

COMMITTEE ON JUDICIARY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2304

(Reference to printed bill)

1 Page 9, line 34, after "VOLUNTARY" insert "OR INVOLUNTARY"

2 Page 10, line 7, after "OCCURS" insert "AS PRESCRIBED IN SUBSECTION D OF THIS
3 SECTION"

4 Page 11, between lines 19 and 20, insert:

5 "Sec. 8. Section 16-502, Arizona Revised Statutes, is amended to read:

6 16-502. Form and contents of ballot

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

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

24 "Section One

25 Partisan Ballot

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

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

1 C. Immediately below the instructions for voting in section one there
2 shall be placed in columns the names of the candidates of the several
3 political parties. Next to each candidate's name there shall be printed in
4 bold-faced letters the name of the political party. At the head of each
5 column shall be printed the names of the offices to be filled with the name
6 of each office being of uniform type size. At the head of each column shall
7 be printed in the following order the names of candidates for:

- 8 1. Presidential electors.
- 9 2. United States senator.
- 10 3. Representatives in Congress.
- 11 4. The several state offices.
- 12 5. The several county and precinct offices.

13 D. The names of candidates for the offices of state senator and state
14 representative along with the district number shall be placed within the
15 heading of each column to the right of the office name for state offices and
16 immediately below the candidates for the office of governor. The number of
17 the supervisorial district of which a candidate is a nominee shall be printed
18 within the heading of each column to the right of the name of the office.

19 E. The lists of the candidates of the several parties shall be
20 arranged with the names of the parties in descending order according to the
21 votes cast for governor for that county in the most recent general election
22 for the office of governor, commencing with the left-hand column. In the
23 case of political parties which did not have candidates on the ballot in the
24 last general election, such parties shall be listed in alphabetical order
25 below the parties which did have candidates on the ballot in the last general
26 election. The names of all candidates nominated under section 16-341 shall
27 be placed in a single column below that of the recognized parties. Next to
28 the name of each candidate, in parentheses, shall be printed ~~the designation~~
29 ~~not to exceed three words in length as~~ A THREE-LETTER ABBREVIATION THAT IS
30 TAKEN FROM THE THREE WORDS prescribed in the candidate's certificate of
31 nomination.

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

35 G. In each column at the right of the name of each candidate and on
36 the same line there shall be a place for the voter to put a mark. Below the
37 name of the last named candidate for each office there shall be as many blank

1 lines as there are offices of the same title to be filled, with a place for
2 the voter to put a mark unless write-in envelopes are provided for that
3 purpose. Upon the blank line the voter may write the name of any person for
4 whom he desires to vote whose name is not printed, and next to the name so
5 written he shall designate his choice by a mark as in the case of printed
6 names.

7 H. When there are two or more candidates of the same political party
8 for the same office, or more than one candidate for a judicial office, the
9 names of all such candidates shall be so alternated on the ballots used in
10 each election district that the name of each candidate shall appear
11 substantially an equal number of times in each possible location. If there
12 are fewer or the same number of candidates seeking office than the number to
13 be elected, the rotation of names is not required and the names shall be
14 placed in alphabetical order.

15 I. Immediately below section one of the ballot shall be placed the
16 following:

17 "Section Two

18 Nonpartisan Ballot

19 1. Put a mark according to the instructions next to the
20 name of each candidate for each nonpartisan office for whom you
21 wish to vote.

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

26 3. Put a mark according to the instructions next to the
27 word 'yes' (or for) for each proposition or question you wish to
28 be adopted. Put a mark according to the instructions next to the
29 word 'no' (or against) for each proposition or question you wish
30 not to be adopted."

31 J. Immediately below the instructions for voting in section two shall
32 be placed the names of the candidates for judges of the superior court
33 standing for election pursuant to article VI, section 12, Constitution of
34 Arizona, school district officials, ~~justice~~ JUSTICES of the supreme court,
35 judges of the court of appeals, judges of the superior court standing for
36 retention or rejection pursuant to article VI, section 38, Constitution of
37 Arizona, and other nonpartisan officials in a column or in columns without

1 partisan or other designation except the title of office in an order
2 determined by the officer in charge of the election.

