



# 2023 Recall Quick Reference Guide

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## *2023 Recall Quick Reference Guide*

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## Overview

A recall is the method by which voters may remove an elected official from office (including those appointed to elective office) prior to the next election for which that official is on the ballot. This process is done by gathering signatures from registered voters to call a new election for that office. A special election will be called if the person or organization submits enough valid signatures by the applicable deadline to the filing officer. The incumbent official will automatically appear on the recall election ballot (unless the official resigns), while competing candidates may gather petition signatures to qualify to run against the incumbent.

Under the Arizona Constitution, every public officer holding an elective office, either by election or appointment, is subject to recall from that office by qualified electors of the electoral district from which the officer was elected. For a statewide office, the electoral district includes the whole state.<sup>1</sup>

A recall petition may not be circulated against a public officer until the officer has held office for at least 6 months, except that a recall petition may be circulated against a member of the Legislature after 5 days from the beginning of the first legislative session following the member's election.<sup>2</sup>

After one recall petition and election, no further recall petitions may be filed against the same public officer during the term for which the officer was elected (unless the petitioner pre-pays the filing officer for all expenses of holding the previous recall election).<sup>3</sup> A filing officer has the authority to refuse to issue a serial number, or to reject circulated petitions at the time of attempted filing with the filing officer, if the officer is not properly subject to recall under state law.<sup>4</sup>

State law also provides a recall process for members of Congress and United States Federal District Judges from Arizona.<sup>5</sup> Although recall of a federal officer may not be enforceable under the U.S. Constitution, the Secretary of State nonetheless must follow the provisions of Title 19 when processing federal recall petitions.<sup>6</sup> Additionally, members of the judiciary are subject to recall.<sup>7</sup>

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<sup>1</sup> [Ariz. Const. art. VIII, § 1, pt. 1](#); [A.R.S. § 19-201\(A\)](#).

<sup>2</sup> [Ariz. Const. art. VIII, § 5, pt. 1](#); [A.R.S. § 19-202\(A\)](#).

<sup>3</sup> [A.R.S. § 19-202\(B\)](#).

<sup>4</sup> [A.R.S. § 19-202\(A\)](#).

<sup>5</sup> [A.R.S. § 19-202.01\(B\)](#); [A.R.S. § 19-221](#); [A.R.S. § 19-222](#); [A.R.S. § 19-231](#); [A.R.S. § 19-234](#).

<sup>6</sup> See RECALL OF LEGISLATORS AND THE REMOVAL OF MEMBERS OF CONGRESS FROM OFFICE, Jack Maskell, U.S. Congressional Research Service (RL30016; Jan. 5, 2012), available at <https://fas.org/sqp/crs/misc/RL30016.pdf>.

<sup>7</sup> [Ariz. Const. art. VIII, § 1, pt. 1](#); [A.R.S. § 19-201\(A\)](#); [A.R.S. § 19-202.01\(B\)](#); [A.R.S. § 19-209\(B\)\(2\)](#); [A.R.S. § 19-217](#); see also *Ross v. Bennett*, 228 Ariz. 174, 176 (2011); *Miller v. Wilson*, 59 Ariz. 403 (1942).

## Beginning a Recall Petition

### A. Recall Application for Serial Number

A recall is initiated by submitting an Application for a Recall Serial Number and Recall General Statement to the appropriate filing officer.<sup>8</sup>

- The Secretary of State serves as the filing officer for state officers, members of the State Legislature, Supreme Court Justices, Judges of the Court of Appeals, and federal offices including U.S. Senator, U.S. Representative, and Arizona District Court Judge.<sup>9</sup>
- The County Recorder serves as the filing officer for all county officers, district officers, and for Superior Court Judges.<sup>10</sup>
- The City or Town Clerk serves as the filing officer for all city or town officials.<sup>11</sup>
- The County School Superintendent serves as the filing officer for School District Governing Board Members.<sup>12</sup>

