

July 15, 1933

Mr. W. H. Linville,
County Recorder,
Maricopa County,
Phoenix, Arizona.

Dear Sir:

The Attorney General has received your letter of July 14th, wherein you set forth your interpretations of the provisions of Sections 1275 and 1276, Revised Code of Arizona, 1928, relative to the filing of nomination petitions and papers by candidates desiring to have their names printed on the official ballot for the coming special primary election, to be held on August 8th, 1933.

It has also been noted that you have received the construction of these provisions from your County Attorney, which was to the effect that the nomination papers of such a candidate must be filed within forty days prior to the date fixed for the election.

You have requested an opinion of the Attorney General as to the time within which the nomination petitions and papers of the candidates must be filed, as provided by the provisions of Sections 1275 and 1276, supra. After having given due consideration to the provisions contained in the sections of our code above referred to, it is the opinion of the Attorney General that these sections of our code, in so far as their provisions may apply to special primary elections, must be read and considered together, and that, when so considered together, the proper interpretation to be given them, relative to the question asked by you, is that in a special primary election called by proclamation, the nomination petitions and papers of the candidates may be filed not less than ten days before the date fixed for such primary election.

Due to the fact that this question may be of interest and importance to all county recorders throughout the state, a copy of this opinion is being forwarded to each of them.

Very truly yours,

Attorney General.

Assistant Attorney General

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