

State of Arizona  
House of Representatives  
Fifty-first Legislature  
Second Regular Session  
2014

**CHAPTER 130**  
**HOUSE BILL 2100**

AN ACT

AMENDING SECTIONS 11-483, 11-484, 16-153, 41-161, 41-163, 41-164 AND 41-166,  
ARIZONA REVISED STATUTES; RELATING TO THE ADDRESS CONFIDENTIALITY PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-483, Arizona Revised Statutes, is amended to  
3 read:

4 11-483. Records maintained by county recorder; confidentiality;  
5 definitions

6 A. Notwithstanding any other provision of this article, in any county  
7 an eligible person may request that the general public be prohibited from  
8 accessing the unique identifier and the recording date contained in indexes  
9 of recorded instruments maintained by the county recorder and may request the  
10 county recorder to prohibit access to that person's residential address and  
11 telephone number contained in instruments or writings recorded by the county  
12 recorder.

13 B. An eligible person may request this action by filing an affidavit  
14 that states all of the following on an application form developed by the  
15 administrative office of the courts in agreement with an association of  
16 counties, an organization of peace officers and the motor vehicle division of  
17 the department of transportation:

18 1. The person's full legal name and residential address.

19 2. The full legal description and parcel number of the person's  
20 property.

21 3. Unless the person is the spouse or minor child of a deceased peace  
22 officer or the person is a former public official, the position the person  
23 currently holds and a description of the person's duties, except that an  
24 eligible person who is protected under an order of protection or injunction  
25 against harassment shall instead attach a copy of the order of protection or  
26 injunction against harassment **OR AN ELIGIBLE PERSON WHO IS A PARTICIPANT IN**  
27 **THE ADDRESS CONFIDENTIALITY PROGRAM SHALL INSTEAD ATTACH A COPY OF THE**  
28 **PARTICIPANT'S CURRENT AND VALID ADDRESS CONFIDENTIALITY PROGRAM AUTHORIZATION**  
29 **CARD ISSUED PURSUANT TO SECTION 41-163 AND A STATEMENT OF CERTIFICATION**  
30 **PROVIDED BY THE SECRETARY OF STATE'S OFFICE.**

31 4. The reasons the person reasonably believes that the person's life  
32 or safety or that of another person is in danger and that restricting access  
33 pursuant to this section will serve to reduce the danger.

34 5. The document locator number and recording date of each instrument  
35 for which the person requests access restriction pursuant to this section.

36 6. A copy of pages from each instrument that includes the document  
37 locator number and the person's full legal name and residential address or  
38 full legal name and telephone number.

39 C. If an eligible person is also requesting pursuant to section 11-484  
40 that the general public be prohibited from accessing records maintained by  
41 the county assessor and county treasurer, the eligible person may combine the  
42 request pursuant to subsection B of this section with the request pursuant to  
43 section 11-484 by filing one affidavit. The affidavit and subsequent action  
44 by the appropriate authorities shall meet all of the requirements of this  
45 section and section 11-484.

1           D. The affidavit shall be filed with the presiding judge of the  
2 superior court in the county in which the affiant resides. To prevent  
3 multiple filings, an eligible person who is a peace officer, spouse or minor  
4 child of a deceased peace officer, public defender, prosecutor, code  
5 enforcement officer, corrections or detention officer, corrections support  
6 staff member or law enforcement support staff member shall deliver the  
7 affidavit to the peace officer's commanding officer, or to the head of the  
8 prosecuting, public defender, code enforcement, law enforcement, corrections  
9 or detention agency, as applicable, or that person's designee, who shall file  
10 the affidavits at one time. In the absence of an affidavit that contains a  
11 request for immediate action and that is supported by facts justifying an  
12 earlier presentation, the commanding officer, or the head of the prosecuting,  
13 public defender, code enforcement, law enforcement, corrections or detention  
14 agency, as applicable, or that person's designee, shall not file affidavits  
15 more often than quarterly.

16           E. On receipt of an affidavit or affidavits, the presiding judge of  
17 the superior court shall file with the clerk of the superior court a petition  
18 on behalf of all requesting affiants. Each affidavit presented shall be  
19 attached to the petition. In the absence of an affidavit that contains a  
20 request for immediate action and that is supported by facts justifying an  
21 earlier consideration, the presiding judge may accumulate affidavits and file  
22 a petition at the end of each quarter.

23           F. The presiding judge of the superior court shall review the petition  
24 and each attached affidavit to determine whether the action requested by each  
25 affiant should be granted. If the presiding judge of the superior court  
26 concludes that the action requested by the affiant will reduce a danger to  
27 the life or safety of the affiant or another person, the presiding judge of  
28 the superior court shall order that the county recorder prohibit access for  
29 five years to the affiant's residential address and telephone number  
30 contained in instruments or writings recorded by the county recorder and made  
31 available on the internet. If the presiding judge of the superior court  
32 concludes that the affiant or another person is in actual danger of physical  
33 harm from a person or persons with whom the affiant has had official dealings  
34 and that action pursuant to this section will reduce a danger to the life or  
35 safety of the affiant or another person, the presiding judge of the superior  
36 court shall order that the general public be prohibited for five years from  
37 accessing the unique identifier and the recording date contained in indexes  
38 of recorded instruments maintained by the county recorder and identified  
39 pursuant to subsection B of this section.

