Committee on Appropriations

House of Representatives amendments to S.B. 1339

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

   "Section 1. Section 16-1005, Arizona Revised Statutes, is amended to read:

   16-1005. Ballot abuse; violation; classification

   A. Any person who knowingly marks a voted or unvoted ballot or ballot envelope with the intent to fix an election for his own benefit or for that of another person is guilty of a class 5 felony.

   B. It is unlawful to offer or provide any consideration to acquire a voted or unvoted early ballot. A person who violates this subsection is guilty of a class 5 felony.

   C. It is unlawful to receive or agree to receive any consideration in exchange for a voted or unvoted ballot. A person who violates this subsection is guilty of a class 5 felony.

   D. It is unlawful to possess a voted or unvoted ballot with the intent to sell the voted or unvoted ballot of another person. A person who violates this subsection is guilty of a class 5 felony.

   E. A person or entity that knowingly solicits the collection of voted or unvoted ballots by misrepresenting itself as an election official or as an official ballot repository or is found to be serving as a ballot drop off site, other than those established and staffed by election officials, is guilty of a class 5 felony.

   F. A person who knowingly collects voted or unvoted ballots and does not turn those ballots in to an election official, the United States postal service or any other entity permitted by law to transmit post is guilty of a class 5 felony.

   G. A person who engages or participates in a pattern of ballot fraud is guilty of a class 4 felony. For the purposes of this subsection, "pattern
of ballot fraud" means the person has offered or provided any consideration to three or more persons to acquire the voted or unvoted ballot of a person.

H. A person may not collect more than two voted or unvoted early ballots during any two-year election cycle. This subsection does not apply to a family member, household member or caregiver of the voter or to a candidate or a candidate's spouse. For the purposes of this subsection:

1. "Caregiver" means a person who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living facility, assisted living home, residential care institution, adult day health care facility or adult foster care home.

2. "Family member" means a person who is related to the voter by blood, marriage, adoption or legal guardianship.

3. "Household member" means a person who resides at the same residence as the voter.

I. Any person who knowingly violates subsection H of this section is guilty of a class 6 felony."

Amend title to conform

and, as so amended, it do pass

JUSTIN OLSON
Chairman

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03/23/2015
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C: MYR