

House Engrossed

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2303

AN ACT

AMENDING SECTIONS 16-168, 16-169, 16-411, 16-511, 16-516, 16-571, 16-579 AND
16-615, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-168, Arizona Revised Statutes, is amended to
3 read:

4 16-168. Precinct registers: date of preparation: contents:
5 copies: reports: statewide database: violation:
6 classification

7 A. By the tenth day preceding the primary and general elections the
8 county recorder shall prepare from the original registration forms or from
9 electronic media at least four lists that are printed or typed on paper, OR
10 AT LEAST TWO ELECTRONIC MEDIA POLL LISTS, OR ANY COMBINATION OF BOTH, of all
11 qualified electors in each precinct in the county, and the lists shall be the
12 official precinct registers.

13 B. The official precinct registers for use at the polling place shall
14 contain at least the names in full, party preference, date of registration
15 and residence address of each qualified elector in the respective precincts.
16 The names shall be in alphabetical order and, in a column to the left of the
17 names, shall be numbered consecutively beginning with number 1 in each
18 precinct register.

19 C. For the purposes of transmitting voter registration information as
20 prescribed by this subsection, electronic media shall be the principal media.
21 A county or state chairman who is eligible to receive copies of precinct
22 lists as prescribed by this subsection may request that the recorder provide
23 a paper copy of the precinct lists. In addition to preparing the official
24 precinct lists, the county recorder shall provide a means for electronically
25 reproducing the precinct lists. Unless otherwise agreed, the county recorder
26 shall deliver one electronic media copy of each precinct list in the county
27 without charge and on the same day within eight days after the close of
28 registration for the primary and general elections to the county chairman and
29 one electronic media copy to the state chairman of each party that has at
30 least four candidates other than presidential electors appearing on the
31 ballot in that county at the current election. The secretary of state shall
32 prescribe the manner, format and template in which all county recorders
33 provide this data to the secretary of state to ensure that the submissions
34 are uniform from all counties in this state. The electronic media copies of
35 the precinct lists that are delivered to the party chairmen shall include for
36 each elector the following information:

- 37 1. Name in full and appropriate title.
- 38 2. Party preference.
- 39 3. Date of registration.
- 40 4. Residence address.
- 41 5. Mailing address, if different from residence address.
- 42 6. Zip code.
- 43 7. Telephone number if given.
- 44 8. Birth year.
- 45 9. Occupation if given.

1 10. Voting history for all elections in the prior four years and any
2 other information regarding registered voters that the county recorder or
3 city or town clerk maintains electronically and that is public information.

4 11. All data relating to permanent early voters and nonpermanent early
5 voters, including ballot requests and ballot returns.

6 D. The names on the precinct lists shall be in alphabetical order and
7 the precinct lists in their entirety, unless otherwise agreed, shall be
8 delivered to each county chairman and each state chairman within ten business
9 days of the close of each date for counting registered voters prescribed by
10 subsection G of this section other than the primary and general election
11 registered voter counts in the same format and media as prescribed by
12 subsection C of this section. During the thirty-three days immediately
13 preceding an election and on request from a county or state chairman, the
14 county recorder shall provide at no cost a daily list of persons who have
15 requested an early ballot and shall provide at no cost a weekly listing of
16 persons who have returned their early ballots. The recorder shall provide
17 the daily and weekly information through the Friday preceding the election.
18 On request from a county chairman or state chairman, the county recorder of a
19 county with a population of more than eight hundred thousand persons shall
20 provide at no cost a daily listing of persons who have returned their early
21 ballots. The daily listing shall be provided Mondays through Fridays,
22 beginning with the first Monday following the start of early voting and
23 ending on the Monday before the election.