40           G. On motion to the court, if the presiding judge of the superior  
41 court concludes that an instrument or writing recorded by the county recorder  
42 has been redacted or sealed in error, that the original affiant no longer  
43 lives at the address listed in the original affidavit, that the cause for the  
44 original affidavit no longer exists or that temporary access to the  
45 instrument or writing is needed, the presiding judge may temporarily stay or

1 permanently vacate all or part of the court order prohibiting public access  
2 to the recorded instrument or writing.

3 H. On entry of the court order, the clerk of the superior court shall  
4 file the court order and a copy of the affidavit required by subsection B of  
5 this section with the county recorder. No more than ten days after the date  
6 on which the county recorder receives the court order, the county recorder  
7 shall restrict access to the information as required by subsection F of this  
8 section.

9 I. If the court denies an affiant's request pursuant to this section,  
10 the affiant may request a court hearing. The hearing shall be conducted by  
11 the court in the county where the petition was filed.

12 J. The county recorder shall remove the restrictions on all records  
13 restricted pursuant to this section by January 5 in the year after the court  
14 order expires. The county recorder shall send by mail one notice to either  
15 the former public official, peace officer, spouse or minor child of a  
16 deceased peace officer, public defender, prosecutor, code enforcement  
17 officer, corrections or detention officer, corrections support staff member  
18 or law enforcement support staff member or the employing agency of a peace  
19 officer, public defender, prosecutor, code enforcement officer, corrections  
20 or detention officer, corrections support staff member or law enforcement  
21 support staff member who was granted an order pursuant to this section of the  
22 order's expiration date at least six months before the expiration date. If  
23 the notice is sent to the employing agency, the employing agency shall  
24 immediately notify the person who was granted the order of the upcoming  
25 expiration date. The county recorder may coordinate with the county assessor  
26 and county treasurer to prevent multiple notices from being sent to the same  
27 person.

28 K. To include subsequent recordings in the court order, the eligible  
29 person shall present to the county recorder at the time of recordation a  
30 certified copy of the court order or shall provide to the county recorder the  
31 recording number of the court order. The county recorder shall ensure that  
32 public access shall be restricted pursuant to subsection A of this section.

33 L. This section shall not be interpreted to restrict access to public  
34 records for the purposes of perfecting a lien pursuant to title 12, chapter  
35 9, article 2.

36 M. This section does not prohibit access to the records of the county  
37 recorder by parties to the instrument, a law enforcement officer performing  
38 the officer's official duties pursuant to subsection N of this section, a  
39 title insurer, a title insurance agent or an escrow agent licensed by the  
40 department of insurance or the department of financial institutions.

41 N. A law enforcement officer is deemed to be performing the officer's  
42 official duties if the officer provides a subpoena, court order or search  
43 warrant for the records.

- 1           0. For the purposes of this section:
- 2           1. "Code enforcement officer" means a person who is employed by a
- 3 state or local government and whose duties include performing field
- 4 inspections of buildings, structures or property to ensure compliance with
- 5 and enforce national, state and local laws, ordinances and codes.
- 6           2. "Commissioner" means a commissioner of the superior court.
- 7           3. "Corrections support staff member" means an adult or juvenile
- 8 corrections employee who has direct contact with inmates.
- 9           4. "Eligible person" means a former public official, peace officer,
- 10 spouse or minor child of a deceased peace officer, justice, judge,
- 11 commissioner, public defender, prosecutor, code enforcement officer, adult or
- 12 juvenile corrections officer, corrections support staff member, probation
- 13 officer, member of the board of executive clemency, law enforcement support
- 14 staff member, national guard member who is acting in support of a law
- 15 enforcement agency, person who is protected under an order of protection or
- 16 injunction against harassment, **PERSON WHO IS A PARTICIPANT IN THE ADDRESS**
- 17 **CONFIDENTIALITY PROGRAM PURSUANT TO TITLE 41, CHAPTER 1, ARTICLE 3** or
- 18 firefighter who is assigned to the Arizona counterterrorism center in the
- 19 department of public safety.
- 20           5. "Former public official" means a person who was duly elected or
- 21 appointed to Congress, the legislature or a statewide office, who ceased
- 22 serving in that capacity and who was the victim of a dangerous offense as
- 23 defined in section 13-105 while in office.
- 24           6. "Indexes" means only those indexes that are maintained by and
- 25 located in the office of the county recorder, that are accessed
- 26 electronically and that contain information beginning from and after
- 27 January 1, 1987.
- 28           7. "Judge" means a judge of the United States district court, the
- 29 United States court of appeals, the United States magistrate court, the
- 30 United States bankruptcy court, the Arizona court of appeals, the superior
- 31 court or a municipal court.
- 32           8. "Justice" means a justice of the United States or Arizona supreme
- 33 court or a justice of the peace.
- 34           9. "Law enforcement support staff member" means a person who serves in
- 35 the role of an investigator or prosecutorial assistant in an agency that
- 36 investigates or prosecutes crimes, who is integral to the investigation or
- 37 prosecution of crimes and whose name or identity will be revealed in the
- 38 course of public proceedings.
- 39           10. "Peace officer" means any person vested by law, or formerly vested
- 40 by law, with a duty to maintain public order and make arrests.
- 41           11. "Prosecutor" means a county attorney, a municipal prosecutor, the
- 42 attorney general or a United States attorney and includes an assistant or
- 43 deputy United States attorney, county attorney, municipal prosecutor or
- 44 attorney general.
- 45           12. "Public defender" means a federal public defender, county public
- 46 defender, county legal defender or county contract indigent defense counsel

