committeemen candidates are not required to file a financial disclosure statement. *See* A.R.S. § 38-543; A.R.S. § 38-541(8).

All nomination documents must be filed between 150 and 120 days before the election. A.R.S. § 16-311(B). A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day of the filing period is not eligible to have their name printed on the ballot. A.R.S. § 16-311(I).

- **First day to file nomination papers and petition signatures: 6/6/2026**
- **Last day to file nomination papers and petition signatures: 7/6/2026 at 5:00p.m.**

For nonpartisan elections in cities and towns, a candidate may be elected at the primary election and a general (run-off) election is not required if the candidate received a majority of votes. A.R.S. § 9-821.01. Additionally, charter cities may differ in their scheduling of candidate elections based on the number of candidates running for office.

2. Write-In Candidacy

In lieu of collecting nomination petition signatures to qualify to appear on the ballot, a person may run as an official write-in candidate for a nonpartisan office. Becoming an official write-in candidate requires the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. A.R.S. § 16-312.

To qualify as an official write-in candidate, a candidate must timely file a write-in nomination paper and, if applicable, a financial disclosure statement with the appropriate filing officer. A write-in candidate must, at the time of filing, be a qualified elector of the county or district the candidate seeks to represent and must have been a resident of that county or district for 120 days before the date of the election. However, a one-year residency requirement applies for city or town candidates. A.R.S. § 16-312(A), (C); A.R.S. § 9-232(A); A.R.S. § 38-541(6); A.R.S. § 38-545.

A person may not seek a write-in candidacy if the candidate filed a nomination petition for that election and failed to submit a sufficient number of valid signatures, withdrew from the election after a petition challenge in court, was removed from the election ballot, or was otherwise found to be ineligible by a court of law. A.R.S. § 16-312(F)(1)-(4); A.R.S. § 9-821.01; A.R.S. § 16-645.

The required documents must be filed no earlier than 150 days before the election and no later than 40 days before the election at 5:00 PM, except: (i) a write-in candidate to fill a vacancy that occurs after the official ballots have been printed must file the required nomination documents no later than five days before the election; and (ii) a write-in candidate who intends to run in a school district, special taxing district, or precinct committeemen election that may be canceled due to an insufficient number of candidates seeking election must file the required nomination documents no later than 106 days before the election in question. A.R.S. § 16-312(B); A.R.S. § 16-343(D).

For nonpartisan special district elections, the candidate(s) who receive the highest number of votes is elected. Ariz. Const. Art. VII § 7. For elections in cities and towns, a candidate may be elected at the primary election and a general (run-off) election is not required if the candidate received a majority of votes. A.R.S. § 9-821.01. Additionally, charter cities may differ in their scheduling of candidate elections based on the number of candidates running for office.

C. Resign to Run

The "resign-to-run" law provides that except during the final year of the term being served, an incumbent holding a salaried elective office (whether through election or by appointment) must resign their current office before filing a nomination paper and seeking nomination or election to any other salaried federal, state, or local public office. Ariz. Const. Art. XXII, § 18; A.R.S. § 38-296(A). An incumbent of a salaried elected office shall be deemed to have offered themself for nomination or election to a salaried local, state or federal office on the filing of a nomination paper pursuant to A.R.S. § 16-311(A). An incumbent of a salaried elected office is not deemed to have offered themself for nomination or election to an office by making a formal declaration of candidacy for the office. A.R.S. § 38-296(B).

Violation of the resign-to-run law results in the incumbent's present office being "declared vacant." A.R.S. § 38-296(E). To enforce this provision, the Attorney General, applicable County Attorney, or a person entitled to rightfully hold the office must file a *quo warranto* action in court. A.R.S. § 12-2041; A.R.S. § 12-2042; A.R.S. § 12-2043; *Jennings v. Woods*, 194 Ariz. 314, 982 P.2d 274 (1999).

D. Running For U.S. President

A candidate may run for U.S. President in Arizona by one of two methods: obtaining a nomination or running as a write-in candidate. See *Running for U.S. President in Arizona: A Candidate Guide*.