When filing with the Secretary of State's Office, the [Recall Petition General Statement](#) must be submitted electronically. Within the same business day, the original hardcopy of the Recall Application for Serial Number must be submitted. The hardcopy of the Recall Application can be submitted to the Secretary of State's office in-person by scheduling an appointment with [ballotmeasure@azsos.gov](mailto:ballotmeasure@azsos.gov) or by mail at:

Arizona Secretary of State's Office  
Election Division  
1700 W. Washington St. 7<sup>th</sup> Fl.  
Phoenix, AZ 85007

The Recall Petition General Statement provided electronically must be identical with what is on the Recall Application. Both must be submitted properly for the filing to be accepted and processed. If an item is missing or incorrect, a new submission will be required. If the Recall Application for Serial Number and Recall Petition General Statement are properly filed, the Secretary of State's Office will process the application and email the sponsor of the recall a date stamped copy of the Application with the Serial Number with the signature requirement.

If the sponsor of the recall would like to make any changes to a submitted Recall Application for Serial Number, a new Application must be filed to receive a new serial number from the filing officer.<sup>13</sup> Signatures gathered for one Recall Application cannot be transferred to another.<sup>14</sup>

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<sup>8</sup> [A.R.S. § 19-202.01\(A\)-\(B\)](#).

<sup>9</sup> [A.R.S. § 19-202.01\(B\)](#).

<sup>10</sup> [A.R.S. § 19-202.01\(B\)](#).

<sup>11</sup> [A.R.S. § 19-202.01\(B\)](#).

<sup>12</sup> [A.R.S. § 19-202.01\(B\)](#).

<sup>13</sup> [A.R.S. § 19-202.01\(D\)](#).

<sup>14</sup> [A.R.S. § 19-202.01\(D\)](#).

**B. Signature Requirements**

The number of signatures required<sup>15</sup> to recall an elected official is:

- 1) 25% of the number of votes cast at the last general election for all the candidates for the office, even if the officer was not elected at the previous election;
- 2) Divided by the number of offices that were being filled at that election.<sup>16</sup>

The following formula will be used to determine the signature requirements:

$$(0.25 \times \text{overall votes}) / (\text{number of seats filled})$$

**C. Recall Timeline**

Beginning with the filing of the Recall Application for Serial Number, it can take up to 215 days for a recall election to be called. While the petition circulation and certification process may be shorter, a recall election takes place no less than 90 days from the day in which the recall election is called. The whole recall process can be expected to take approximately 10 to 12 months.

The following timeline provides a brief overview of the recall process:

Recall Action	Timeline
Recall Application for Serial Number filed	120 days to collect signatures <sup>17</sup>
Recall Petition Sheets filed	10 days for filing officer to complete signature review and send to County Recorder's Office <sup>18</sup>
County Recorder's Office receives petitions following filing officer review	60 days to complete signature verification and notify the filing officer <sup>19</sup>
Filing officer receives the County Recorder's signature verification report	5 business days to determine if total signature requirement has been met and notify the filer <sup>20</sup>
Filing officer declares if minimum signatures required is met	If the minimum is met, the filing officer has 2 business days to provide the

<sup>15</sup> Signature requirements differ for appointed officials and judges.

<sup>16</sup> [A.R.S. § 19-201\(A\).](#)

<sup>17</sup> [A.R.S. § 19-203\(C\).](#)

<sup>18</sup> [A.R.S. § 19-208.01\(A\).](#) [A.R.S. § 19-121.01\(A\).](#)

<sup>19</sup> [A.R.S. § 19-208.02\(A\).](#)

<sup>20</sup> [A.R.S. § 19-208.03\(A\).](#)

	elected official with notice of Recall Election <sup>21</sup>
Recalled officer receives notice of Recall Election	5 business days for elected official to decide whether to resign
If elected official resigns...	...office is appointed according to law <sup>22</sup>
If elected official does not resign...	...elected official must provide statement of defense to filing officer within 10 days of notice of Recall <sup>23</sup>  ...the filing officer has 15 days to announce the date of the Recall Election <sup>24</sup>
Recall Election	Occurs on the first consolidated election date <sup>25</sup> that is at least 90 days in the future
Official Canvass of the Recall Election	6 - 20 days <sup>26</sup>

### Filing a Recall Petition

An individual or political action committee that is ready to submit their recall petition signatures to the Secretary of State’s Office should first contact [ballotmeasure@azsos.gov](mailto:ballotmeasure@azsos.gov) to schedule an appointment. Appointments to submit petitions are required be scheduled at minimum two weeks in advance.