24 E. Precinct registers and other lists and information derived from
25 registration forms may be used only for purposes relating to a political or
26 political party activity, a political campaign or an election, for revising
27 election district boundaries or for any other purpose specifically authorized
28 by law and may not be used for a commercial purpose as defined in section
29 39-121.03. The sale of registers, lists and information derived from
30 registration forms to a candidate or a registered political committee for a
31 use specifically authorized by this subsection does not constitute use for a
32 commercial purpose. The county recorder, on a request for an authorized use
33 and within thirty days from receipt of the request, shall prepare additional
34 copies of an official precinct list and furnish them to any person requesting
35 them on payment of a fee equal to five cents for each name appearing on the
36 register for a printed list and one cent for each name for an electronic data
37 medium, plus the cost of the blank computer disk or computer software if
38 furnished by the recorder, for each copy so furnished.

39 F. Any person in possession of a precinct register or list, in whole
40 or part, or any reproduction of a precinct register or list, shall not permit
41 the register or list to be used, bought, sold or otherwise transferred for
42 any purpose except for uses otherwise authorized by this section. A person
43 in possession of information derived from voter registration forms or
44 precinct registers shall not distribute, post or otherwise provide access to
45 any portion of that information through the internet except as authorized by

1 subsection J of this section. Nothing in this section shall preclude public
2 inspection of voter registration records at the office of the county recorder
3 for the purposes prescribed by this section, except that the month and day of
4 birth date, the social security number or any portion thereof, the driver
5 license number or nonoperating identification license number, the Indian
6 census number, the father's name or mother's maiden name, the state or
7 country of birth and the records containing a voter's signature shall not be
8 accessible or reproduced by any person other than the voter, by an authorized
9 government official in the scope of the official's duties, for signature
10 verification on petitions and candidate filings, for election purposes and
11 for news gathering purposes by a person engaged in newspaper, radio,
12 television or reportorial work, or connected with or employed by a newspaper,
13 radio or television station or pursuant to a court order. A person who
14 violates this subsection or subsection E of this section is guilty of a class
15 6 felony.

16 G. The county recorder shall count the registered voters by political
17 party by precinct, legislative district and congressional district as
18 follows:

19 1. In even numbered years, the county recorder shall count all persons
20 who are registered to vote as of:

21 (a) January 1.

22 (b) March 1.

23 (c) June 1.

24 (d) The last day on which a person may register to be eligible to vote
25 in the next primary election.

26 (e) The last day on which a person may register to be eligible to vote
27 in the next general election.

28 (f) The last day on which a person may register to be eligible to vote
29 in the next presidential preference election.

30 2. In odd numbered years, the county recorder shall count all persons
31 who are registered to vote as of:

32 (a) January 1.

33 (b) April 1.

34 (c) July 1.

35 (d) October 1.

36 H. The county recorder shall report the totals to the secretary of
37 state as soon as is practicable following each of the dates prescribed in
38 subsection G of this section. The report shall include completed
39 registration forms returned in accordance with section 16-134, subsection B.
40 The county recorder shall also provide the report in a uniform electronic
41 computer media format that shall be agreed on between the secretary of state
42 and all county recorders. The secretary of state shall then prepare a
43 summary report for the state and shall maintain that report as a permanent
44 record.

1 I. The county recorder and the secretary of state shall protect access
2 to voter registration information in an auditable format and method specified
3 in the secretary of state's electronic voting system instructions and
4 procedures manual that is adopted pursuant to section 16-452.

5 J. The secretary of state shall develop and administer a statewide
6 database of voter registration information that contains the name and
7 registration information of every registered voter in this state. The
8 statewide database is a matter of statewide concern and is not subject to
9 modification or further regulation by a political subdivision. The database
10 shall include an identifier that is unique for each individual voter. The
11 database shall provide for access by voter registration officials and shall
12 allow expedited entry of voter registration information after it is received
13 by county recorders. As a part of the statewide voter registration database,
14 county recorders shall provide for the electronic transmittal of that
15 information to the secretary of state on a real time basis. The secretary of
16 state shall provide for maintenance of the database, including provisions
17 regarding removal of ineligible voters that are consistent with the national
18 voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; 42 United States
19 Code section 394) and the help America vote act of 2002 (P.L. 107-252; 116
20 Stat. 1666; 42 United States Code sections 15301 through 15545), provisions
21 regarding removal of duplicate registrations and provisions to ensure that
22 eligible voters are not removed in error. For the purpose of maintaining
23 compliance with the help America vote act of 2002, each county voter
24 registration system is subject to approval by the secretary of state for
25 compatibility with the statewide voter registration database system.