Absent a successful challenge, a nomination means the presidential candidate's name will appear on the general election ballot in a presidential election year. There are two methods for obtaining a nomination: one reserved for candidates running under recognized party labels, and one reserved for "independent" or party-unaffiliated candidates.

- A candidate seeking the nomination of a recognized political party usually runs in the Presidential Preference Election (PPE). However, the presidential and vice-presidential candidates that ultimately appear on the general election ballot will be formally nominated by party delegates at national conventions held during the summer preceding the election. As a prerequisite to placement of their nominees on the general election ballot, each recognized political party must timely submit the names of presidential electors who will cast votes for the winning candidate in the Electoral College.
- Alternatively, a candidate may qualify as an independent presidential candidate by collecting nomination petition signatures.[9] If the candidate meets the requisite signature threshold, the candidate and their vice-presidential running mate (along with a "party" designation of the candidates' choice) will appear on the general election ballot.

In lieu of seeking a nomination, a person may run as a write-in presidential candidate if the person files required documentation by the applicable deadline in advance of the general election.

[9] While a statement of interest is not required for candidates for President or Vice President of the United States, A.R.S. § 16-311(H); A.R.S. § 16-341(I), candidates for the office of presidential elector are required to file a statement of interest. *Clayton v. West*, 251 Ariz. 226, 489 P.3d 394 (2021).

1. Presidential Preference Elections

A PPE is only open to candidates seeking the nomination of a recognized political party. Write-in candidates are prohibited from participating in the PPE. A.R.S. § 16-243(B); A.R.S. § 16-244; A.R.S. § 16-247.

Candidates seeking to appear on their political party's PPE ballot must meet the constitutional qualifications for President of the United States and submit valid nomination documents before the filing deadline. The candidates who receive the most votes at the PPE will be entitled to have their party's delegates from the State of Arizona vote for them at their political party's national convention. A.R.S. § 16-243(B); U.S. Const. Art. II, § 1, cl. 5.

a. *Required Documents for Running in the PPE*

A candidate may qualify for the PPE ballot by filing with the Secretary of State: (i) a PPE nomination paper; and (ii) PPE nomination petition with the requisite number of signatures, or certificates of presidential preference ballot qualification from at least two other states. A.R.S. § 16-242(A), (E); A.R.S. § 16-311(A)-(B), (D), (G).

i. PPE Nomination Petition Signatures

A presidential candidate may qualify for the PPE ballot by filing a minimum number of nomination petition signatures with the nomination paper. A PPE candidate must collect at least 500 nomination petition signatures from qualified electors. For a recognized political party that has at least 50,000 registered voters in Arizona, only qualified electors registered with that political party may sign the nomination petition. For a recognized political party with less than 50,000 registered Arizona voters, any registered voter may sign the nomination petition. A.R.S. § 16-242(C).

ii. Alternative to Submitting Nomination Petition Signatures

In lieu of filing nomination petition signatures, a presidential candidate may submit official documentation from at least two other states proving that the candidate previously qualified for the partisan party ballot in that state. Such documentation may be from the chief election office, commission, or board. A signed letter on official government letterhead will suffice. Only states with primary-style (not caucus) presidential preference elections are eligible for this reciprocity. A.R.S. § 16-242(E).

b. *Deadline to File Nomination Documents*

A presidential candidate must file a PPE nomination paper and PPE nomination petitions or certificates of ballot qualification between 130 and 100 days before the PPE. If the deadline for filing falls on a weekend or legal holiday, the nomination documents must be filed by the next business day. A presidential candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the PPE ballot. A.R.S. § 16-242(B).

c. *Opting Out of the PPE*

Participation in the PPE by an eligible party is not mandatory. *See Arizona State Democratic Committee v. Hull*, No. CV 96-00909 (Ariz. Super. 1996). If an eligible party chooses not to participate in the PPE, the state party's chairperson must notify the Secretary of State in writing by September 1st (or the next business day if that date falls on a weekend or state holiday) of the year preceding the PPE for every PPE thereafter. The Secretary of State will promptly notify county officials and provide further instructions as needed.