1 and includes an assistant or deputy federal public defender, county public  
2 defender or county legal defender.

3 Sec. 2. Section 11-484, Arizona Revised Statutes, is amended to read:

4 11-484. Records maintained by county assessor and county  
5 treasurer; redaction; definitions

6 A. Notwithstanding any other provision of this article, in any county  
7 an eligible person may request that the general public be prohibited from  
8 accessing that person's residential address and telephone number that are  
9 contained in instruments, writings and information maintained by the county  
10 assessor and the county treasurer.

11 B. An eligible person may request this action by filing an affidavit  
12 that states all of the following on an application form developed by the  
13 administrative office of the courts in agreement with an association of  
14 counties, an organization of peace officers and the motor vehicle division of  
15 the department of transportation:

16 1. The person's full legal name and residential address.

17 2. The full legal description and parcel number of the person's  
18 property.

19 3. Unless the person is the spouse or minor child of a deceased peace  
20 officer or the person is a former public official, the position the person  
21 currently holds and a description of the person's duties, except that an  
22 eligible person who is protected under an order of protection or injunction  
23 against harassment shall attach a copy of the order of protection or  
24 injunction against harassment **OR AN ELIGIBLE PERSON WHO IS A PARTICIPANT IN**  
25 **THE ADDRESS CONFIDENTIALITY PROGRAM SHALL INSTEAD ATTACH A COPY OF THE**  
26 **PARTICIPANT'S CURRENT AND VALID ADDRESS CONFIDENTIALITY PROGRAM AUTHORIZATION**  
27 **CARD ISSUED PURSUANT TO SECTION 41-163 AND A STATEMENT OF CERTIFICATION**  
28 **PROVIDED BY THE SECRETARY OF STATE'S OFFICE.**

29 4. The reasons the person reasonably believes that the person's life  
30 or safety or that of another person is in danger and that redacting the  
31 residential address and telephone number will serve to reduce the danger.

32 C. If an eligible person is also requesting pursuant to section 11-483  
33 that the general public be prohibited from accessing records maintained by  
34 the county recorder, the eligible person may combine the request pursuant to  
35 subsection B of this section with the request pursuant to section 11-483 by  
36 filing one affidavit. The affidavit and subsequent action by the appropriate  
37 authorities shall meet all of the requirements of this section and section  
38 11-483.

39 D. The affidavit shall be filed with the presiding judge of the  
40 superior court in the county in which the affiant resides. To prevent  
41 multiple filings, an eligible person who is a peace officer, spouse or minor  
42 child of a deceased peace officer, public defender, prosecutor, code  
43 enforcement officer, corrections or detention officer, corrections support  
44 staff member or law enforcement support staff member shall deliver the  
45 affidavit to the peace officer's commanding officer, or to the head of the  
46 prosecuting, public defender, code enforcement, law enforcement, corrections

1 or detention agency, as applicable, or that person's designee, who shall file  
2 the affidavits at one time. In the absence of an affidavit that contains a  
3 request for immediate action and that is supported by facts justifying an  
4 earlier presentation, the commanding officer, or the head of the prosecuting,  
5 public defender, code enforcement, law enforcement, corrections or detention  
6 agency, as applicable, or that person's designee, shall not file affidavits  
7 more often than quarterly.

8 E. On receipt of an affidavit or affidavits, the presiding judge of  
9 the superior court shall file with the clerk of the superior court a petition  
10 on behalf of all requesting affiants. Each affidavit presented shall be  
11 attached to the petition. In the absence of an affidavit that contains a  
12 request for immediate action and that is supported by facts justifying an  
13 earlier consideration, the presiding judge may accumulate affidavits and file  
14 a petition at the end of each quarter.

15 F. The presiding judge of the superior court shall review the petition  
16 and each attached affidavit to determine whether the action requested by each  
17 affiant should be granted. If the presiding judge of the superior court  
18 concludes that the action requested by the affiant will reduce a danger to  
19 the life or safety of the affiant or another person, the presiding judge of  
20 the superior court shall order the redaction of the affiant's residential  
21 address and telephone number that are contained in instruments, writings and  
22 information maintained by the county assessor and the county treasurer. The  
23 redaction shall be in effect for five years.