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

7 L. All proposed constitutional amendments and other propositions or
8 questions to be submitted to the voters shall be printed immediately below
9 the names of candidates for nonpartisan positions in such order as the
10 secretary of state, or if a city or town election, the city or town clerk,
11 designates. Placement of county and local charter amendments, propositions
12 or questions shall be determined by the officer in charge of the election.
13 Except as provided by section 19-125, each proposition or question shall be
14 followed by the words "yes" and "no" or "for _____" and "against _____" as
15 the nature of the proposition or question requires, and at the right of and
16 next to each of such words shall be a place for the voter to put a mark
17 according to the instructions that is similar in size to those places
18 appearing opposite the names of the candidates, in which the voter may
19 indicate his vote for or against such proposition or question by a mark as
20 defined in section 16-400.

21 M. Instead of printing the official and descriptive titles or the full
22 text of each measure or question on the official ballot, the officer in
23 charge of elections may print phrases on the official ballot that contain all
24 of the following:

25 1. The number of the measure in reverse type and at least twelve point
26 type.

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

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

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

35 N. For any ballot printed pursuant to subsection M of this section,
36 the instructions on the official ballot shall direct the voter to the full

1 text of the official and descriptive titles and the questions and
2 propositions as printed on the sample ballot and posted in the polling place.

3 Sec. 9. Section 16-515, Arizona Revised Statutes, is amended to read:

4 16-515. "Seventy-five foot limit" notices; posting; violation;
5 classification; definitions

6 A. Except as prescribed in this section and section 16-580, a person
7 shall not be allowed to remain inside the seventy-five foot limit while the
8 polls are open, except for the purpose of voting, and except the election
9 officials, one representative at any one time of each political party
10 represented on the ballot who has been appointed by the county chairman of
11 that political party and the challengers allowed by law, and no ~~political or~~
12 electioneering materials may be displayed AND NO ELECTIONEERING MAY OCCUR
13 within the seventy-five foot limit. Voters having cast their ballots shall
14 promptly move outside the seventy-five foot limit.

15 B. The board of supervisors shall furnish, with the ballots for each
16 polling place, three notices, printed in letters not less than two inches
17 high, with the heading: "Seventy-five foot limit" and underneath that
18 heading the following:

19 No person shall be allowed to remain inside these limits while
20 the polls are open, except for the purpose of voting, and except
21 the election officials, one representative at any one time of
22 each political party represented on the ballot who has been
23 appointed by the county chairman of such political party, and the
24 challengers allowed by law. Voters having cast their ballots
25 shall at once retire without the seventy-five foot limit. A
26 person violating any provision of this notice is guilty of a
27 class 2 misdemeanor.

28 C. A minor voting in a simulated election at a polling place is
29 subject to the same seventy-five foot limit restrictions prescribed for a
30 voter. Persons supervising or working in a simulated election in which
31 minors vote may remain within the seventy-five foot limit of the polling
32 place. The inspector for the polling place shall exercise authority over all
33 election and simulated election related activities at the polling place.

34 D. For an election that is held by an Indian tribe and that is held at
35 a polling place at the same time and on the same date as any other election,
36 the following apply:

1 1. A person who is voting is subject to the same seventy-five foot
2 limit restrictions prescribed for other voters.

3 2. An election official for the tribal election may remain within the
4 seventy-five foot limit for the polling place.

5 E. With the permission of the voter, a minor may enter and remain
6 within the seventy-five foot limit in order to accompany a voter into a
7 polling place, an on-site early voting facility and a voting booth while the
8 voter is voting.

9 F. Any person violating this section is guilty of a class 2
10 misdemeanor.

11 G. FOR THE PURPOSES OF THIS SECTION:

12 1. "ELECTIONEERING" MEANS A DEMONSTRATION OF EXPRESS SUPPORT FOR OR
13 OPPOSITION TO A CANDIDATE WHO APPEARS ON THE BALLOT IN THAT ELECTION, A
14 BALLOT QUESTION THAT APPEARS ON THE BALLOT IN THAT ELECTION OR A POLITICAL
15 PARTY WITH ONE OR MORE CANDIDATES WHO APPEAR ON THE BALLOT IN THAT ELECTION,
16 AND INCLUDES ANY USE OF A CANDIDATE'S OR POLITICAL PARTY'S NAME OR A BALLOT
17 MEASURE'S NAME OR NUMERIC DESIGNATION AND ANY VERBAL EXPRESSIONS OF
18 OPPOSITION OR SUPPORT.