26 K. Except as provided in subsection L of this section, for requests
27 for the use of registration forms and access to information as provided in
28 subsections E and F of this section, the county recorder shall receive and
29 respond to requests regarding federal, state and county elections.

30 L. Beginning January 1, 2008, recognized political parties shall
31 request precinct lists and access to information as provided in subsections E
32 and F of this section during the time periods prescribed in subsection C or D
33 of this section and the county recorder shall receive and respond to those
34 requests. If the county recorder does not provide the requested materials
35 within the applicable time prescribed for the county recorder pursuant to
36 subsection C or D of this section, a recognized political party may request
37 that the secretary of state provide precinct lists and access to information
38 as provided in subsections E and F of this section for federal, state and
39 county elections. The secretary of state shall not provide access to
40 precinct lists and information for recognized political parties unless the
41 county recorder has failed or refused to provide the lists and materials as
42 prescribed by this section. The secretary of state may charge the county
43 recorder a fee determined by rule for each name or record produced.

44 M. For municipal registration information in those municipalities in
45 which the county administers the municipal elections, county and state party

1 chairmen shall request and obtain voter registration information and precinct
2 lists from the city or town clerk during the time periods prescribed in
3 subsection C or D of this section. If the city or town clerk does not
4 provide that information within the same time prescribed for county recorders
5 pursuant to subsection C or D of this section, the county or state party
6 chairman may request and obtain the information from the county recorder.
7 The county recorder shall provide the municipal voter registration and
8 precinct lists within the time prescribed in subsection C or D of this
9 section.

10 N. The county recorders and the secretary of state shall not prohibit
11 any person or entity prescribed in subsection C of this section from
12 distributing a precinct list to any person or entity that is deemed to be
13 using the precinct list in a lawful manner as prescribed in subsections E and
14 F of this section.

15 Sec. 2. Section 16-169, Arizona Revised Statutes, is amended to read:

16 16-169. Disposition and use of precinct registers; signature
17 roster; form

18 A. Upon completion of the precinct registers, the county recorder
19 shall certify to their completeness and correctness and shall transmit ~~the~~
20 ~~original and two copies~~ THEM to the ~~several~~ election boards. A copy shall be
21 retained by the county recorder IN EITHER PRINT OR ELECTRONIC MEDIA for
22 verification purposes on election day, and then ~~such~~ THAT copy shall be
23 delivered by the recorder to the early election boards. The board of
24 election shall use the original of the precinct register, which shall be
25 known as the "signature roster", for identifying the electors qualified to
26 vote in the precinct and may use the remaining copies to process voters or
27 may place them in a convenient place outside the poll limits for use by the
28 electors.

29 B. IF PAPER SIGNATURE ROSTERS ARE USED, the signature roster shall be
30 bound with suitable covers and shall bear on the outside front cover the
31 title, "signature roster _____ precinct, _____ county,
32 Arizona." On the cover shall appear, printed or typed, a certificate to be
33 signed by the inspector substantially as follows:

34 I, _____, inspector of the board of election of
35 _____ precinct, _____ county, Arizona hereby certify that
36 the foregoing (excepting signatures in red) are true and correct
37 signatures of all electors who voted in _____ precinct
38 on _____.

39 (date)

40 _____
41 (inspector)

42 C. IF ELECTRONIC MEDIA POLL BOOK SYSTEMS ARE USED FOR SIGNATURE
43 ROSTERS, A SEPARATE AFFIDAVIT SHALL BE SUPPLIED FOR THE INSPECTOR'S SIGNATURE
44 THAT IS IN SUBSTANTIALLY THE SAME FORMAT AS PRESCRIBED IN SUBSECTION B OF
45 THIS SECTION.