The presidential nominee of eligible parties who opt out of the PPE may appear on the general election ballot so long as their party chairpersons nominate presidential electors as prescribed by statute and by the statutory deadline. A.R.S. § 16-344.

2. Presidential Nomination Through Party Convention

Presidential and vice-presidential candidates who were nominated by recognized political parties at national party conventions will appear on the general election ballot, contingent on the state political party's timely submission of presidential electors' nomination documents to the Secretary of State.

a. *Required Documents for Nomination of Presidential Electors*

The state chairperson of a recognized political party must file nomination papers for its presidential electors, equal to the number of U.S. Senators and members of the U.S. House of Representatives from Arizona. A.R.S. § 16-344.

b. *Deadline to File Nomination Documents*

The state chairperson of a recognized political party must file presidential elector nomination papers no later than 10 days after the primary election. A recognized political party that does not file the requisite presidential elector nomination papers by 5:00 p.m. on the last day for filing is not eligible to have its presidential, vice-presidential, or presidential elector names printed on the general election ballot. A.R.S. § 16-344(A).

3. Independent Presidential Candidates

A candidate who is not affiliated with a recognized political party label may seek nomination as an "independent" candidate. If the candidate meets the requisite signature threshold, the candidate, their vice-presidential running mate, and their electors (along with a "party" label of the candidates' choice) will appear on the general election ballot.

To qualify as an independent presidential candidate on the general election ballot, a candidate must file the following documents with the Secretary of State:

- A letter of consent;
    - An independent presidential candidate must file a letter with the Secretary of State designating the candidate's vice-presidential running mate and the names of their presidential electors, including each person's signed consent to be designated as such. The

letter of consent is separate from the nomination papers that must be filed. The wording of the letter is left to the candidate's discretion, as long as the letter is signed by the vice-presidential running mate and each presidential elector. A.R.S. § 16-341(I). The letter may be a single document signed by the vice-presidential candidate and all electors or it may be separate letters for each individual elector and the vice-presidential candidate.

- Independent nomination papers for the presidential, vice-presidential, and presidential elector candidates; and
- Independent nomination petitions signed by the requisite number of valid signers.

An independent presidential candidate must submit nomination petition signatures equal to at least 3% of registered voters in the state who are not registered with a recognized political party. The number of unaffiliated registered voters is determined on the basis of voter registration totals reported by the Secretary of State as of January 2nd in the general election year. A.R.S. § 16-341(E)-(G).

Any registered voter may sign the petition as long as the voter has not signed another presidential elector nomination petition for the same presidential election. A "federal-only" voter is qualified to sign. A.R.S. § 16-341(G). Otherwise, the same rules for signing and circulating a nomination petition apply to independent presidential nomination petitions.

An independent presidential candidate must file a letter of consent, nomination papers, and nomination petitions between 100 and 80 days before the general election. A.R.S. § 16-341(G), (J). "A nomination petition for the office of presidential elector shall be filed not less than eighty nor more than one hundred days before the general election. The petition shall be signed only by qualified electors who have not signed the nomination petitions of a candidate for the office of presidential elector to be voted for at that election." A.R.S. § 16-341(G).

- **First day to file nomination papers and petition signatures: 7/30/2028**
- **Last day to file nomination papers and petition signatures: 8/19/2028 at 5:00p.m.**

4. Write-In Candidate for President

In lieu of securing a nomination to qualify for the general election ballot, a person may run as a write-in presidential candidate. Becoming an official write-in candidate causes the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. A.R.S. § 16-312(C).

A person may not seek a write-in candidacy in the general election if the candidate filed independent presidential nomination petitions for the current election. A.R.S. § 16-312(F)(4).

