



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1158

presidential candidates; qualification; no exclusion

Purpose

Prohibits the disqualification of a candidate for U.S. President from the general election ballot if the candidate meets outlined criteria.

Background

A person who has previously taken an oath to support the U.S. Constitution, including a member of Congress, officer of the United States, member of any State Legislature or an executive or judicial officer of any state, who has engaged in an insurrection, rebellion or given aid or comfort to enemies may not be a Senator or Representative in Congress, an elector of U.S. President and Vice-President or hold a civil or military office under any state or the United States. The U.S. Congress may exempt a person from the prohibition, by a two-thirds vote of each house ([U.S. Const. amend. XIV, § 3](#)).

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

Provisions

1. Prohibits the exclusion or removal of a candidate for U.S. President from the general election ballot based on a claimed violation of the Fourteenth Amendment of the U.S. Constitution if the candidate is:
 - a) the official nominee of the National Convention of Delegates of a political party that is entitled to continued representation on the ballot;
 - b) a qualified independent candidate for U.S. President; or
 - c) a qualified write-in candidate for U.S. President.
2. Becomes effective on the general effective date.

Prepared by Senate Research
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AN/cs