1 Sec. 3. Section 16-411, Arizona Revised Statutes, is amended to read:

2 16-411. Designation of election precincts and polling places:
3 voting centers; electioneering; wait times

4 A. Except as prescribed by subsection J of this section, the board of
5 supervisors of each county, on or before December 1 of each year preceding
6 the year of a general election, by an order, shall establish a convenient
7 number of election precincts in the county and define the boundaries of the
8 precincts. Such election precinct boundaries shall be so established as
9 included within election districts prescribed by law for elected officers of
10 the state and its political subdivisions including community college district
11 precincts, except those elected officers provided for in titles 30 and 48.

12 B. Not less than twenty days before a general or primary election, and
13 at least ten days before a special election, the board shall designate one
14 polling place within each precinct where the election shall be held, except
15 that:

16 1. On a specific finding of the board, included in the order or
17 resolution designating polling places pursuant to this subsection, that no
18 suitable polling place is available within a precinct, a polling place for
19 such precinct may be designated within an adjacent precinct.

20 2. Adjacent precincts may be combined if boundaries so established are
21 included in election districts prescribed by law for state elected officials
22 and political subdivisions including community college districts but not
23 including elected officials prescribed by titles 30 and 48. The officer in
24 charge of elections may also split a precinct for administrative purposes.
25 Any such polling places shall be listed in separate sections of the order or
26 resolution.

27 3. On a specific finding of the board that the number of persons who
28 are listed as permanent early voters pursuant to section 16-544 is likely to
29 substantially reduce the number of voters appearing at one or more specific
30 polling places at that election, adjacent precincts may be consolidated by
31 combining polling places and precinct boards for that election. The board of
32 supervisors shall ensure that a reasonable and adequate number of polling
33 places will be designated for that election. Any consolidated polling places
34 shall be listed in separate sections of the order or resolution of the board.

35 4. ON A SPECIFIC RESOLUTION OF THE BOARD, THE BOARD MAY AUTHORIZE THE
36 USE OF VOTING CENTERS IN PLACE OF OR IN ADDITION TO SPECIFICALLY DESIGNATED
37 POLLING PLACES. A VOTING CENTER SHALL ALLOW ANY VOTER IN THAT COUNTY TO
38 RECEIVE THE APPROPRIATE BALLOT FOR THAT VOTER ON ELECTION DAY AND LAWFULLY
39 CAST THE BALLOT. VOTING CENTERS MAY BE ESTABLISHED IN COORDINATION AND
40 CONSULTATION WITH THE COUNTY RECORDER, AT OTHER COUNTY OFFICES OR AT OTHER
41 LOCATIONS IN THE COUNTY DEEMED APPROPRIATE.

42 C. If the board fails to designate the place for holding the election,
43 or if it cannot be held at or about the place designated, the justice of the
44 peace in the precinct, two days before the election, by an order, copies of
45 which the justice of the peace shall immediately post in three public places

1 in the precinct, shall designate the place within the precinct for holding
2 the election. If there is no justice of the peace in the precinct, or if the
3 justice of the peace fails to do so, the election board of the precinct shall
4 designate and give notice of the place within the precinct of holding the
5 election. For any election in which there are no candidates for elected
6 office appearing on the ballot, the board may consolidate polling places and
7 precinct boards and may consolidate the tabulation of results for that
8 election if all of the following apply:

9 1. All affected voters are notified by mail of the change at least
10 thirty-three days before the election.

11 2. Notice of the change in polling places includes notice of the new
12 voting location, notice of the hours for voting on election day and notice of
13 the telephone number to call for voter assistance.

14 3. All affected voters receive information on early voting that
15 includes the application used to request an early voting ballot.

16 D. The board is not required to designate a polling place for special
17 district mail ballot elections held pursuant to article 8.1 of this chapter,
18 but the board may designate one or more sites for voters to deposit marked
19 ballots until 7:00 p.m. on the day of the election.

20 E. Except as provided in subsection F of this section, a public school
21 shall provide sufficient space for use as a polling place for any city,
22 county or state election when requested by the officer in charge of
23 elections.