A person may qualify as an official write-in presidential candidate by filing with the Secretary of State: (i) a letter of consent signed by the vice-presidential running mate and each presidential elector; and (ii) write-in nomination papers for the presidential, vice-presidential, and presidential elector candidates. A.R.S. § 16-312(G).

A write-in presidential candidate must file a write-in letter of consent and requisite nomination papers no earlier than 150 days before the election and no later than 5:00 p.m. on the 40th day before the general election. A write-in presidential candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have votes tallied or included in the official canvass. Promptly after the close of the filing deadline, the filing officer must notify the Board of Supervisors of any write-in candidates certified for the election. A.R.S. § 16-312(B), (E).

E. Candidate Nomination Petition Circulators

Circulators of candidate nomination petitions are not required to be Arizona residents but must otherwise be qualified to register to vote in this state pursuant to A.R.S. § 16-101. If the circulator is not a resident of this state, they must register as a circulator with the Secretary of State through the Circulator Portal. A.R.S. § 16-315(D).

A circulator must complete the affidavit on the back of the nomination petition attesting that each of the names on the petition was signed in the circulator's presence on the date indicated and that, in the circulator's belief, each signer was a qualified elector who resides at the address given as the signer's residence on the date indicated. If the nomination petition is for a partisan election, the circulator must additionally attest that each signer is a qualified signer. A.R.S. § 16-321(D).

F. Filing Officer for Candidate Documents

Candidate documents, including statements of interest, nomination papers, nomination petitions, and financial disclosure statements, must be filed with the proper filing officer.

The Secretary of State is the filing officer for:

- Presidential, Vice- Presidential, and Presidential elector candidates;
- U.S. Senate and U.S. House of Representatives candidates;
- Statewide candidates;
- Legislative candidates;
- Supreme Court justices (seeking retention); and
- Court of Appeals judges (seeking retention).

A.R.S. § 16-242(A); A.R.S. § 16-311(E); Ariz. Const. Art. VI, § 38(A).

The county officer in charge of elections is the filing officer for:

- County candidates, including County Sheriff, County Attorney, County Recorder, County Treasurer, County Assessor, County Superintendent of Schools, and County Supervisors;
- Candidates for justice precinct office, which include:[10]
  - Justice of the Peace candidates;

[10] *Nicol v. Superior Court, Maricopa County*, 106 Ariz. 208, 209, 473 P.2d 455, 456 (1970) (Justices of the Peace and Constables are "precinct officers" pursuant to A.R.S. § 22-102).

  - Constable candidates; and
- Candidates for voting precinct office, which include:
  - Precinct committeemen candidates;
- Community college district governing board candidates;[11]
- Special taxing district candidates (see applicable A.R.S., Title 48 statutes);
- Superior Court judges (seeking election or retention); and
- Clerk of the Superior Court candidates.[12]

A.R.S. § 16-311(F); A.R.S. § 15-1442(A).

The county school superintendent is the filing officer for:

- School district governing board candidates; and
- Joint technical education district governing board candidates.

A.R.S. § 15-422(A); A.R.S. § 15-431(B)(6); A.R.S. § 16-311(F); A.R.S. § 15-393(A)(4), (C)(5).

The city or town clerk is the filing officer for candidates for city or town council or mayor. A.R.S. § 16-928(A)(3).

G. Bases to Reject a Candidate Filing

A filing officer may reject a candidate filing on any of the following bases:

- Failure to file a sufficient number of nomination petition signatures. A filing officer may reject nomination petitions without conducting a full count if the candidate or campaign acknowledges that an insufficient number of signatures are being presented for filing;
- Failure to file nomination documents by the statutory deadline;
- Failure to file all the required documents to run for office (except that failure to file a statement of interest is not a basis to reject a filing, although it renders signatures collected prior to filing a statement of interest subject to challenge);
- Failure to fully or properly complete any required document to run for office, including:
  - Failure to sign a document that requires a signature (an electronic or type-written signature may be permitted for candidates using the Secretary of State's electronic Candidate Portal);
  - Failure to select a required checkbox or answer a required question;

[11] Community college district governing board candidates file nomination papers with the "appropriate county officer," which may be the county officer in charge of elections in some counties or the county school superintendent in others. *See* A.R.S. § 15-1442(A).

