

NOTICE OF RULEMAKING PROPOSED EXEMPT
TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

PREAMBLE

1. **Article, Part or Sections Affected (as applicable)** **Rulemaking Action**
R2-20-402.01 Amend

2. **The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 16-940, *et seq.*
Implementing statute: A.R.S. § 16-956(C).

3. **The effective date of the rules:**
Not applicable

4. **A list of all previous notices appearing in the Register addressing the exempt rule:**
Not applicable

5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Thomas M. Collins, Executive Director
Address: Citizens Clean Elections Commission
1616 W. Adams St., Suite 110
Phoenix, AZ 85007

Telephone: (602) 364-3477
Fax: (602) 364-3487
E-mail: thomas.collins @azcleelections.gov

6. **An explanation of the rule, including the agency's reasons for initiating the rule, including the statutory citation to the exemption from regular rulemaking procedures:**

On June 22, 2017, the Commission approved for publication proposed amendments to Commission rule R2-20-402.01. Commissioners would like to solicit public feedback on the proposed amendments regarding auditing all participating legislative candidates to ensure public funds are being appropriately utilized by the candidates. The following are the proposed amendments to the rule at issue:
R2-20-702. Use of Campaign Funds
Amends R2-20-402.01 to audit all legislative candidates during the election cycle rather than conduct random audits of candidates.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
Not applicable

8. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable

9. **The summary of the economic, small business, and consumer impact:**
Not applicable

10. **A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):**

Not applicable

11. **A summary of the comments made regarding the rule and the agency response to them:**

On June 22, 2017, the Commission approved the proposed amendments publication on the Commission's website and in the Administrative Register. The Commission is soliciting public comment for 60 days. No action has been taken on the proposed amendments.

12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

13. **Incorporations by reference and their location in the rules:**

Not applicable

14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**

Not applicable

15. **The full text of the rules follows:**

**TITLE 2. ADMINISTRATION
CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION**

ARTICLE 4. AUDITS

Section

R2-20-402.01. Random audits of participating legislative candidates.

ARTICLE 4. AUDITS

R2-20-402.01. ~~Random a~~Audits of participating legislative candidates.

To ensure compliance with the Act and Commission rules, the Commission shall conduct ~~random~~ audits of all participating legislative candidates after each election ~~primary election period and each general election period~~. Candidates who win their primary election will not be subject to an audit until after the general election. ~~Random~~ Audits shall include the review of campaign finance reports for the entire election cycle and related documentation in accordance with procedures established by the Commission. The Commission may hire independent accounting firms to carry out the ~~random~~ audits. ~~The selection of legislative candidates for audit shall be determined by random lot at a Commission meeting. Candidates shall not be subject to selection for random audit for the general election period that were selected for random audit following the primary election period.~~