

# **Bond Case Briefs**

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## **ELECTIONS - ARIZONA**

### **Morrissey v. Garner**

**Supreme Court of Arizona - April 21, 2020 - P.3d - 2020 WL 1918688**

Mayor brought action to enjoin the recall election obtained by political action committee via recall petition.

The Superior Court enjoined election based on insufficient number of signatures on recall petition. Committee appealed.

The Supreme Court held that proper basis for determining requisite signatures for recall petition was to use number of voters in the most recent primary election at which mayor was voted into office.

Proper basis for determining requisite signatures for recall petition to obtain recall election of town mayor was to use number of voters in the most recent nonpartisan primary election at which mayor was voted into office, rather than 25% of number of votes cast in general election 16 years earlier, which was year that town began using primary elections for all mayoral elections, where town had statutory and constitutional authority to use primary elections to elect local officials, and mayor was declared elected on date of general election by majority vote in primary election.