

REFERENCE TITLE: voter registration drives; overseas voters

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1031

Introduced by
Senator Pearce R

AN ACT

AMENDING SECTIONS 16-131, 16-134 AND 16-543, ARIZONA REVISED STATUTES;
RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-131, Arizona Revised Statutes, is amended to
3 read:

4 16-131. Registration of electors; deputy registrars

5 A. The county recorder, a justice of the peace or a deputy registrar
6 shall supply, without charge, a registration form to any qualified person
7 requesting registration information.

8 B. The county recorder shall distribute state mail in registration
9 forms at locations throughout the county such as government offices, fire
10 stations, public libraries and other locations open to the general public.

11 C. Information regarding the qualifications necessary to register to
12 vote, registration deadlines for qualifying to vote at an election, penalties
13 for false registration and locations where additional voter registration
14 information may be obtained shall be attached to or distributed with the
15 state mail in registration form.

16 D. A county recorder may appoint deputy registrars to assist in
17 distributing registration forms, to assist in registering voters and to
18 accept completed registration forms. A deputy registrar shall be a qualified
19 elector and shall serve without pay.

20 E. The county recorder may provide voter registration forms in
21 quantity to groups and individuals that request forms for conducting voter
22 registration drives. FOR GROUPS AND INDIVIDUALS THAT REQUEST MORE THAN FIVE
23 REGISTRATION FORMS, THE COUNTY RECORDER SHALL REQUIRE THAT THE GROUP NAME BE
24 PROVIDED ON THE REGISTRATION FORMS, ALONG WITH THE NAME OF THE PERSON WHO
25 DIRECTLY CONTACTS THE APPLICANT, AND GROUPS AND INDIVIDUALS WHO CONDUCT VOTER
26 REGISTRATION DRIVES INVOLVING MORE THAN FIVE REGISTRATION FORMS SHALL PROVIDE
27 THE NAME OF THE GROUP AND THE NAME OF THE PERSON WHO DIRECTLY CONTACTS THE
28 APPLICANT.

29 Sec. 2. Section 16-134, Arizona Revised Statutes, is amended to read:

30 16-134. Return of registrations made outside office of county
31 recorder; incomplete or illegible forms

32 A. A county recorder shall authorize persons to accept registration
33 forms, shall designate places for receipt of registration forms and shall
34 designate additional locations for distribution of voter registration forms.
35 Public assistance agencies and disabilities agencies as defined in section
36 16-140 shall return or mail completed voter registrations to the county
37 recorder of the county in which the applicant resides within five days after
38 receipt of those registrations. FOR GROUPS AND INDIVIDUALS THAT RECEIVE MORE
39 THAN FIVE VOTER REGISTRATION FORMS FOR CONDUCTING VOTER REGISTRATION DRIVES
40 PURSUANT TO SECTION 16-131, SUBSECTION E, THE COMPLETED REGISTRATION FORMS
41 SHALL BE RETURNED TO THE COUNTY RECORDER WITHIN TEN DAYS AFTER RECEIPT OF
42 THOSE COMPLETED REGISTRATIONS.

43 B. If the information on the registration form is incomplete or
44 illegible and the county recorder is not able to process the registration
45 form, the county recorder shall notify the applicant within ten business days

of receipt of the registration form, shall specify the missing or illegible information and, if the missing or illegible information includes any of the information prescribed by section 16-121.01, subsection A, shall state that the registration cannot be completed until the information is supplied. If the missing or illegible information is supplied before 7:00 p.m. on election day, that person is deemed to have been registered on the date the registration was first received.

C. In the case of registration by mail, a voter registration is valid for an election if it complies with either of the following:

1. The form is postmarked twenty-nine days or more before an election and is received by the county recorder by 7:00 p.m. on the day of that election.

2. The registration is dated twenty-nine days or more before an election and is received by the county recorder by first class mail within five days after the last day to register to vote in that election.

D. The date of registration entered for registration forms that are received by the county recorder from persons, groups or agencies that are not authorized to accept registrations pursuant to subsection A of this section and that do not bear a legible postmark date or an otherwise reliable date shall be the date that those forms are received by the county recorder.

Sec. 3. Section 16-543, Arizona Revised Statutes, is amended to read:

16-543. Application for ballot; United States service; emergency procedures

A. Any absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973ff-6), as amended by the Ronald W. Reagan national defense authorization act for fiscal year 2005 (P.L. 108-375), may request an early ballot with a federal postcard application that contains both an early voter registration application and an early ballot application. The secretary of state shall provide for a centralized system for receiving federal postcard applications by way of the internet or fax and shall provide for transmitting appropriate ballot materials in response to fax, telephone and internet requests for federal postcard applications. On receipt of such application, the county recorder or other officer in charge of elections shall determine whether or not the elector is registered. If the applicant is so registered, the recorder or other officer in charge of elections shall forward to the applicant an official early ballot. **FOR ALL REQUESTS RECEIVED FROM REGISTERED ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS ON OR BEFORE THE FORTY-FIFTH DAY BEFORE THE ELECTION, THE BALLOT SHALL BE TRANSMITTED NO LATER THAN THE FORTY-FIFTH DAY BEFORE THE ELECTION AND MAY BE TRANSMITTED BY EXPRESS MAIL OR DELIVERY OR BY ELECTRONIC MEANS.** If the applicant is not registered, and the request is for a ballot for use in a county election but the federal postcard application is complete, the recorder shall forward an official early ballot to the applicant. If the applicant is not registered to vote and the federal postcard application is

1 not used or complete, the recorder shall forward an affidavit of registration
2 as provided in section 16-103 and shall forward at the same time to the
3 unregistered applicant an official early ballot and affidavit.

4 B. The county recorder or other officer in charge of elections shall
5 transmit by fax or by other electronic format approved by the secretary of
6 state early ballot request forms, unvoted ballots and ballot information to
7 eligible absent uniformed services voters and overseas voters. The county
8 recorder or other officer in charge of elections shall provide for receipt of
9 completed early ballot requests and voted early ballots by fax or other
10 electronic format as prescribed by the secretary of state in the instructions
11 and procedures manual issued pursuant to section 16-452.

12 C. The secretary of state shall provide in the instructions and
13 procedures manual issued pursuant to section 16-452 for emergency procedures
14 regarding the early balloting process for persons who are subject to the
15 uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42
16 United States Code section 1973ff), as amended by the Ronald W. Reagan
17 national defense authorization act for fiscal year 2005 (P.L. 108-375).
18 These emergency procedures may be implemented only on the occurrence of a
19 national or local emergency that makes substantial compliance with the
20 uniformed and overseas citizens absentee voting act impracticable, including
21 occurrences of natural disasters or armed conflict or mobilization of the
22 national guard or military reserve units of this state.

23 D. This section applies only to any absent uniformed services voter or
24 overseas voter as defined in the uniformed and overseas citizens absentee
25 voting act of 1986 (P.L. 99-410; 42 United States code section 1973ff-6), as
26 amended by the Ronald W. Reagan national defense authorization act for fiscal
27 year 2005 (P.L. 108-375).