

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1339

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

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

4 16-1005. Ballot abuse; violation; classification

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

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

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

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

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

22 F. A person who knowingly collects voted or unvoted ballots and WHO
23 does not turn those ballots in to an election official, the United States

1 postal service or any other entity permitted by law to transmit post is
2 guilty of a class 5 felony.

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

7 H. A PERSON MAY NOT COLLECT MORE THAN TWO VOTED OR UNVOTED EARLY
8 BALLOTS DURING ANY TWO-YEAR ELECTION CYCLE. THIS SUBSECTION DOES NOT APPLY
9 TO A FAMILY MEMBER, HOUSEHOLD MEMBER OR CAREGIVER OF THE VOTER OR TO A
10 CANDIDATE OR A CANDIDATE'S SPOUSE. FOR THE PURPOSES OF THIS SUBSECTION:

11 1. "CAREGIVER" MEANS A PERSON WHO PROVIDES MEDICAL OR HEALTH CARE
12 ASSISTANCE TO THE VOTER IN A RESIDENCE, NURSING CARE INSTITUTION, HOSPICE
13 FACILITY, ASSISTED LIVING CENTER, ASSISTED LIVING FACILITY, ASSISTED LIVING
14 HOME, RESIDENTIAL CARE INSTITUTION, ADULT DAY HEALTH CARE FACILITY OR ADULT
15 FOSTER CARE HOME.

16 2. "FAMILY MEMBER" MEANS A PERSON WHO IS RELATED TO THE VOTER BY
17 BLOOD, MARRIAGE, ADOPTION OR LEGAL GUARDIANSHIP.

18 3. "HOUSEHOLD MEMBER" MEANS A PERSON WHO RESIDES AT THE SAME RESIDENCE
19 AS THE VOTER.

20 I. ANY PERSON WHO KNOWINGLY VIOLATES SUBSECTION H OF THIS SECTION IS
21 GUILTY OF A CLASS 6 FELONY."

22 Amend title to conform

JUSTIN OLSON

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03/23/2015
02:30 PM
C: MYR