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

CHAPTER 187

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

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

16-515. "Seventy-five foot limit" notices; posting; violation; classification

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

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

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

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

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

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

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

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

F. Notwithstanding any other law, an election official, a representative of a political party who has been appointed by the county chairman of that political party or a challenger who is authorized by law to - 1 -
be within the seventy-five foot limit as prescribed by this section shall not wear, carry or display materials that identify or express support for or opposition to a candidate, a political party or organization, a ballot question or any other political issue and shall not electioneer within the seventy-five foot limit of a polling place.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPROVED BY THE GOVERNOR APRIL 2, 2015.