19 2. "ELECTIONEERING MATERIALS" MEANS WRITTEN OR PRINTED MATERIAL OR
20 ITEMS, INCLUDING ARTICLES OF CLOTHING, THAT EXPRESS SUPPORT FOR OR OPPOSITION
21 TO A CANDIDATE WHO APPEARS ON THE BALLOT IN THAT ELECTION, A BALLOT QUESTION
22 THAT APPEARS ON THE BALLOT IN THAT ELECTION OR A POLITICAL PARTY WITH ONE OR
23 MORE CANDIDATES WHO APPEAR ON THE BALLOT IN THAT ELECTION.

24 Sec. 10. Section 16-542, Arizona Revised Statutes, is amended to read:
25 16-542. Request for ballot

26 A. Within ninety-three days before any election called pursuant to the
27 laws of this state, an elector may make a verbal or signed request to the
28 county recorder, or other officer in charge of elections for the applicable
29 political subdivision of this state in whose jurisdiction the elector is
30 registered to vote, for an official early ballot. In addition to name and
31 address, the requesting elector shall provide the date of birth and state or
32 country of birth or other information that if compared to the voter
33 registration information on file would confirm the identity of the elector.
34 If the request indicates that the elector needs a primary election ballot and
35 a general election ballot, the county recorder or other officer in charge of
36 elections shall honor the request. For any partisan primary election, if the
37 elector is not registered as a member of a political party that is entitled

1 to continued representation on the ballot pursuant to section 16-804, the
2 elector shall designate the ballot of only one of the political parties that
3 is entitled to continued representation on the ballot and the elector may
4 receive and vote the ballot of only that one political party. The county
5 recorder may establish on-site early voting locations at the recorder's
6 office, which shall be open and available for use beginning the same day that
7 a county begins to send out the early ballots. The county recorder may also
8 establish any other early voting locations in the county the recorder deems
9 necessary.

10 B. Notwithstanding subsection A of this section, a request for an
11 official early ballot from an absent uniformed services voter or overseas
12 voter as defined in the uniformed and overseas citizens absentee voting act
13 of 1986 (P.L. 99-410; 42 United States Code section 1973ff-6) or a voter
14 whose information is protected pursuant to section 16-153 that is received by
15 the county recorder or other officer in charge of elections more than
16 ninety-three days before the election is valid. If requested by the absent
17 uniformed services or overseas voter, or a voter whose information is
18 protected pursuant to section 16-153, the county recorder or other officer in
19 charge of elections shall provide to the requesting voter early ballot
20 materials through the next ~~two~~ regularly scheduled general ~~elections~~ ELECTION
21 for federal office immediately following receipt of the request UNLESS A
22 DIFFERENT PERIOD OF TIME, WHICH DOES NOT EXCEED THE NEXT TWO REGULARLY
23 SCHEDULED GENERAL ELECTIONS FOR FEDERAL OFFICE, IS DESIGNATED BY THE VOTER.

24 C. The county recorder or other officer in charge of elections shall
25 mail the early ballot and the envelope for its return postage prepaid to the
26 address provided by the requesting elector within five days after receipt of
27 the official early ballots from the officer charged by law with the duty of
28 preparing ballots pursuant to section 16-545, except that early ballot
29 distribution shall not begin more than twenty-six days before the election.
30 If an early ballot request is received on or before the thirtieth day before
31 the election, the early ballot shall be distributed on the twenty-sixth day
32 before the election.