24 G. On motion to the court, if the presiding judge of the superior  
25 court concludes that an instrument or writing maintained by the county  
26 assessor or the county treasurer has been redacted or sealed in error, that  
27 the original affiant no longer lives at the address listed in the original  
28 affidavit, that the cause for the original affidavit no longer exists or that  
29 temporary access to the instrument or writing is needed, the presiding judge  
30 may temporarily stay or permanently vacate all or part of the court order  
31 prohibiting public access to the instrument or writing.

32 H. On entry of the court order, the clerk of the superior court shall  
33 file the court order and a copy of the affidavit required by subsection B of  
34 this section with the county assessor and the county treasurer. No more than  
35 ten days after the date on which the county assessor and the county treasurer  
36 receive the court order, the county assessor and the county treasurer shall  
37 restrict access to the information as required by subsection F of this  
38 section.

39 I. If the court denies an affiant's request pursuant to this section,  
40 the affiant may request a court hearing. The hearing shall be conducted by  
41 the court in the county where the petition was filed.

42 J. The county assessor and the county treasurer shall remove the  
43 restrictions on all records that are redacted pursuant to this section by  
44 January 5 in the year after the court order expires. The county assessor or  
45 the county treasurer shall send by mail one notice to either the former  
46 public official, peace officer, spouse or minor child of a deceased peace

1 officer, public defender, prosecutor, code enforcement officer, corrections  
2 or detention officer, corrections support staff member or law enforcement  
3 support staff member or the employing agency of a peace officer, public  
4 defender, prosecutor, code enforcement officer, corrections or detention  
5 officer, corrections support staff member or law enforcement support staff  
6 member who was granted an order pursuant to this section of the order's  
7 expiration date at least six months before the expiration date. If the  
8 notice is sent to the employing agency, the employing agency shall  
9 immediately notify the person who was granted the order of the upcoming  
10 expiration date. The county assessor or county treasurer may coordinate with  
11 the county recorder to prevent multiple notices from being sent to the same  
12 person.

13 K. For the purposes of this section:

14 1. "Code enforcement officer" means a person who is employed by a  
15 state or local government and whose duties include performing field  
16 inspections of buildings, structures or property to ensure compliance with  
17 and enforce national, state and local laws, ordinances and codes.

18 2. "Commissioner" means a commissioner of the superior court.

19 3. "Corrections support staff member" means an adult or juvenile  
20 corrections employee who has direct contact with inmates.

21 4. "Eligible person" means a former public official, peace officer,  
22 spouse or minor child of a deceased peace officer, justice, judge,  
23 commissioner, public defender, prosecutor, code enforcement officer, adult or  
24 juvenile corrections officer, corrections support staff member, probation  
25 officer, member of the board of executive clemency, law enforcement support  
26 staff member, national guard member who is acting in support of a law  
27 enforcement agency, person who is protected under an order of protection or  
28 injunction against harassment, [PERSON WHO IS A PARTICIPANT IN THE ADDRESS  
29 CONFIDENTIALITY PROGRAM PURSUANT TO TITLE 41, CHAPTER 1, ARTICLE 3,](#) or  
30 firefighter who is assigned to the Arizona counterterrorism center in the  
31 department of public safety.

32 5. "Former public official" means a person who was duly elected or  
33 appointed to Congress, the legislature or a statewide office, who ceased  
34 serving in that capacity and who was the victim of a dangerous offense as  
35 defined in section 13-105 while in office.

36 6. "Judge" means a judge of the United States district court, the  
37 United States court of appeals, the United States magistrate court, the  
38 United States bankruptcy court, the Arizona court of appeals, the superior  
39 court or a municipal court.

40 7. "Justice" means a justice of the United States or Arizona supreme  
41 court or a justice of the peace.

42 8. "Law enforcement support staff member" means a person who serves in  
43 the role of an investigator or prosecutorial assistant in an agency that  
44 investigates or prosecutes crimes, who is integral to the investigation or  
45 prosecution of crimes and whose name or identity will be revealed in the  
46 course of public proceedings.



1           9. "Peace officer" means any person vested by law, or formerly vested  
2 by law, with a duty to maintain public order and make arrests.

3           10. "Prosecutor" means a county attorney, a municipal prosecutor, the  
4 attorney general or a United States attorney and includes an assistant or  
5 deputy United States attorney, county attorney, municipal prosecutor or  
6 attorney general.

7           11. "Public defender" means a federal public defender, county public  
8 defender, county legal defender or county contract indigent defense counsel  
9 and includes an assistant or deputy federal public defender, county public  
10 defender or county legal defender.

11           Sec. 3. Section 16-153, Arizona Revised Statutes, is amended to read:  
12           16-153. Voter registration; confidentiality; definitions

13           A. Eligible persons, and any other registered voter who resides at the  
14 same residence address as the eligible person, may request that the general  
15 public be prohibited from accessing the residential address, telephone number  
16 and voting precinct number contained in their voter registration record.

