



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

May 27, 2022

The Honorable Rusty Bowers
Speaker of the House
Arizona State House of Representatives
1700 W. Washington
Phoenix, AZ 85007

Re: House Bill 2617 (voter registration; cancellations; causes)

Dear Speaker Bowers,

Today I vetoed H.B. 2617. Arizona has long been — and will remain — a national leader in election integrity. Our approach is grounded in the foundational principle that we should encourage voters to participate and make it difficult for anyone to cheat. H.B. 2617 falls short of meeting this objective and should not become law in its current form.

Eliminating fraudulent voting practices is a key tenet of election integrity, and for good reason. If a ballot is cast illegally, it has the net effect of disenfranchising a lawful Arizona voter. It is equally important that our laws include safeguards to protect the vote of any Arizonan who is eligible and lawfully registered. In this regard, H.B. 2617, while well intentioned, does not include these necessary safeguards.

H.B. 2617 requires a county recorder to cancel the voter registration of a voter if the recorder receives information that provides the basis for determining that the person is not a qualified elector. The implementation of this provision is vague and lacks any guidance for how a county recorder would confirm such a determination. Our lawfully registered voters deserve to know that their right to vote will not be disturbed without sufficient due process. This provision leaves our election system vulnerable to bad actors who could seek to falsely allege a voter is not a qualified elector.

There are certain aspects of being a *qualified elector* that are objectively quantifiable and identifiable, such as age and citizenship status; but, the determination of *residency* can be a fact specific inquiry. The subjectivity of this provision, as well as a lack of guardrails against false claims, included in H.B. 2617 leaves voter registration susceptible to being canceled based on fiction rather than fact.

To be clear, it is currently and will remain illegal to vote in an Arizona election as a non-Arizona resident. To that end, there are provisions contained in H.B. 2617 that would strengthen a county recorder's ability

to make an objective determination to initiate the process of removing a person from the voter rolls because they are not qualified to vote in Arizona.

For example, requiring the Department of Transportation to notify the Secretary of State when a registered voter receives an out-of-state license is a step forward in maintaining accurate voter rolls. For that reason, the state *should* be notifying counties when a registered voter has received an out-of-state license and the county should move the voter to the inactive voting list after the voter receives a notice from the county.

Moreover, the process outlined in the bill that describes how counties are notified when a prospective juror is not a U.S. citizen also provides tools to make sure only qualified electors are participating in Arizona elections. That procedure should be codified in statute.

Additionally, the Secretary of State should be providing monthly reports to the county recorders of persons who are registered to vote in that county and who have changed residence addresses or are no longer a U.S. citizen. Further, to the extent practicable, recorders should be completing monthly comparisons to the databases that are delineated in the bill. Finally, a quarterly report of the number of deaths reported to the Secretary of State by the Department of Health Services and the number of voter registration cancellation notices issued by the Secretary as a result of those reports should be going to the Legislature, as H.B. 2617 would require.

Working with our partners in the Legislature, we have created a strong track record on election integrity. We have advanced more than 20 bills since the start of last year that, taken together, demonstrate our unwavering commitment to strengthening the system by which Arizonans exercise their rights and responsibilities as citizens in our representative democracy. I look forward to working with the sponsor and I am hopeful the aspects of the bill outlined above will be returned to my desk this session.

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive, flowing style.

Douglas A. Ducey
Governor
State of Arizona

cc: The Honorable Karen Fann
The Honorable Joseph Chaplik
The Honorable Katie Hobbs