[12] Ariz. Op. Atty. Gen. No. I85-086 (R85-071) (1985) (holding that candidates for Clerk of the Superior Court are treated as county candidates for the purpose of filing nomination petitions).

  - Use of an honorific or other unauthorized title on a nomination paper. However, when possible, a filing officer should simply reject the unauthorized or honorific title in lieu of rejecting the nomination paper altogether.

- Failure to use the correct form or correct version of any required document, as prescribed by the filing officer, to run for office;
- Seeking more than one office at the same time if the candidate would be prohibited from serving in the offices simultaneously;[13] or
- If a candidate for state or local office is liable for an aggregate of $1,000 or more in fines, penalties, late fees, or administrative or civil judgments, including any interest or costs, that have not been fully paid at the time of the attempted filing of the nomination paper and the liability arose from campaign finance violations under Title 16, Chapter 6, unless the liability is being appealed.

A.R.S. § 16-322; A.R.S. § 16-311(D), (H), (I), (J).

Any other alleged deficiencies in a candidate's nomination documents should be addressed in court. For example, the filing officer is not authorized to reject a nomination paper or nomination petitions "that have been submitted by a candidate who is found guilty of petition forgery," nor may a filing officer reject nomination papers of a candidate for failure to meet residency requirements if the papers "on their face substantially comply with the terms of the statute." Ariz. Atty. Gen. Op. No. I84-096 (1984). Any such disqualification must be ordered by a court in response to a candidate challenge filed pursuant to A.R.S. § 16-351(F).

II. NOMINATION PETITION CHALLENGES

Any qualified elector may challenge a candidate for any reason relating to the qualifications for the office sought as prescribed by law or based on insufficiency of the nomination paper or petition and/or the signatures thereon. A.R.S. § 16-314; A.R.S. § 16-321; A.R.S. § 16-351.

A. Initiating a Candidate Petition Challenge

Challenge procedures are specified in A.R.S. § 16-351. The challenge petition must be filed in superior court no later than 5:00 p.m. on the tenth day, excluding Saturday, Sunday, and legal holidays, after the deadline for filing nomination papers and petitions.

- The challenger must state specifically the grounds for the challenge. If nomination petition signatures are being challenged, the challenge petition must specify the petition page and line number for each signature being challenged as well as the grounds for challenging each signature.
- The challenge petition must name as defendants: (i) the Board of Supervisors of any county involved in the challenge, (ii) the County Recorder for any county involved, (iii) the appropriate filing officer, and (iv) the candidate who is subject to the challenge. If the candidate is seeking

[13] However, a candidate for legislative office may simultaneously run for community college district, school district, or joint technical education district governing board member, and a candidate for U.S. Senate or U.S. House of Representatives may also run for U.S. President or U.S. Vice President during the same election cycle. Ariz. Const. Art. IV, Pt. 2, § 5; A.R.S. § 38-296.01(B).

nomination for office for a jurisdiction or district that crosses county lines, the challenge petition must name the appropriate Board of Supervisors and County Recorder for each county included in the jurisdiction or district.

- The challenge petition must be served immediately after the challenge is filed and, in any case, no later than 24 hours after it is filed, excluding Saturday, Sunday, and legal holidays.

B. Service of Process and Notification Requirements

The officer with whom the challenged candidate filed their nomination paper and petitions is the designated agent for service of process in all candidate challenges.

Once the correct filing officer has been served with the challenge, the filing officer must immediately mail a copy of the challenge to the candidate and notify the candidate by phone and/or email of the challenge. The filing officer shall also immediately notify the County Recorder(s) named in the challenge and provide the County Recorder(s) with a copy of the challenge and a copy of the front sides of the nomination petitions (if applicable) filed by the challenged candidate. A.R.S. § 16-351(D).