17           B. Eligible persons may request this action by filing an affidavit  
18 that states all of the following on an application form developed by the  
19 administrative office of the courts in agreement with an association of  
20 counties and an organization of peace officers:

21           1. The person's full legal name, residential address and date of  
22 birth.

23           2. Unless the person is the spouse or minor child of a deceased peace  
24 officer or the person is a former public official, the position the person  
25 currently holds and a description of the person's duties, except that an  
26 eligible person who is protected under an order of protection or injunction  
27 against harassment shall instead attach a copy of the order of protection or  
28 injunction against harassment.

29           3. The reasons for reasonably believing that the person's life or  
30 safety or that of another person is in danger and that sealing the  
31 residential address, telephone number and voting precinct number of the  
32 person's voting record will serve to reduce the danger.

33           C. The affidavit shall be filed with the presiding judge of the  
34 superior court in the county in which the affiant resides. To prevent  
35 multiple filings, an eligible person who is a peace officer, prosecutor,  
36 public defender, code enforcement officer, corrections or detention officer,  
37 corrections support staff member or law enforcement support staff member  
38 shall deliver the affidavit to the peace officer's commanding officer, or to  
39 the head of the prosecuting, public defender, code enforcement, law  
40 enforcement, corrections or detention agency, as applicable, or that person's  
41 designee, who shall file the affidavits at one time. In the absence of an  
42 affidavit that contains a request for immediate action and is supported by  
43 facts justifying an earlier presentation, the commanding officer, or the head  
44 of the prosecuting, public defender, code enforcement, law enforcement,  
45 corrections or detention agency, as applicable, or that person's designee,  
46 shall not file affidavits more often than quarterly.

1           D. On receipt of an affidavit or affidavits, the presiding judge of  
2 the superior court shall file with the clerk of the superior court a petition  
3 on behalf of all requesting affiants. The petition shall have attached each  
4 affidavit presented. In the absence of an affidavit that contains a request  
5 for immediate action and that is supported by facts justifying an earlier  
6 consideration, the presiding judge may accumulate affidavits and file a  
7 petition at the end of each quarter.

8           E. The presiding judge of the superior court shall review the petition  
9 and each attached affidavit to determine whether the action requested by each  
10 affiant should be granted. The presiding judge of the superior court shall  
11 order the sealing for five years of the information contained in the voter  
12 record of the affiant and, on request, any other registered voter who resides  
13 at the same residence address if the presiding judge concludes that this  
14 action will reduce a danger to the life or safety of the affiant.

15           F. The recorder shall remove the restrictions on all voter records  
16 submitted pursuant to subsection E of this section by January 5 in the year  
17 after the court order expires. The county recorder shall send by mail one  
18 notice to either the former public official, peace officer, spouse or minor  
19 child of a deceased peace officer, public defender, prosecutor, code  
20 enforcement officer, corrections or detention officer, corrections support  
21 staff member or law enforcement support staff member or the employing agency  
22 of a peace officer, public defender, prosecutor, code enforcement officer,  
23 corrections or detention officer, corrections support staff member or law  
24 enforcement support staff member who was granted an order pursuant to this  
25 section of the order's expiration date at least six months before the  
26 expiration date. If the notice is sent to the employing agency, the  
27 employing agency shall immediately notify the person who was granted the  
28 order of the upcoming expiration date. The county recorder may coordinate  
29 with the county assessor and county treasurer to prevent multiple notices  
30 from being sent to the same person.

31           G. On entry of the court order, the clerk of the superior court shall  
32 file the court order with the county recorder. On receipt of the court order  
33 the county recorder shall seal the voter registration of the persons listed  
34 in the court order no later than one hundred twenty days from the date of  
35 receipt of the court order. To include a subsequent voter registration in  
36 the court order, a person listed in the court order shall present to the  
37 county recorder at the time of registration a certified copy of the court  
38 order or shall provide the county recorder the recording number of the court  
39 order. The information in the registration shall not be disclosed and is not  
40 a public record.

41           H. If the court denies an affiant's requested sealing of the voter  
42 registration record, the affiant may request a court hearing. The hearing  
43 shall be conducted by the court where the petition was filed.

44           I. On motion to the court, if the presiding judge of the superior  
45 court concludes that a voter registration record has been sealed in error or  
46 that the cause for the original affidavit no longer exists, the presiding

1 judge may vacate the court order prohibiting public access to the voter  
2 registration record.

3 J. On request by a person who is protected under an order of  
4 protection or injunction against harassment and presentation of an order of  
5 protection issued pursuant to section 13-3602, an injunction against  
6 harassment issued pursuant to section 12-1809 or an order of protection or  
7 injunction against harassment issued by a court in another state **OR A PROGRAM**  
8 **PARTICIPANT IN THE ADDRESS CONFIDENTIALITY PROGRAM PURSUANT TO TITLE 41,**  
9 **CHAPTER 1, ARTICLE 3,** the county recorder shall seal the voter registration  
10 record of the person who is protected and, on request, any other registered  
11 voter who resides at the residence address of the protected person. The  
12 record shall be sealed no later than one hundred twenty days from the date of  
13 receipt of the court order. The information in the registration shall not be  
14 disclosed and is not a public record.