33 D. Only the elector may be in possession of that elector's unvoted
34 early ballot. If a complete and correct request is made by the elector
35 within twenty-six days before the election, the mailing must be made within
36 forty-eight hours after receipt of the request. Saturdays, Sundays and other
37 legal holidays are excluded from the computation of the forty-eight hour

1 period prescribed by this subsection. If a complete and correct request is
2 made by an absent uniformed services voter or an overseas voter before the
3 election, the regular early ballot shall be transmitted by mail, by fax or by
4 other electronic format approved by the secretary of state within twenty-four
5 hours after the early ballots are delivered pursuant to section 16-545,
6 subsection B, excluding Sundays.

7 E. In order to be complete and correct and to receive an early ballot
8 by mail, an elector's request that an early ballot be mailed to the elector's
9 residence or temporary address must include all of the information prescribed
10 by subsection A of this section and must be received by the county recorder
11 or other officer in charge of elections no later than 5:00 p.m. on the
12 eleventh day preceding the election. An elector who appears personally no
13 later than 5:00 p.m. on the Friday preceding the election at an on-site early
14 voting location that is established by the county recorder or other officer
15 in charge of elections shall be given a ballot and permitted to vote at the
16 on-site location. If an elector's request to receive an early ballot is not
17 complete and correct but complies with all other requirements of this
18 section, the county recorder or other officer in charge of elections shall
19 attempt to notify the elector of the deficiency of the request.

20 F. Unless an elector specifies that the address to which an early
21 ballot is to be sent is a temporary address, the recorder may use the
22 information from an early ballot request form to update voter registration
23 records.

24 G. The county recorder or other officer in charge of early balloting
25 shall provide an alphabetized list of all voters in the precinct who have
26 requested and have been sent an early ballot to the election board of the
27 precinct in which the voter is registered not later than the day prior to the
28 election.

29 H. As a result of an emergency occurring between 5:00 p.m. on the
30 second Friday preceding the election and 5:00 p.m. on the Monday preceding
31 the election, qualified electors may request to vote early in the manner
32 prescribed by the county recorder of their respective county. For the
33 purposes of this subsection, "emergency" means any unforeseen circumstances
34 that would prevent the elector from voting at the polls.

35 I. A candidate or political committee may distribute early ballot
36 request forms to voters. If the early ballot request forms include a printed
37 address for return to an addressee other than a political subdivision, the

addressee shall be the candidate or political committee that paid for the printing and distribution of the request forms. All early ballot request forms that are received by a candidate or political committee shall be transmitted as soon as practicable to the political subdivision that will conduct the election."

Renumber to conform

Page 23, strike lines 19 through 45

Strike pages 24 and 25

Page 26, strike lines 1 through 23, insert:

"Sec. 18. Section 16-912, Arizona Revised Statutes, is amended to read:

16-912. Candidates and independent expenditures; campaign literature and advertisement sponsors; identification; civil penalty

A. A political committee that makes an expenditure for campaign literature or advertisements that expressly advocate the election or defeat of any candidate or that make any solicitation of contributions to any political committee shall be registered pursuant to this chapter at the time of distribution, placement or solicitation and shall include on the literature or advertisement the words "paid for by" followed by the name of the committee that appears on its statement of organization or five hundred dollar exemption statement.

B. If the expenditure for the campaign literature or advertisements by a political committee is an independent expenditure, the political committee, in addition to the disclosures required by subsection A of this section, shall include on the literature or advertisement the names and telephone numbers of the three political committees making the largest contributions to the political committee making the independent expenditure. If an acronym is used to name any political committee outlined in this section, the name of any sponsoring organization of the political committee shall also be printed or spoken. For purposes of determining the three contributors to be disclosed, the contributions of each political committee to the political committee making the independent expenditure during the one year period before the election being affected are aggregated.

C. ~~The provisions of~~ Subsection A of this section ~~do~~ DOES not apply to bumper stickers, pins, buttons, pens and similar small items on which the statements required in subsection A of this section cannot be conveniently

1 printed or to signs paid for by a candidate with campaign monies or by a
2 candidate's campaign committee or to a solicitation of contributions by a
3 separate segregated fund from those persons it may solicit pursuant to
4 sections 16-920 and 16-921.

