



Fifty-second Legislature - Second Regular Session

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A. Except during the final year of the term being served, no incumbent of a salaried elective office, whether holding by election or appointment, may offer himself for nomination or election to any salaried local, state or federal office.

B. An incumbent of a salaried elected office shall be deemed to have offered himself for nomination or election to a salaried local, state or federal office on the filing of a nomination paper pursuant to section 16-311, subsection A. An incumbent of a salaried elected office is not deemed to have offered himself for nomination or election to an office by making a formal declaration of candidacy for the office.

C. The resignation of the incumbent elective officer duly filed in writing with the officer, board or commission having jurisdiction of the office, if not accepted within ten days, shall be deemed to have become effective as of the date of filing.

D. This section shall not be construed to prohibit a person whose resignation from office has become effective from qualifying as a candidate for another office during the unexpired portion of the term affected by the resignation, nor shall it apply to any incumbent elective officer who seeks reelection to the same office or to any other public office during the final year of the term to which the person has been so elected.

E. A person violating any provision of this section is guilty of misfeasance in office, and the office held by such person shall be declared vacant.