15 K. For the purposes of this section:

16 1. "Code enforcement officer" means a person who is employed by a  
17 state or local government and whose duties include performing field  
18 inspections of buildings, structures or property to ensure compliance with  
19 and enforce national, state and local laws, ordinances and codes.

20 2. "Commissioner" means a commissioner of the superior court.

21 3. "Corrections support staff member" means an adult or juvenile  
22 corrections employee who has direct contact with inmates.

23 4. "Eligible person" means a former public official, peace officer,  
24 spouse or minor child of a deceased peace officer, border patrol agent,  
25 justice, judge, commissioner, public defender, prosecutor, code enforcement  
26 officer, adult or juvenile corrections officer, corrections support staff  
27 member, probation officer, member of the board of executive clemency, law  
28 enforcement support staff member, national guard member who is acting in  
29 support of a law enforcement agency, person who is protected under an order  
30 of protection or injunction against harassment or firefighter who is assigned  
31 to the Arizona counterterrorism center in the department of public safety.

32 5. "Former public official" means a person who was duly elected or  
33 appointed to congress, the legislature or a statewide office, who ceased  
34 serving in that capacity and who was the victim of a dangerous offense as  
35 defined in section 13-105 while in office.

36 6. "Judge" means a judge of the United States district court, the  
37 United States court of appeals, the United States magistrate court, the  
38 United States bankruptcy court, the Arizona court of appeals, the superior  
39 court or a municipal court.

40 7. "Justice" means a justice of the United States or Arizona supreme  
41 court or a justice of the peace.

42 8. "Law enforcement support staff member" means a person who serves in  
43 the role of an investigator or prosecutorial assistant in an agency that  
44 investigates or prosecutes crimes, who is integral to the investigation or  
45 prosecution of crimes and whose name or identity will be revealed in the  
46 course of public proceedings.

1           9. "Prosecutor" means a United States attorney, a county attorney, a  
2 municipal prosecutor or the attorney general and includes an assistant or  
3 deputy United States attorney, county attorney, municipal prosecutor or  
4 attorney general.

5           10. "Public defender" means a federal public defender, county public  
6 defender, county legal defender or county contract indigent defense counsel  
7 and includes an assistant or deputy federal public defender, county public  
8 defender or county legal defender.

9           Sec. 4. Section 41-161, Arizona Revised Statutes, is amended to read:

10           41-161. Definitions

11           In this article, unless the context otherwise requires:

12           1. "Actual address" means a residential, work or school address as  
13 specified on the individual's application to be a program participant and  
14 includes the county and voting precinct number.

15           2. "Address confidentiality program" means the program established  
16 pursuant to this article in the office of the secretary of state to protect  
17 the confidentiality of the actual address of a relocated victim of domestic  
18 violence, a sexual offense or stalking.

19           3. "Applicant" means an individual identified as such in an  
20 application received by the secretary of state pursuant to section 41-163.

21           4. "Application assistant" means a person designated by the secretary  
22 of state to assist an applicant in the preparation of an application to  
23 participate in the address confidentiality program.

24           5. "Domestic violence" has the same meaning prescribed in section  
25 13-3601.

26           6. "Program participant" means an individual accepted into the address  
27 confidentiality program.

28           7. "Public record" means all documents, papers, letters, maps, books,  
29 photographs, films, sound recordings, magnetic or other tapes, digital data,  
30 artifacts or other documentary material, regardless of physical form or  
31 characteristics, made or received pursuant to law or ordinance in connection  
32 with the transaction of public business by a state or local government  
33 entity.

34           8. "Sexual offense" means an offense included in title 13, chapter 14  
35 or 35.1.

36           9. "Stalking" means an offense prescribed in section 13-2923.

37           10. "State or local government entity" means every elected or appointed  
38 state or local public office, public officer or official, board, commission,  
39 bureau, committee, council, department, authority, agency, institution of  
40 higher education or other unit of the executive, legislative or judicial  
41 branch of this state or any city, town, county, ~~school district~~ PUBLIC SCHOOL  
42 or other kind of municipal, quasi-municipal or public corporation but does  
43 not include an agricultural improvement district.

44           11. "Substitute address" means an address that is designated by the  
45 secretary of state under the address confidentiality program and that is used  
46 instead of an actual address.



1           4. A statement by the applicant that disclosure of the applicant's  
2 actual address would endanger the applicant's safety.

3           5. A statement by the applicant that the applicant has confidentially  
4 relocated in the past ninety days or will confidentially relocate in this  
5 state.

