



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2080

elections; municipal vacancies; primary

Purpose

Allows cities or towns that elect the office of mayor or city council at the primary election to authorize a candidate who receives the majority of votes cast for that office to complete the remainder of the existing term, if the office is currently served by appointment. Declares a candidate as elected after outlined conditions are met.

Background

Members of the common council of a city or town are elected on the third Tuesday in May every two years by the qualified electors who reside in the city or town. If a vacancy occurs in the common council the council must fill the vacancy by appointment. If the vacancy occurs more than 30 days before the nomination petition deadline for the next council election, then the appointment is until that election. If the vacancy occurs less than 30 days before the nomination petition deadline, then the appointment is for the unexpired term. A city or town, by ordinance, may provide that a candidate for the office of mayor or city council is declared elected to that office, effective on the date of the general election, if the candidate received a majority of all votes cast at the primary election for that office. If more candidates receive a majority of votes cast than there are seats to be filled for the office of mayor or city council, then the candidates who receive the highest number of votes equal to the number of seats to be filled are declared elected to those offices (A.R.S. §§ [9-231](#); [9-235](#); and [9-821.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Stipulates that if the person serving as mayor or councilmember is serving by appointment at the time of the primary election for that office, then a candidate who receives the majority of all votes cast must be declared elected to the applicable office after the canvass and certification of the election results and upon taking the oath of office.
2. Stipulates that if an office is currently served by appointment and a candidate for a new term of the office receives a majority of votes cast at the primary election, then the candidate may complete the remaining term of the office held by appointment in addition to the new term.
3. Specifies that if more than one candidate receives a majority of all votes cast at the primary election for an office that is currently seated by appointment, then the order of seating the candidates is determined by the highest number of votes.
4. Makes technical and conforming changes.

FACT SHEET

H.B. 2080

Page 2

5. Becomes effective on the general effective date.

House Action

MOE	1/24/24	DP	8-1-0-0
3 rd Read	2/27/24		34-24-1-0-1

Prepared by Senate Research

March 7, 2024

AN/KS/cs