In preparation for the appointment, the filer must ensure petition pages are sorted by county. Organizing by county is required in order for the petition to be accepted at the scheduled filing appointment. Additionally, please ensure there are no foreign objects that may harm the scanner or hinder the scanning process affixed to the face of the petition. This includes sticky notes, whiteout, stickers, deformed edges, etc. Failure to adhere to this practice may result in reduced document integrity, which may inhibit the Secretary of State’s ability to process the petition efficiently and accurately.

### Processing Petitions & Signature Verification

Once a recall petition has been filed, the filing officer has 10 days to process the petition.<sup>27</sup> After the filing officer has completed processing, if the minimum signature

<sup>21</sup> [A.R.S. § 19-207.](#)

<sup>22</sup> [A.R.S. § 19-208.](#)

<sup>23</sup> [A.R.S. § 19-208.](#)

<sup>24</sup> [A.R.S. § 19-209\(A\).](#)

<sup>25</sup> This does not apply to charter cities which specify their own election dates. See [State ex rel. Brnovich v. City of Tucson, 484 P.3d 624 \(Ariz. 2021\).](#)

<sup>26</sup> [A.R.S. 16-642\(A\).](#)

<sup>27</sup> [A.R.S. § 19-208.01\(A\).](#)

threshold has still been met, the petition pages are transmitted electronically to the County Recorder’s Offices. The County Recorder has 60 days to complete signature verification.<sup>28</sup>

A. SOS Review

The following are the procedures the Secretary of State’s Office will use when processing a recall petition. It also includes the procedures used to determine whether a recall, sheet, or line will be accepted in accordance with Arizona law.

Filing - Reject Reasons	Action	Authority
Filed more than 120 days after Recall Application for Serial number	Reject entire filing	<a href="#">A.R.S. § 19-203(C)</a>
Purported number of signatures lower than constitutional requirement	Reject entire filing	<a href="#">Ariz. Const. art VIII pt. 1 § 1; A.R.S. § 19-208.01(A)</a>

De-stapling - Reject Reasons	Action	Authority
Missing copy of date stamped Recall Application for Serial Number (must be stapled to each petition sheet)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(a)</a>

Affidavit Side - Reject Reasons	Action	Authority
Missing serial number (lower right corner)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
Incorrect serial number (lower right corner)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
Unsigned circulator affidavit	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(d)</a>
Incomplete circulator affidavit	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(d)</a>
Modified circulator affidavit	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(d)</a>
Missing notary signature	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(e)</a>

<sup>28</sup> [A.R.S. § 19-208.02\(A\)](#).



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Missing notary stamp/seal	Strike Sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(e)</a>
Missing notary date	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(f)</a>
Notary commission expired <i>before</i> notary date	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(e)</a>
If the circulator is registered as paid <b>AND</b> missing circulator number	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
If the circulator is registered as paid <b>AND</b> circulator number incorrect	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
If circulator's address is out-of-state <b>AND</b> circulator is NOT registered	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(h)</a>
Circulator is a County Recorder or Justice of the Peace (A.R.S. § 19-205.02)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(g)</a>

Signature Side - Reject Reasons	Action	Authority
200 word grounds for recall statement does not match identically with what was submitted on the Recall Application for Serial Number	Strike sheet	<a href="#">A.R.S. § 19-203(A)</a>
Missing serial number (lower right corner)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
Incorrect serial number (lower right corner)	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a>
If PAID box is checked AND circulator number is missing on either the front and/or back	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(c)</a> ; <a href="#">A.R.S. § 19-208.01(A)(1)(h)</a>
PAID box is checked AND circulator not registered	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(h)</a>
PAID box is checked OR circulator registered as paid circulator AND (a) Circulator number missing; OR (b) Circulator number provided is incorrect	Strike sheet	<a href="#">A.R.S. § 19-208.01(A)(1)(h)</a>