6           6. A designation of the secretary of state as an agent for the  
7 applicant for purposes of receiving ~~certain mail~~ SERVICE OF PROCESS AND FIRST  
8 CLASS, ELECTION, REGISTERED AND CERTIFIED MAIL.

9           7. The mailing address and telephone number where the applicant can be  
10 contacted by the secretary of state.

11           8. The actual address that the applicant requests not to be disclosed  
12 by the secretary of state and that directly relates to the increased risk of  
13 domestic violence, a sexual offense or stalking.

14           9. A statement as to whether there is any existing court order or  
15 court action involving the applicant or an individual identified pursuant to  
16 paragraph 10 of this subsection related to dissolution of marriage  
17 proceedings, child support or the allocation of parental responsibilities or  
18 parenting time. The statement shall include the name of the court that  
19 issued the order or that has jurisdiction over the action, the case number  
20 and the judge assigned to the case.

21           10. The name of any person who resides with the applicant and who also  
22 needs to be a program participant in order to ensure the safety of the  
23 applicant and, if the person named in the application is eighteen years of  
24 age or older, the consent of the person to be a program participant.

25           11. A statement by the applicant, under penalty of perjury, that to the  
26 best of the applicant's knowledge, the information contained in the  
27 application is true.

28           D. On determining that an application is properly completed, the  
29 secretary of state shall certify the applicant and any individual who is  
30 identified pursuant to subsection C, paragraph 10 OF THIS SECTION as program  
31 participants. On certification, the secretary of state shall issue to the  
32 program participant an address confidentiality program authorization card,  
33 which shall include the program participant's substitute address. The card  
34 remains valid while the program participant remains certified under the  
35 program.

36           E. Applicants and individuals identified pursuant to subsection C,  
37 paragraph 10 OF THIS SECTION are certified for ~~four~~ FIVE years following the  
38 date of filing unless the certification is withdrawn or canceled before the  
39 end of the ~~four-year~~ FIVE-YEAR period. A program participant may withdraw  
40 the certification by filing a request for withdrawal acknowledged before a  
41 notary public. A certification may be renewed by filing a renewal  
42 application with the secretary of state at least thirty days before the  
43 expiration of the current certification. The renewal application shall be  
44 dated, signed and verified by the applicant ~~and signed and dated by the~~  
45 ~~application assistant who assisted in the preparation of the renewal~~  
46 ~~application~~. The renewal application shall contain:

1           1. Any statement or information that is required by subsection C OF  
2 THIS SECTION and that has changed from the original application or a prior  
3 renewal application.

4           2. A statement by the applicant, under penalty of perjury, that to the  
5 best of the applicant's knowledge, the information contained in the renewal  
6 application and a prior application is true.

7           Sec. 6. Section 41-164, Arizona Revised Statutes, is amended to read:  
8 41-164. Change of name, address or telephone number;  
9 cancellation of certification

10          A. A program participant shall notify the secretary of state within  
11 thirty days after the program participant has obtained a legal name change by  
12 providing the secretary of state a certified copy of any judgment or order  
13 evidencing the change or any other documentation the secretary of state deems  
14 to be sufficient evidence of the name change.

15          B. A program participant shall notify the secretary of state of a  
16 change in address or telephone number from the address or telephone number  
17 listed for the program participant on the application pursuant to section  
18 41-163, subsection C no later than seven days after the change occurs.

19          C. The certification of a program participant shall be canceled under  
20 any of the following circumstances:

21           1. The program participant files a request for withdrawal of the  
22 certification pursuant to section 41-163, subsection E.

23           2. The program participant fails to notify the secretary of state of a  
24 change in the program participant's name, address or telephone number listed  
25 on the application pursuant to this section.

26           3. The program participant or parent or guardian who completes an  
27 application on behalf of an applicant knowingly submitted false information  
28 in the program application.

29           4. Mail forwarded to the program participant by the secretary of state  
30 is returned as undeliverable.

31          D. If the secretary of state determines that there is one or more  
32 grounds for canceling certification of a program participant pursuant to  
33 subsection C of this section, the secretary of state shall send notice of  
34 cancellation to the program participant. The notice of cancellation shall  
35 set forth the reasons for cancellation. The program participant has thirty  
36 days to appeal the cancellation decision under rules adopted by the secretary  
37 of state.

38          E. An individual who ceases to be a program participant is responsible  
39 for notifying any person ~~who~~, STATE OR LOCAL GOVERNMENT ENTITY OR BUSINESS  
40 THAT uses the substitute address that the designated substitute address is no  
41 longer valid.

42           Sec. 7. Section 41-166, Arizona Revised Statutes, is amended to read:  
43 41-166. Address use by state or local government entities

44          A. The program participant, and not the secretary of state, is  
45 responsible for requesting that a state or local government entity use the  
46 program participant's substitute address as the program participant's

1 residential, work or school address for all purposes for which the state or  
2 local government entity requires or requests the residential, work or school  
3 address.