5 D. The disclosures required pursuant to this section shall be printed
6 clearly and legibly in a conspicuous manner or, if the advertisement is
7 broadcast on a telecommunications system, the disclosure shall be spoken.
8 FOR COMMUNICATIONS THAT ARE BROADCAST ON A TELECOMMUNICATIONS SYSTEM OR OTHER
9 MEDIUM THAT CAN PROVIDE A VIEWABLE DISCLOSURE AND A SPOKEN DISCLOSURE, THE
10 DISCLOSURE MAY BE MADE IN PRINTED FORMAT ONLY AND A SPOKEN DISCLOSURE IS NOT
11 REQUIRED.

12 E. A person who violates this section is subject to a civil penalty of
13 up to three times the cost of producing and distributing the literature or
14 advertisement. This civil penalty shall be imposed as prescribed in section
15 16-924."

16 Renumber to conform

17 Page 27, between lines 13 and 14, insert:

18 "Sec. 20. Section 16-919, Arizona Revised Statutes, is amended to
19 read:

20 16-919. Prohibition of contributions by corporations, limited
21 liability companies or labor organizations;
22 exemption; classification; definitions

23 A. Except as provided in section 16-914.02, it is unlawful for a
24 corporation or a limited liability company to make an expenditure or any
25 contribution of money or anything of value for the purpose of influencing an
26 election, and it is unlawful for the designating individual who formed an
27 exploratory committee, an exploratory committee, a candidate or a candidate's
28 campaign committee to accept any contribution of money or anything of value
29 from a corporation or a limited liability company for the purpose of
30 influencing an election. This subsection does not apply to political
31 committees that are incorporated pursuant to title 10, chapters 24 through 40
32 and political committees that are organized as limited liability companies.

33 B. Except as provided in section 16-914.02, it is unlawful for a labor
34 organization to make an expenditure or any contribution of money or anything
35 of value for the purpose of influencing an election.

1 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, A CORPORATION,
2 LIMITED LIABILITY COMPANY OR LABOR ORGANIZATION MAY CONTRIBUTE TO AN
3 INDEPENDENT EXPENDITURE COMMITTEE.

4 ~~E.~~ D. A corporation, limited liability company or labor organization
5 that violates this section is guilty of a class 2 misdemeanor.

6 ~~D.~~ E. The person through whom the violation is effected is guilty of
7 a class 6 felony.

8 ~~E.~~ F. Notwithstanding subsection A of this section, a political
9 committee that is incorporated only for the purposes of liability limitation
10 may make contributions for the purpose of influencing an election.
11 Notwithstanding the corporate status of a political committee, the chairman
12 and treasurer of an incorporated political committee remain personally
13 responsible for carrying out their respective duties under this article.

14 ~~F.~~ G. For the purposes of this section:

15 1. "Election" means any election to any political office, any election
16 to any political convention or caucus or any primary election held for the
17 purpose of selecting any candidate, political committee or other person for
18 any political office, convention or caucus.

19 2. "Employee" includes any employee, is not limited to the employees
20 of a particular employer and includes any individual whose work has ceased as
21 a consequence of, or in connection with, any current labor dispute or because
22 of any unfair labor practice.

23 3. "Employer" includes any person acting as an agent of an employer,
24 directly or indirectly.

25 4. "Labor organization" means any organization of any kind or any
26 agency or employee representation committee or plan in which employees
27 participate and that exists for the purpose in whole or in part of dealing
28 with employers concerning grievances, labor disputes, wages, rates of pay,
29 hours of employment or conditions of work."

30 Renumber to conform

31 Page 28, line 9, strike "article" insert "TITLE, EXCEPT FOR VIOLATIONS OF
32 CHAPTER 6, article 2"

33 Page 32, between lines 16 and 17, insert:

34 "Sec. 25. Section 38-542, Arizona Revised Statutes, is amended to
35 read:

36 38-542. Duty to file financial disclosure statement; contents;
37 exceptions

1 A. In addition to other statements and reports required by law, every
2 public officer, as a matter of public record, shall file with the secretary
3 of state on a form prescribed by the secretary of state a verified financial
4 disclosure statement covering the preceding calendar year ~~ending December 31~~.
5 The statement shall disclose:

6 1. The name and address of the public officer and each member of his
7 household and all names and addresses under which each does business.