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Signature Line - Reject Reasons	Action	Authority
<b>Signature Line Issues</b>		
1. Entire signature line is blank or crossed out	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(3)(a)</a>
2. Missing signature	Strike Line (Printed Signatures Accepted)	<a href="#">A.R.S. § 19-208.01(A)(3)(a)</a>
3. Missing residence address/ description of residence location	Strike Line (Ditto marks or similar indicator accepted)	<a href="#">A.R.S. § 19-208.01(A)(3)(b)</a>
4. Missing city AND zip (need at least one of the two)	Strike Line (Ditto marks or similar indicator accepted)	<a href="#">A.R.S. § 19-208.01(A)(3)(b)</a>
<b>Signature Date Issues</b>		
1. Missing date of signature	Strike Line (Ditto marks or similar indicator accepted)	<a href="#">A.R.S. § 19-208.01(A)(3)(c)</a>
2. Signature date after notary date	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(3)(c)</a> ; <a href="#">A.R.S. § 19-208.01(A)(1)(f)</a>
3. <b>Signature before circulator was registered (if PAID and/or Out of State Circulator)</b>	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(1)(h)</a>
4. Signature date earlier than date serial number was issued	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(3)(c)</a>
5. Withdrawn signature	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(3)(e)</a>
6. Circulator printed voter's information	Strike Line	<a href="#">A.R.S. § 19-208.01(A)(3)(f)</a>
<b>Other Review Requirements</b>		
1. Remove all signatures not in county the majority of signatures on the page are in	Strike lines not in majority (Filing officer determines county of majority regardless of county listed on petition page)	<a href="#">A.R.S. § 19-208.01(A)(2)(b)</a>

2. More than 10 valid signatures per page	Strike extra lines	<a href="#">A.R.S. § 19-208.01(A)(3)(d)</a>
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### B. County Recorder Review

If the total number of valid signatures meets or exceeds the constitutional requirement the filing officer will certify the number of valid sheets and signatures to provide to each respective County Recorder.<sup>29</sup> The County Recorder’s Office will review the list of all the valid signatures provided by the Secretary of State’s Office.<sup>30</sup> The County Recorder’s Office reviews the individual signatures to determine if the signature should be disqualified for any of the following reasons:<sup>31</sup>

- If the signature does not match with what is on file with the County Recorder’s Office.<sup>32</sup>
- If an individual signed the recall petition more than once.<sup>33</sup>
- The individual was not a qualified elector on the date of signing the petition.<sup>34</sup>
- If the individual was a registered voter but was not at least eighteen years of age on the date of signing the petition or affidavit.<sup>35</sup>
- The address provided is illegible or nonexistent.<sup>36</sup>
- The signature is illegible, and the signer can’t be identified.<sup>37</sup>
- If a signature or petition sheet could be rejected for any of the reasons the Secretary of State’s office could reject a petition signature as stated by law.<sup>38</sup>

### Candidates on Ballot

#### A. Candidate Filing for the Elected Official being Recalled

If a recall petition is successful in collecting more than the minimum number of signatures and the official does not resign, a special election must be called. Candidates wishing to run for the recall election must file to run in the manner described below.

