

**NOTICE OF RULEMAKING DOCKET OPENING**  
**CITIZENS CLEAN ELECTIONS COMMISSION**

- 1. Title and its heading: Administration, Title 2**  
**Chapter and its heading: Clean Elections, Chapter 20**  
**Subchapter and its heading (if applicable): NA**  
**Article and its heading: Article 7 – Use of Funds and Repayment**  
**Part and its heading (if applicable): Repayment**  
**Section numbers: R2-20-704**
- 2. The subject matter of the proposed rule:**  
Updates to existing rules for clarity.
- 3. A citation to all published notices relating to the proceeding:**  
Not Applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Thomas M. Collins  
Address: 1616 E. Adams, Suite 110, Phoenix, 85007  
Telephone: (602) 364-3477  
E-mail: [ccec@azcleelections.gov](mailto:ccec@azcleelections.gov)
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:** If approved for public comment, comments will be accepted up to and including the date of the oral proceedings.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
Goal is approve in 60 days, at or near the beginning of the participating candidate qualifying period.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. ARIZONA CITIZENS CLEAN ELECTIONS COMMISSION

PREAMBLE

**1. Article, Part, or Section Affected (as applicable) Rulemaking Action**

A.A.C. R2-20-704, Repayment.

**2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 16-956(A)(7)

Implementing statute: A.R.S. 16-941(A)-(B); A.R.S. § 16-953; A.R.S. 16-956(A)(7)

**3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**

N/A

**4. The agency's contact person who can answer questions about the rulemaking:**

Name: Thomas M. Collins

Address: 1616 W. Adams, Suite 110, Phoenix, AZ 85007

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E-mail: [ccec@azcleaselections.gov](mailto:ccec@azcleaselections.gov)

Web site: [www.azcleaselections.gov](http://www.azcleaselections.gov)

**5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

A.A.C. R2-20-704: Conforms Commission rules with state law providing that statutes of limitations do not run against state. The amendment ensures that the Commission is in proper position to recover funds pursuant to A.R.S. § 16-956(A)(7), which requires that the Commission ensure that monies required to be paid to fund are so paid, and A.R.S. 16-953 which requires excess Clean Elections Funding be returned to the Commission for deposit in the Clean Elections Fund.

**6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to 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.

**7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

These changes do not diminish a previous grant of authority to a political subdivision of this state.

**8. The preliminary summary of the economic, small business, and consumer impact:**

There is no economic or consumer or small business impact, other than those imposed by statute.

**9. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:**

Name: Thomas M. Collins

Address: 1616 W. Adams Suite 110, Phoenix 85007

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**10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**

Pursuant to A.R.S. § 16-956, a sixty-day public comment period precedes an oral hearing which is the earliest the Commission may act on a proposed rule. Rule comments are accepted, in addition, through the web site, email, and regular mail, as well as at call to the public at interim meetings. Rules that are passed unanimously may be made effective immediately. All other approved rules are effective January 1. A.R.S. § 16-956(C), (D).

**11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

Not applicable.

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

No.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

No.

- c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not Applicable

13. The full text of the rules follows:

**R2-20-704. Repayment**

A. No Change.

1. No Change.

2. The Commission will notify the candidate of any repayment determinations made under this section as soon as possible., ~~but not later than one year after the day of the election.~~