8 2. The name and address of each employer and of each other source of
9 compensation other than gifts amounting to more than one thousand dollars
10 received during the preceding calendar year by the public officer and members
11 of his household in their own names, or by any other person for the use or
12 benefit of the public officer or members of his household, a description of
13 the services for which the compensation was received and the nature of the
14 employer's business. This paragraph shall not be construed to require the
15 disclosure of individual items of compensation that constituted a portion of
16 the gross income of the business from which the public officer or members of
17 his household derived compensation.

18 3. For a controlled business, a description of the goods or services
19 provided by the business, and if any single source of compensation to the
20 business during the preceding calendar year amounts to more than ten thousand
21 dollars and is more than twenty-five per cent of the gross income of the
22 business, the disclosure shall also include a description of the goods or
23 services provided to the source of compensation. For a dependent business
24 the statement shall disclose a description of the goods or services provided
25 by the business and a description of the goods or services provided to the
26 source of compensation from which the dependent business derived the amount
27 of gross income described in section 38-541, paragraph 4. If the source of
28 compensation for a controlled or dependent business is a business, the
29 statement shall disclose a description of the business activities engaged in
30 by the source of compensation.

31 4. The names and addresses of all businesses and trusts in which the
32 public officer or members of his household, or any other person for the use
33 or benefit of the public officer or members of his household, had an
34 ownership or beneficial interest of over one thousand dollars at any time
35 during the preceding calendar year, and the names and addresses of all
36 businesses and trusts in which the public officer or any member of his
37 household held any office or had a fiduciary relationship at any time during

1 the preceding calendar year, together with the amount or value of the
2 interest and a description of the interest, office or relationship.

3 5. All Arizona real property interests and real property improvements,
4 including specific location and approximate size, in which the public
5 officer, any member of his household or a controlled or dependent business
6 held legal title or a beneficial interest at any time during the preceding
7 calendar year, and the value of any such interest, except that this paragraph
8 does not apply to a real property interest and improvements thereon used as
9 the primary personal residence or for the personal recreational use of the
10 public officer. If a public officer, any member of his household or a
11 controlled or dependent business acquired or divested any such interest
12 during the preceding calendar year, he shall also disclose that the
13 transaction was made and the date it occurred. If the controlled or
14 dependent business is in the business of dealing in real property interests
15 or improvements, disclosure need not include individual parcels or
16 transactions as long as the aggregate value of all parcels of such property
17 is reported.

18 6. The names and addresses of all creditors to whom the public officer
19 or members of his household, in their own names or in the name of any other
20 person, owed a debt of more than one thousand dollars or to whom a controlled
21 business or a dependent business owed a debt of more than ten thousand
22 dollars which was also more than thirty per cent of the total business
23 indebtedness at any time during the preceding calendar year, listing each
24 such creditor. This paragraph shall not be construed to require the
25 disclosure of debts owed by the public officer or any member of his household
26 resulting from the ordinary conduct of a business other than a controlled or
27 dependent business. ~~nor~~ shall disclosure be required of credit card
28 transactions, retail installment contracts, debts on residences or
29 recreational property exempt from disclosure under paragraph 5 of this
30 subsection, debts on motor vehicles not used for commercial purposes, debts
31 secured by cash values on life insurance or debts owed to relatives. It is
32 sufficient disclosure of a creditor if the name and address of a person to
33 whom payments are made is disclosed. If the public officer, any member of
34 his household or a controlled or dependent business incurred or discharged a
35 debt which is reportable under this subsection during the preceding calendar
36 year, the report shall disclose that the transaction was made and the date it
37 occurred.

1 7. The identification and amount of each debt exceeding one thousand
2 dollars owed at any time during the preceding calendar year to the public
3 officer and members of his household in their own names, or to any other
4 person for the use or benefit of the public officer or any member of his
5 household. The disclosure shall include the identification and amount of
6 each debt exceeding ten thousand dollars to a controlled business or
7 dependent business which was also more than thirty per cent of the total
8 indebtedness to the business at any time during the preceding calendar year.
9 This paragraph shall not be construed to require the disclosure of debts from
10 the ordinary conduct of a business other than a controlled or dependent
11 business. If the public officer, any member of his household or a controlled
12 or dependent business incurred or discharged a debt which is reportable under
13 this subsection during the preceding year, the report shall disclose that the
14 transaction was made and the date it occurred.