C. County Recorder Signature Verification

The filing officer should provide the pertinent nomination petition pages to the County Recorder(s) promptly upon receipt of the complaint and reasonable certainty of a challenge, regardless of whether the challenger has formally served process on the filing officer. Upon receipt of the challenge and the nomination petitions from the filing officer, the County Recorder(s) must perform signature verification on the nomination petition signatures that are being challenged, if any.

The following recommended procedures apply to the County Recorder's signature verification:

- The County Recorder need only perform signature verification for the challenged signatures of qualified electors in the County Recorder's County. For a nomination petition challenge for an office where the applicable boundaries include multiple counties, the County Recorder need only verify the petition signatures of the County that is designated at the top of the nomination petition form.
- The County Recorder need only perform one check of the signatures that are challenged.
- For a challenge that alleges that specific petition signers are not registered to vote, the County Recorder will search the County's voter registration database, as of the time of the filing of the court action, for the signer's name and address and confirm whether the signer was registered to vote as of the date of signing.
- If the County Recorder is the candidate being challenged, the County Recorder will be screened from the signature verification process and will have staff conduct the signature verification and prepare the report. The County Recorder shall not personally work on the verification.
- The County Recorder must ensure that staff performing the signature verification are properly trained. Temporary employees may be trained by full time staff with at least two election cycles of signature verification experience.
- The County Recorder need not retain or employ a handwriting expert to perform signature verification.

1. Criteria for Disqualifying Signatures

The County Recorders should consult with chart[14] below, which provides the petition scenario and whether the signature line shall be rejected or accepted.

ALL CANDIDATE NOMINATION PETITIONS (A.R.S. § 16-315; A.R.S. § 16-321; A.R.S. § 16-341(I))	
Petition Scenarios	**Accept/ Reject**
1. Voter active/inactive, registered in proper party, registered address in district and petition address different but within the district.	ACCEPT
2. Voter active/inactive, registered in proper party, registered address out of district and petition address different but within district.	REJECT
3. Voter active/inactive, registered in proper party, registered address in district and petition address different but outside of district.	ACCEPT
4. Voter active/inactive, registered in proper party, registered address in district and petition shows P.O. Box.	ACCEPT
5. Voter active/inactive, registered in proper party, registered address out of district and petition shows P.O. Box.	REJECT
6. Voter active/inactive, registered in different recognized party. Note: A voter not registered with a recognized party may sign a recognized party candidate's petition, excluding a candidate for precinct committeeman. Additionally, any registered voter, regardless of party affiliation may sign an A.R.S. § 16-341 (independent) candidate's petition.	REJECT
7. Voter registered to vote after the date of signing the petition.	REJECT
8. Voter provided no date or an incomplete date on petition signature line.	REJECT
9. Duplicate for same candidate: Voter signed the same candidate's petition more than once and another signature is dated on or before the same date as the signature being reviewed. Both signatures must be identified by page and line number.	REJECT

[14] This chart was provided in the Appendix of the *2019 Election Procedures Manual* under the title, "County Recorder Signature Verification Guide".

10. Duplicate for same office: Voter signed more than one candidate's petition for the same office and another signature is dated on or before the same date as the signature being reviewed. Both signatures must be identified by page and line number. Signer may sign petitions up to the number of open seats for that office (*i.e.*, council members).	REJECT
11. Voter provided other information but did not sign the petition.	REJECT
12. Signature or other information printed by the signer is illegible and search of county's database in an attempt to identify the voter was unsuccessful.	REJECT
13. Petition signature does not match voter's signature in the voter registration record.	REJECT
14. Voter provided no address on petition signature line. Voter can use description of residence or P.O. box if previously registered and not moved from residence on file in voter registration record. Protected/secured registrants may write in "Protected Address," "Protected Registrant," "Secured Registrant," or substantially similar designation in place of residence address.	REJECT
15. Voter signed the petition prior to the candidate filing a statement of interest for nomination if a statement of interest is required to be filed. A.R.S. § 16-341(I).	REJECT
16. Voter is a "federal-only" voter and petition is for state/local candidate. AG Opinion I13-011(R13-016) 2013.	REJECT

For comparison of the voters' signatures on the petition to that in the voters' registration record, the County Recorders shall refer to the guidance provided in the *Signature Verification Guide* (available on the Secretary of State's website at https://azsos.gov/elections/vote/resources) when performing signature verification.[15]

2. County Recorder's Signature Verification Report

Upon completion of verification of challenged signatures, the County Recorder must prepare a report of the results of the verification.

