



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
Second Regular Session

House: MOE DP 8-1-0-0

## **HB 2080: elections; municipal vacancies; primary**

**Sponsor: Representative Hendrix, LD 14**

**House Engrossed**

### **Overview**

Allows a municipality to authorize a candidate who receives the majority of all votes cast at the primary election for a mayor or council seat in which the serving member is appointed, to complete the remainder of the appointed member's existing term of office and establishes related procedures.

### **History**

Elections for mayor and council take place during a primary election. To be declared elected, a candidate must receive the majority of all votes cast at that election. The *majority of all votes cast* is determined by calculating the total number of votes cast for all candidates for an office divided by the number of seats to be filled; this number is then divided by two and rounded to the highest whole number. If no candidate receives the majority of votes cast, or if the number of seats to be filled is more than the number of candidates who receive a majority of votes cast, the number of candidates who advance to the general or runoff election is equal to twice the number of seats to be filled for the office ([A.R.S. § 9-821.01](#)).

### **Provisions**

1. Specifies that if the person serving as mayor or councilmember holds that office by appointment at the time of the primary election:
  - a) A candidate, for the remainder of that term in office, who receives the majority of all votes cast at the primary election must be declared elected after the canvass, certification of election results and on taking the oath of office; and
  - b) A candidate for a new term of office who receives a majority of all votes cast at the primary election, must be declared elected to the new term of office, effective after the canvass, certification of election results and on taking the oath of office. (Sec. 1, 2).
2. Clarifies that a candidate for a new term of office, who receives the majority of all votes cast at the primary election, may be seated to complete the remainder of an appointed member's existing term. (Sec. 2)
3. Requires, if more than one candidate receives the majority of all votes cast at the primary election for an office that is being served by a person who is appointed, that the order of seating the candidates must be determined by the highest number of votes. (Sec. 2)
4. Makes technical and conforming changes. (Sec. 2)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note