<sup>29</sup> [A.R.S. § 19-208.01\(B\).](#)

<sup>30</sup> [A.R.S. § 19-208.02\(A\).](#)

<sup>31</sup> [A.R.S. § 19-208.02\(A\); A.R.S. § 19-121.02.](#)

<sup>32</sup> [A.R.S. § 19-208.02\(A\)\(2\)-\(3\).](#)

<sup>33</sup> [A.R.S. § 19-208.02\(A\)\(4\).](#)

<sup>34</sup> [A.R.S. § 19-208.02\(A\)\(5\).](#)

<sup>35</sup> [A.R.S. § 19-208.02\(A\)\(6\).](#)

<sup>36</sup> [A.R.S. § 19-208.02\(A\)\(8\).](#)

<sup>37</sup> [A.R.S. § 19-208.02\(A\)\(1\).](#)

<sup>38</sup> [A.R.S. § 19-208.02\(A\)\(10\).](#)

The elected official who is being recalled is not required to file any documentation with the Secretary of State's Office.<sup>39</sup> The elected official's previous information provided in candidate portal for the General Election will be used for the recall ballot and to post the candidate information on the Secretary of State's AZSOS.gov website. However, the elected official has the option to provide updated information to the Secretary of State's Office. The elected official must notify the Secretary of State's Office, by emailing [candidate@azsos.gov](mailto:candidate@azsos.gov) 60 - 90 days before the recall election if any changes are desired.<sup>40</sup> If the elected official notifies the Secretary of State's Office, then the elected official will be able to submit updated information in Candidate Portal.

## B. Candidate Filing for Opposing Candidates

### *i. Create Profile in Candidate Portal*

The first step for an opposing candidate is to complete a Recall Election Profile in Candidate Portal. Once the profile is created, the opposing candidate can access the nomination petition and begin collecting signatures. An opposing candidate in the recall election may be placed on the ballot after filing a nomination petition.<sup>41</sup>

### *ii. Filing Period*

An opposing candidate must file their nomination petition 60 – 90 days before the date of the recall election.<sup>42</sup>

### *iii. Number of Required Signatures*

The number of required signatures for opposing candidates to be placed on the recall ballot depends on how the recall official obtained the office. If the recall official was elected, the signature requirement for opposing candidates is at least 2% of the total votes cast for all candidates at the election for that office.<sup>43</sup>

If the recall official was appointed or elected because there were no other candidates, the signature requirement for opposing candidates in for the recall election is at least one-half of 1% of the number of active registered voters in the jurisdiction represented by the official on the date of the last general election.<sup>44</sup> There must be at least 5 signatures.<sup>45</sup>

### *iv. Submitting Nomination Petitions*

Opposing candidates for federal, statewide, and legislative offices must file their nomination paperwork with the Secretary of State's Office located in Phoenix at 1700

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<sup>39</sup> [A.R.S. § 19-212\(A\)](#).

<sup>40</sup> This is the same timeframe given to opposing candidates in [A.R.S. § 19-212\(F\)](#).

<sup>41</sup> [A.R.S. § 19-212\(A\)](#).

<sup>42</sup> [A.R.S. § 19-212\(F\)](#).

<sup>43</sup> [A.R.S. § 19-212\(A\)](#).

<sup>44</sup> [A.R.S. § 19-212\(B\)](#).

<sup>45</sup> [A.R.S. § 19-212\(B\)](#).

W. Washington St. on the Seventh Floor. The opposing candidate must schedule an appointment with the Secretary of State's Office by emailing [candidate@azsos.gov](mailto:candidate@azsos.gov).

All nomination petitions submitted to the Secretary of State's Office must be organized by county. Failure to adhere to this practice may result in reduced document integrity, which may inhibit the Secretary of State's ability to efficiently and accurately process the petition. If an opposing candidate is missing any paperwork, or fails to have the petition forms properly organized, the candidate will be asked to fix the error and return at a later time.

## Results

The candidate who receives the most votes in the recall election shall be declared elected for the remainder of the term once the official canvass has been completed.<sup>46</sup> The recall officer will be removed from office, if an opposing candidate receives the most votes, once the winner is qualified. The incumbent continues to hold the office until the completion of the official canvass.<sup>47</sup> If the opposing candidate wins the recall election, but is not qualified within 5 days of the canvass, then the office will be vacated and filled as prescribed by law.<sup>48</sup>

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<sup>46</sup> [A.R.S. § 19-216\(A\)](#).

<sup>47</sup> [A.R.S. § 19-216\(B\)](#).

<sup>48</sup> [A.R.S. § 19-216\(A\)](#).