24 F. The principal of the school may deny a request to provide space for
25 use as a polling place for any city, county or state election if, within two
26 weeks after a request has been made, the principal provides a written
27 statement indicating a reason the election cannot be held in the school,
28 including any of the following:

29 1. Space is not available at the school.

30 2. The safety or welfare of the children would be jeopardized.

31 G. The board shall make available to the public as a public record a
32 list of the polling places for all precincts in which the election is to be
33 held including identification of polling place changes that were submitted to
34 the United States department of justice for approval.

35 H. Except in the case of an emergency, any facility that is used as a
36 polling place on election day shall allow persons to electioneer and engage
37 in other political activity outside of the seventy-five foot limit prescribed
38 by section 16-515 in public areas and parking lots used by voters. This
39 subsection shall not be construed to permit the temporary or permanent
40 construction of structures in public areas and parking lots or the blocking
41 or other impairment of access to parking spaces for voters.

42 I. The secretary of state shall provide through the instructions and
43 procedures manual adopted pursuant to section 16-452 the maximum allowable
44 wait time for any election that is subject to section 16-204 and provide for
45 a method to reduce voter wait time at the polls in the primary and general

elections. The method shall consider at least all of the following for primary and general elections in each precinct:

1. The number of ballots voted in the prior primary and general elections.

2. The number of registered voters who voted early in the prior primary and general elections.

3. The number of registered voters and the number of registered voters who cast an early ballot for the current primary or general election.

4. The number of election board members and clerks and the number of rosters that will reduce voter wait time at the polls.

J. The board of supervisors of a county shall not change precinct lines during the period after July 31, 2008 and before January 1, 2011. The board of supervisors may subdivide an election precinct for administrative purposes or may provide for more than one polling place within the boundaries of the election precincts established for use in voting in elections held after July 31, 2008 and before January 1, 2011. In providing for multiple polling places within a precinct, the board of supervisors shall consider the particular population characteristics of each precinct in order to provide the voters the most reasonable access to the polls possible.

Sec. 4. Section 16-511, Arizona Revised Statutes, is amended to read:

16-511. Duty of board of supervisors to furnish election supplies to precinct officers

A. IF PAPER SIGNATURE ROSTERS ARE USED IN A POLLING PLACE, the necessary printed blanks for poll lists, tally lists, lists of voters, ballots, oath and returns, together with envelopes in which to enclose the returns, shall be furnished by the board of supervisors to the officers of each election precinct at the expense of the county. For those elections over which the board of supervisors has no responsibility, the governing body of each election district is responsible for furnishing the necessary supplies for elections which it calls.

B. IF ELECTRONIC POLL BOOK SYSTEMS ARE USED IN A PRECINCT, THE BOARD OF SUPERVISORS SHALL FURNISH AT LEAST TWO ELECTRONIC POLL BOOK SYSTEMS FOR EACH POLLING PLACE, EACH OF WHICH SHALL BE CAPABLE OF PRINTING POLL LISTS, TALLY LISTS AND LISTS OF VOTERS.

C. FOR ANY ELECTION THAT IS NOT HELD UNDER THE SUPERVISION OF THE BOARD OF SUPERVISORS, THE GOVERNING BODY OF EACH ELECTION DISTRICT IS RESPONSIBLE FOR FURNISHING THE NECESSARY SUPPLIES FOR THAT ELECTION.

Sec. 5. Section 16-516, Arizona Revised Statutes, is amended to read:

16-516. Form of poll lists

A. The following form of poll lists shall be kept by boards and clerks of election:

"Poll lists.

Of the election held in the precinct of _____ in the county of _____ on the _____ day of _____

~~nineteen hundred~~ _____, ~~A.B., C.D. and E.F., judges, and~~

~~G.H. and J.K., clerks~~ THE OFFICERS of the election, were respectively sworn or affirmed, as the law directs, previous to their entering on the duties of their respective offices, and the following is the number and name of electors voting:

Ballot stub	Register	Name
No.		No.

