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GUIDELINES FOR RECALL OF PUBLIC OFFICERS

RECALL OF PUBLIC OFFICERS ARE GOVERNED BY ARIZONA STATE STATUTES. THESE GUIDELINES IDENTIFY SIGNIFICANT COMPONENTS OF THE RECALL PROCESS AND CITATIONS TO CORRESPONDING STATUTORY AUTHORITY. ALTHOUGH THESE GUIDELINES ARE INTENDED TO BE COMPREHENSIVE, ADDITIONAL LEGAL ISSUES REQUIRING ADVICE OF COUNSEL MAY ARISE IN THE COURSE OF A RECALL. SEE IMPORTANT DISCLAIMER BELOW.

Every public officer is subject to recall. [A.R.S. §19-201A]

- Must hold office at least 6 months (except legislature). [A.R.S. §19-202A]
- The commencement of a subsequent term in the same office does not renew the six-month period delaying the circulation of a recall petition.

Individual or organization/committee, if any, must submit an Application for Recall Petition Serial Number *before* circulating petitions. [A.R.S. §19-202.01A]

Petition(s):

- Staple a copy of the time-and-date-marked Application to each petition page [A.R.S. §19-208.01A1a]
- Number of signatures required for Recall Petition(s):
  - If the public officer was *elected at an election*: 25% of votes cast at last General Election (for all candidates running) for that office divided by the number of offices being filled at that election. [A.R.S. §19-201A]
  - If the public officer was *appointed or deemed elected after an election was cancelled*: 10% of active registered voters on date of last General Election in that District. [A.R.S. §19-201C]
- Serial number in lower right corner – both sides. [A.R.S. §19-202.01C]
- General statement of not more than 200 words stating the grounds of the demand for the recall exactly matching the Application. [A.R.S. §19-203A]
- Petition(s) must be submitted within 120 days of recall application. [A.R.S. §19-203C]

Once petitions received – Certification of Signatures:

- County School Superintendent's Office – 10 days to check petitions. [A.R.S. §19-208.01A]
- Voter Registration – 75 days to disqualify signatures – ALL signatures are verified. [A.R.S. §19-208.02A]

If there are not enough signatures, individual or organization/committee is notified and petition sheets returned. The returned signature sheets may not be reused or resubmitted at any later date. [A.R.S. §19-208.01C]

If there are enough signatures, Yavapai County School Superintendent's Office has 5 business days to officially file the petitions and notify the Board of Supervisors. [A.R.S. §19-208.03A]

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Once the petitions are officially filed, Yavapai County School Superintendent's Office has forty-eight (48) hours, excluding Saturdays, Sundays or other legal holidays, to give written notice to the person against whom the recall petition is filed. [A.R.S. §19-207]

- Public officer has 5 business days after notification to resign, if desired. [A.R.S. §19-208]
- Public officer has 10 days to submit statement of defense to be printed on ballot. [A.R.S. §19-207]

Call of Election:

- If no resignation is received, call of election is issued within 15 days. [A.R.S. §19-209A]
- The election shall be ordered to be held on the next following consolidated election date pursuant to section 16-204 that is one hundred twenty days or more after the order calling the election. [A.R.S. §19-209A]
- The school district is responsible for all election expenses. [A.R.S. §19-210]

Public Officer Candidate/Other Candidates

- Unless the public officer against whom a recall petition is filed requests otherwise in writing, the name of that public officer shall be placed as a candidate on the official ballot without nomination. [A.R.S. §19-212A]
- Any other person who desires to be a candidate for the office at the recall election shall file a statement of interest with the County School Superintendent's Office. Any nomination petition signatures that are collected before the date the statement of interest is filed and before the date the recall application prescribed by section 19-202.01 is filed are invalid and subject to challenge. [A.R.S. §19-212G]
- Number of signatures required for Nomination Petition(s) – Recall Election:
  - If the public officer was *elected at an election*: 2% of votes cast at last General Election (for all candidates running). [A.R.S. §19-212A]
  - If the public officer was *appointed or deemed elected after an election was cancelled*: 0.5% of active registered voters in the jurisdiction on date of last General Election in that District, with not less than 5 signatures. [A.R.S. §19-212B]
- Nomination petition filing deadline is not more than 120 days nor less than 90 days prior to the date of the recall election. [A.R.S. §19-212F]

IMPORTANT DISCLAIMER - THESE GUIDELINES ARE PRESENTED AS AN EDUCATIONAL RESOURCE ONLY. YAVAPAI COUNTY SCHOOL SUPERINTENDENT'S OFFICE IS NOT AUTHORIZED TO PROVIDE LEGAL ADVICE AND THESE GUIDELINES SHOULD NOT BE CONSTRUED AS SUCH. INDIVIDUALS AND ORGANIZATIONS/COMMITTEES ARE ADVISED TO SEEK COMPETENT ADVICE OF LEGAL COUNSEL PRIOR TO INITIATING ANY ASPECT OF THE RECALL PROCESS.

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