15 8. The name of each source of any gift, or accumulated gifts from a
16 single source, of more than five hundred dollars received by the public
17 officer and members of his household in their own names during the preceding
18 calendar year, or by any other person for the use or benefit of the public
19 officer or any member of his household except gifts received by will or by
20 virtue of intestate succession, or received by way of distribution from any
21 inter vivos or testamentary trust established by a spouse or by an ancestor,
22 or gifts received from any other member of the household or relatives to the
23 second degree of consanguinity. Political campaign contributions shall not
24 be construed as gifts if otherwise publicly reported as political campaign
25 contributions as required by law.

26 9. A list of all business licenses issued to, held by or in which the
27 public officer or any member of his household had an interest at any time
28 during the preceding calendar year, including the name in which the license
29 was issued, the type of business and its location.

30 10. A list of all bonds, together with their value, issued by this
31 state or any political subdivision of this state AND held at any time during
32 the preceding calendar year by the public officer or any member of his
33 household, which bonds issued by a single entity had a value in excess of one
34 thousand dollars. If the public officer or any member of his household
35 acquired or divested any bonds during the preceding calendar year which are
36 reportable under this paragraph, the fact that the transaction occurred and
37 the date shall also be shown.

1 B. If an amount or value is required to be reported pursuant to this
2 section, it is sufficient to report whether the amount or value of the equity
3 interest falls within:

- 4 1. Category 1, one thousand dollars to twenty-five thousand dollars.
5 2. Category 2, more than twenty-five thousand dollars to one hundred
6 thousand dollars.
7 3. Category 3, more than one hundred thousand dollars.

8 C. This section does not require the disclosure of any information
9 that is privileged by law.

10 D. The statement required to be filed pursuant to subsection A shall
11 be filed by all persons who qualified as public officers at any time during
12 the preceding calendar year on or before January 31 of each year with the
13 exceptions that a public officer appointed to fill a vacancy shall, within
14 sixty days following his taking of such office, file a financial disclosure
15 statement covering as his annual period the twelve month period ending with
16 the last full month prior to the date of his taking office, AND A PUBLIC
17 OFFICER WHOSE FINAL TERM EXPIRES LESS THAN THIRTY-ONE DAYS INTO THE
18 IMMEDIATELY FOLLOWING CALENDAR YEAR MAY FILE THE PUBLIC OFFICER'S FINAL
19 FINANCIAL DISCLOSURE AT THE SAME AS THE DISCLOSURE FOR THE LAST IMMEDIATELY
20 PRECEDING YEAR.

21 E. The secretary of state shall prepare written guidelines, forms and
22 samples for completing the financial disclosure statement required by this
23 section. A copy of the guidelines, forms and samples shall be distributed to
24 each public officer and shall be made available to each candidate required to
25 file a financial disclosure statement pursuant to section 38-543."

26 Renumber to conform

27 Page 32, line 20, after "supervisors" insert "or other political subdivisions"

28 Line 24, strike "shall" insert "may"

29 Page 33, after line 20, insert:

30 "Sec. 28. Secretary of state; secure petition process pilot
31 program; delayed repeal

32 A. Notwithstanding any other law, the secretary of state may establish
33 a method for registered voters to sign a nomination petition and a citizens
34 clean elections five dollar donation qualification form for a candidate by
35 way of a secure internet portal for petitions for statewide and legislative
36 offices. The method established shall ensure that only those registered
37 voters who are eligible to sign petitions for that particular candidate may

1 sign the petitions and qualification forms for a candidate and shall provide
2 a method for the registered voter's identity to be properly verified.

3 B. This section is repealed from and after December 31, 2014."

4 Amend title to conform

and, as so amended, it do pass

EDWIN W. FARNSWORTH
Chairman

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2/10/11
9:47 AM
H:jmb

2304EF2.doc
02/09/2011
10:42 AM
C: myr

2304EF.doc *
02/09/2011
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C: myr