We hereby certify that the number of electors voting at this election was

Clerks

Board of election."

B. The paper used for poll lists is exempt from the paper size restrictions prescribed by section 39-103.

Sec. 6. Section 16-571, Arizona Revised Statutes, is amended to read:
16-571. Poll lists to be kept by election clerk; posting

A. IN PRECINCTS IN WHICH ELECTRONIC POLL BOOK SYSTEMS ARE NOT USED, at least one election board clerk shall keep a list in duplicate of persons voting, and the name of each person who votes shall be entered thereon and numbered in the order of voting.

B. IN PRECINCTS IN WHICH ELECTRONIC POLL BOOK SYSTEMS ARE NOT USED, the poll list as prescribed in section 16-516 shall be written on one side only, and the copies thereof shall be legible triplicate copies. Immediately upon the completion of each page of the poll list one copy shall, upon request, be given to a representative designated by each major political party. In an election with nonpartisan candidates or ballot issues, the officer in charge of the jurisdiction that is conducting the election may designate who is to receive copies of the poll lists. For the purposes of this subsection, "major political party" means the two parties receiving the highest number of votes for governor or presidential electors at the last election.

C. IN PRECINCTS IN WHICH ELECTRONIC POLL BOOK SYSTEMS ARE USED, AT LEAST ONE LIST OF PERSONS VOTING SHALL BE AVAILABLE BY PRINTED OR ELECTRONIC MEDIA. THE LIST SHALL BE IN SUBSTANTIALLY THE SAME FORMAT AS PRESCRIBED IN SECTION 16-516 AND ON REQUEST SHALL BE GIVEN TO A REPRESENTATIVE DESIGNATED BY EACH MAJOR POLITICAL PARTY. THE INFORMATION CONTAINED IN THE LIST ALSO

1 MAY BE PROVIDED ELECTRONICALLY TO A REPRESENTATIVE DESIGNATED BY EACH MAJOR
2 POLITICAL PARTY BY WAY OF A SECURE ELECTRONIC FILE TRANSMITTAL FORMAT AS
3 PRESCRIBED BY THE SECRETARY OF STATE.

4 Sec. 7. Section 16-579, Arizona Revised Statutes, is amended to read:

5 16-579. Procedure for obtaining ballot by elector

6 A. Every qualified elector, before receiving a ballot, shall announce
7 the elector's name and place of residence in a clear, audible tone of voice
8 to the election official in charge of the signature roster or present the
9 elector's name and residence in writing. The election official in charge of
10 the signature roster shall comply with the following and the qualified
11 elector shall be allowed within the voting area:

12 1. The elector shall present any of the following:

13 (a) A valid form of identification that bears the photograph, name and
14 address of the elector that reasonably appears to be the same as the name and
15 address in the precinct register, including an Arizona driver license, an
16 Arizona nonoperating identification license, a tribal enrollment card or
17 other form of tribal identification or a United States federal, state or
18 local government issued identification. Identification is deemed valid
19 unless it can be determined on its face that it has expired.

20 (b) Two different items that contain the name and address of the
21 elector that reasonably appears to be the same as the name and address in the
22 precinct register, including a utility bill, a bank or credit union statement
23 that is dated within ninety days of the date of the election, a valid Arizona
24 vehicle registration, an Arizona vehicle insurance card, Indian census card,
25 tribal enrollment card or other form of tribal identification, a property tax
26 statement, a recorder's certificate, a voter registration card, a valid
27 United States federal, state or local government issued identification or any
28 mailing that is "official election material". Identification is deemed valid
29 unless it can be determined on its face that it has expired.

30 (c) A valid form of identification that bears the photograph, name and
31 address of the elector except that if the address on the identification does
32 not reasonably appear to be the same as the address in the precinct register
33 or the identification is a valid United States military identification card
34 or a valid United States passport and does not bear an address, the
35 identification must be accompanied by one of the items listed in subdivision
36 (b) of this paragraph.

