

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SENATE BILL 1287

AN ACT

AMENDING SECTIONS 16-515 AND 16-1018, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-515, Arizona Revised Statutes, is amended to
3 read:

4 16-515. "Seventy-five foot limit" notices: posting: violation:
5 classification

6 A. Except as prescribed in this section and section 16-580, a person
7 shall not be allowed to remain inside the seventy-five foot limit while the
8 polls are open, except for the purpose of voting, and except the election
9 officials, one representative at any one time of each political party
10 represented on the ballot who has been appointed by the county chairman of
11 that political party and the challengers allowed by law, and no
12 electioneering may occur within the seventy-five foot limit. Voters having
13 cast their ballots shall promptly move outside the seventy-five foot limit.

14 B. The board of supervisors shall furnish, with the ballots for each
15 polling place, three notices, printed in letters not less than two inches
16 high, with the heading: "Seventy-five foot limit" and underneath that
17 heading the following:

18 No person shall be allowed to remain inside these limits while
19 the polls are open, except for the purpose of voting, and except
20 the election officials, one representative at any one time of
21 each political party represented on the ballot who has been
22 appointed by the county chairman of such political party, and
23 the challengers allowed by law. Voters having cast their
24 ballots shall at once retire without the seventy-five foot
25 limit. A person violating any provision of this notice is
26 guilty of a class 2 misdemeanor.

27 C. A minor voting in a simulated election at a polling place is
28 subject to the same seventy-five foot limit restrictions prescribed for a
29 voter. Persons supervising or working in a simulated election in which
30 minors vote may remain within the seventy-five foot limit of the polling
31 place. The inspector for the polling place shall exercise authority over all
32 election and simulated election related activities at the polling place.

33 D. For an election that is held by an Indian tribe and that is held at
34 a polling place at the same time and on the same date as any other election,
35 the following apply:

36 1. A person who is voting is subject to the same seventy-five foot
37 limit restrictions prescribed for other voters.

38 2. An election official for the tribal election may remain within the
39 seventy-five foot limit for the polling place.

40 E. With the permission of the voter, a minor may enter and remain
41 within the seventy-five foot limit in order to accompany a voter into a
42 polling place, an on-site early voting facility and a voting booth while the
43 voter is voting.

44 F. Notwithstanding any other law, an election official, a
45 representative of a political party who has been appointed by the county

1 chairman of that political party or a challenger who is authorized by law to
2 be within the seventy-five foot limit as prescribed by this section shall not
3 wear, carry or display materials that identify or express support for or
4 opposition to a candidate, a political party or organization, a ballot
5 question or any other political issue and shall not electioneer within the
6 seventy-five foot limit of a polling place.

7 G. NOTWITHSTANDING SECTION 16-1018, A PERSON MAY NOT TAKE PHOTOGRAPHS
8 OR VIDEOS WHILE WITHIN THE SEVENTY-FIVE FOOT LIMIT.

9 ~~G.~~ H. Any person violating this section is guilty of a class 2
10 misdemeanor.

11 ~~H.~~ I. For the purposes of this section, electioneering occurs when an
12 individual knowingly, intentionally, by verbal expression and in order to
13 induce or compel another person to vote in a particular manner or to refrain
14 from voting expresses support for or opposition to a candidate who appears on
15 the ballot in that election, a ballot question that appears on the ballot in
16 that election or a political party with one or more candidates who appear on
17 the ballot in that election.

18 Sec. 2. Section 16-1018, Arizona Revised Statutes, is amended to read:

19 16-1018. Additional unlawful acts by persons with respect to
20 voting; classification

21 A person who commits any of the following acts is guilty of a class 2
22 misdemeanor:

23 1. Knowingly electioneers on election day within a polling place or in
24 a public manner within seventy-five feet of the main outside entrance of a
25 polling place or on-site early voting location established by a county
26 recorder pursuant to section 16-542, subsection A.

27 2. Intentionally disables or removes from the polling place, on-site
28 early voting location or custody of an election official a voting machine or
29 a voting record.

30 3. Knowingly removes an official ballot from a polling place before
31 closing the polls.

32 4. Shows ~~the~~ ANOTHER voter's ballot or the machine on which ~~the~~
33 ANOTHER voter has voted to any person after it is prepared for voting in such
34 a manner as to reveal the contents, except to an authorized person lawfully
35 assisting the voter. A VOTER WHO MAKES AVAILABLE AN IMAGE OF THE VOTER'S OWN
36 BALLOT BY POSTING ON THE INTERNET OR IN SOME OTHER ELECTRONIC MEDIUM IS
37 DEEMED TO HAVE CONSENTED TO RETRANSMITTAL OF THAT IMAGE AND THAT
38 RETRANSMITTAL DOES NOT CONSTITUTE A VIOLATION OF THIS SECTION.

39 5. Knowingly solicits a voter to show the voter's ballot, or receives
40 from a voter a ballot prepared for voting, unless the person is an election
41 official or unless otherwise authorized by law.

42 6. Knowingly receives an official ballot from a person other than an
43 election official having charge of the ballots.

44 7. Knowingly delivers an official ballot to a voter, unless the voter
45 is an election official.

1 8. Except for a completed ballot transmitted by an elector by fax or
2 other electronic format pursuant to section 16-543, knowingly places a mark
3 on the voter's ballot by which it can be identified as the one voted by the
4 voter.

5 9. After having received a ballot as a voter, knowingly fails to
6 return the ballot to the election official before leaving the polling place
7 or on-site early voting location.