4 B. Except as otherwise provided in this section or unless the  
5 secretary of state grants a state or local government entity's request for  
6 disclosure pursuant to section 41-167, if a program participant submits a  
7 current and valid address confidentiality program authorization card to the  
8 state or local government entity, the state or local government entity shall  
9 accept the substitute address designation on the card as the program  
10 participant's address for use as the program participant's residential, work  
11 or school address when creating a new public record. The substitute address  
12 given to the state or local government entity is considered the last known  
13 address for the program participant used by the state or local government  
14 entity until the time that the state or local government entity receives  
15 notification pursuant to section 41-164. The state or local government  
16 entity may make a photocopy of the card for the records of the state or local  
17 government entity and shall immediately return the card to the program  
18 participant.

19 C. Except as otherwise provided in this section or by order of the  
20 court, if a program participant submits a current and valid address  
21 confidentiality program authorization card to the court, the court shall  
22 accept the substitute address designation on the card as the program  
23 participant's address for use as the program participant's residential, work  
24 or school address. The substitute address given to the court is considered  
25 the last known address for the program participant used by the court until  
26 the time that the court receives notification pursuant to section 41-164.  
27 The court may make a photocopy of the card for the court file and shall  
28 return the card to the program participant.

29 D. The secretary of state shall send notice to the appropriate county  
30 election official and recorder when a person becomes a program participant so  
31 that the participant's address can be kept confidential in the same manner as  
32 prescribed by section 16-153. Before sending the notice, the secretary of  
33 state shall check the statewide database to determine whether the  
34 participant's address is already protected as prescribed by section 16-153.  
35 If a program participant would like to register to vote, other than online or  
36 at a driver license examination facility, the participant shall present a  
37 completed form with the participant's substitute address and address  
38 confidentiality program card to the appropriate election official. The  
39 program participant shall provide the election official with the  
40 participant's actual physical address for precinct purposes.

41 E. A designated election official shall use the actual address of a  
42 program participant for precinct designation and all official  
43 election-related purposes and shall keep the program participant's actual  
44 address confidential from the public. The election official shall use the  
45 substitute address for all correspondence and mailings placed in the United



1 States mail. The substitute address shall not be used as an address for  
2 voter registration.

3 F. A state or local government entity's access to a program  
4 participant's voter registration shall be governed by the disclosure process  
5 set forth in section 41-167.

6 G. This section applies only to a program participant who submits a  
7 current and valid address confidentiality program authorization card when  
8 registering to vote.

9 H. A program participant who completes an application to register to  
10 vote at a driver license examination facility while receiving a driver  
11 license or an identification card is required to have the program  
12 participant's actual address on the driver license or identification card. A  
13 program participant whose driver license has the substitute address may  
14 register to vote, if otherwise eligible, pursuant to subsection E of this  
15 section.

16 I. The substitute address shall not be used for purposes of listing,  
17 appraising or assessing property taxes and collecting property taxes. IF A  
18 PROGRAM PARTICIPANT WOULD LIKE TO KEEP RECORDS MAINTAINED BY THE COUNTY  
19 ASSESSOR AND COUNTY TREASURER CONFIDENTIAL, THE PROGRAM PARTICIPANT SHALL  
20 COMPLY WITH SECTION 11-484.

21 J. If a program participant is required by law to swear or affirm to  
22 the program participant's address, the program participant may use the  
23 participant's substitute address.

24 K. The substitute address shall not be used for purposes of assessing  
25 any taxes or fees on a motor vehicle or for titling or registering a motor  
26 vehicle. Notwithstanding any law to the contrary, any record that includes a  
27 program participant's actual address pursuant to this subsection shall be  
28 confidential and not available for inspection by anyone other than the  
29 program participant.

30 L. The substitute address shall not be used on any document related to  
31 real property recorded with a recorder. If a program participant would like  
32 to keep real property records confidential, the program participant shall  
33 comply with section 11-483.

34 M. A ~~school-district~~ PUBLIC SCHOOL shall accept the substitute address  
35 as the address of record and shall verify student enrollment eligibility  
36 through the secretary of state. The secretary of state shall facilitate the  
37 transfer of student records from one school to another.

38 N. Except as otherwise provided in this section, a program  
39 participant's actual address and telephone number maintained by a state or  
40 local government entity or disclosed by the secretary of state is not a  
41 public record that is subject to inspection. This subsection shall not apply  
42 to the following:

43 1. Any public record created more than ninety days before the date  
44 that the program participant applied to be certified in the program.

1           2. ~~If~~ A program participant WHO voluntarily requests that a state or  
2 local government entity use the participant's actual address or voluntarily  
3 gives the actual address to the state or local government entity.  
4           0. For any public record created within ninety days before the date  
5 that a program participant applied to be certified in the program, a state or  
6 local government entity shall redact the actual address from a public record  
7 or change the actual address to the substitute address in the public record,  
8 if a program participant who presents a current and valid program  
9 authorization card requests the entity that maintains the public record to  
10 use the substitute address instead of the actual address on the public  
11 record.

APPROVED BY THE GOVERNOR APRIL 22, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 23, 2014.