37 2. If the elector does not present identification that complies with
38 paragraph 1 of this subsection, the elector is only eligible to vote a
39 provisional ballot as prescribed by section 16-584 or a conditional
40 provisional ballot as provided for in the secretary of state's instruction
41 and procedures manual adopted pursuant to section 16-452.

1 B. Any qualified elector who is listed as having applied for an early
2 ballot but who states that the elector has not voted and will not vote an
3 early ballot for this election or surrenders the early ballot to the precinct
4 inspector on election day shall be allowed to vote pursuant to the procedure
5 set forth in section 16-584.

6 C. Each qualified elector's name shall be numbered consecutively by
7 the clerks, ~~with the number on the stub of the ballot delivered to the~~
8 ~~elector,~~ and in the order of applications for ballots. ~~The election judge~~
9 ~~having charge of the ballots shall also write the elector's initials on the~~
10 ~~stub and the number of the qualified elector as it appears on the precinct~~
11 ~~register.~~ The judge shall give the qualified elector only one ballot, and
12 the elector's name shall be immediately checked on the precinct register.

13 D. **FOR PRECINCTS IN WHICH A PAPER SIGNATURE ROSTER IS USED,** each
14 qualified elector shall sign the elector's name in the signature roster prior
15 to receiving a ballot, but an inspector or judge may sign the roster for an
16 elector who is unable to sign because of physical disability, and in that
17 event the name of the elector shall be written with red ink, and no
18 attestation or other proof shall be necessary. The provisions of this
19 subsection relating to signing the signature roster shall not apply to
20 electors casting a ballot using early voting procedures.

21 **E. FOR PRECINCTS IN WHICH AN ELECTRONIC POLL BOOK SYSTEM IS USED, EACH**
22 **QUALIFIED ELECTOR SHALL SIGN THE ELECTOR'S NAME AS PRESCRIBED IN THE**
23 **INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED BY THE SECRETARY OF STATE PURSUANT**
24 **TO SECTION 16-452 BEFORE RECEIVING A BALLOT, BUT AN INSPECTOR OR JUDGE MAY**
25 **SIGN THE ROSTER FOR AN ELECTOR WHO IS UNABLE TO SIGN BECAUSE OF PHYSICAL**
26 **DISABILITY, AND IN THAT EVENT THE NAME OF THE ELECTOR SHALL BE WRITTEN WITH**
27 **THE INSPECTOR'S OR JUDGE'S ATTESTATION ON THE SAME SIGNATURE LINE.**

28 ~~E.~~ F. A person offering to vote at a special district election for
29 which no special district register has been supplied shall sign an affidavit
30 stating the person's address and that the person resides within the district
31 boundaries or proposed district boundaries and swearing that the person is a
32 qualified elector and has not already voted at the election being held.

33 Sec. 8. Section 16-615, Arizona Revised Statutes, is amended to read:

34 **16-615. Delivery of returns**

35 A. Before it adjourns, the election board or tally board shall enclose
36 and seal in a strong envelope provided for that purpose one of the poll lists
37 and one of the tally lists, signed as required, ~~and the stubs of the voted~~
38 ~~ballots and shall direct it to the board of supervisors.~~

39 B. The envelope containing the poll list, ~~AND the tally list and the~~
40 ~~stubs of the voted ballots~~ shall constitute the official returns of the
41 election and shall, together with the envelope containing the voted ballots,
42 be delivered to one of the members of the election board or tally board,
43 previously determined by lot, unless otherwise agreed upon, and such member
44 shall by himself, or by an agent agreed upon by the board and sworn by a
45 member thereof, in the presence of the board to faithfully perform the duties

1 of election messenger, without delay, and by the most expeditious means and
2 route, deliver the packages and envelopes, without opening them, to the
3 officer in charge of the election at his office, or to the nearest postmaster
4 or sworn express agent, who shall endorse on the packages and envelopes the
5 name of the person delivering them, and the hour and date of the delivery,
6 and forward the packages and envelopes by the first mail or express to the
7 officer in charge of the election at the county seat.