- The report shall include: (i) the list of challenged signatures determined to be invalid by the County Recorder; and (ii) the reason(s) for the County Recorder's determination that the signature is invalid.
- The County Recorder may limit the reasons for disqualifying a signature to the reason(s) identified by the challenger. Nonetheless, the County Recorder may identify, and the County Recorder's

[15] *See McKenna v. Soto*, 250 Ariz. 469, 481 P.3d 695, 699-700 (2021) (holding that the Secretary of State's guidance documents on candidate nomination petition signature verification does not have the force of law).

report may reflect, a reason for disqualifying a signature other than the reason(s) specified in the challenge.

- The County Recorder shall produce the signature verification report as soon as practicable after receiving, or having access to, the pertinent nomination petition pages from the filing officer or as required by the court.

3. Testimony and Evidence by County Recorder

In addition to the County Recorder's signature verification report, the County Recorder(s) and the filing officer, or their designee(s), must also provide testimony and other evidence for the challenge hearing on the request of any of the parties to the court action. A.R.S. § 16-351(E).

If a party to a nomination petition challenge requests certified copies of voter registration forms, the County Recorder must make best efforts to provide the certified copies as soon as practicable and prior to the court hearing. Due to the very condensed timeframe for challenges, the requestor should cooperate with the County Recorder to facilitate timely fulfillment of the requests, including by providing the voter registration number for each individually identified voter at the County Recorder's request. If the County Recorder is unable to apply statutorily required redactions within the necessary timeframe, the County Recorder should seek to produce the records pursuant to an appropriate protective order or under seal in accordance with the Arizona Rules of Civil Procedure and other applicable law.

D. Duties of the Challenger and Candidate

Upon filing the challenge, the challenger should provide the applicable County Recorder(s) an electronic, sortable version of any spreadsheet filed with the complaint, which identifies the page number, line number, and reason for the challenge for each petition signature being challenged. To the extent practicable, this spreadsheet should also provide the full name, address, and voter registration identification number for each signer whose signature is being challenged.

To facilitate the County Recorder's signature verification, the candidate being challenged may provide the County Recorder with a spreadsheet listing the petition page number and line number in the same order as provided in the challenger's spreadsheet and indicating the candidate's response as to each challenged signature.

E. Court Hearing

The hearing on the challenge and the court's ruling must occur within 10 days after the challenge is filed, excluding Saturdays, Sundays, and holidays. A.R.S. § 16-351(A); *but see Brousseau v. Fitzgerald*, 138 Ariz. 453, 675 P.2d 713 (1984) (holding that the 10-day requirement for action by the court on nomination petition challenges is directory, not mandatory).

F. Costs and Expenses

The filing officer has no statutory duty to reimburse County Recorders for signature verification or other expenses incurred in connection with nomination petition challenges. Accordingly, County Recorders should seek sufficient funding from their Board of Supervisors to ensure the ability to comply with the signature verification and reporting requirements of A.R.S. § 16-351.

The County Recorder may seek reasonable expenses from the challenger or candidate under specified circumstances. If the court finds that the challenge was without substantial justification or primarily for the purpose of delay or harassment, the court may enter judgment in favor of the County Recorder or officer in charge of elections and against the challenger for the reasonable expenses incurred in the signature verification process. Similarly, if the court finds that the candidate knowingly or recklessly submitted a substantial number of invalid signatures, the court may enter judgment in favor of the County Recorder or officer in charge of elections for the reasonable costs incurred in the signature verification process. A.R.S. § 16-351.01.