

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

# **SENATE BILL 1090**

AN ACT

AMENDING SECTIONS 16-246, 16-411, 16-542 AND 16-549, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 16-246, Arizona Revised Statutes, is amended to  
3 read:

4 **16-246. Early balloting; satellite locations; additional**  
5 **procedures**

6 A. Within ninety-three days before the presidential preference  
7 election and not later than 5:00 p.m. on the eleventh day preceding the  
8 election, any elector who is eligible to vote in the presidential  
9 preference election may make a verbal or signed, written request for an  
10 official early ballot to the county recorder or other officer in charge of  
11 elections for the county in which the elector is registered to vote. If  
12 the request is verbal, the requesting elector shall provide the date of  
13 birth and birthplace or other information that if compared to the voter  
14 registration records for that elector would confirm the identity of the  
15 elector.

16 B. Absent uniformed services voters or overseas voters who are  
17 otherwise eligible to vote in the election may vote as prescribed by  
18 sections 16-543 and 16-543.02.

19 C. The county recorder or other officer in charge of elections may  
20 establish on-site early voting locations at the office of the county  
21 recorder or at other locations in the county deemed necessary or  
22 appropriate by the recorder. Early voting shall begin within the time  
23 limits prescribed in section 16-542 unless otherwise prescribed by this  
24 section.

25 D. The county recorder or other officer in charge of elections  
26 shall send by nonforwardable mail that is marked with the statement  
27 required by the postmaster to receive an address correction notification  
28 any early ballots that are requested pursuant to subsections A and B of  
29 this section and shall include a preaddressed envelope for the elector to  
30 return the completed ballot.

31 E. The county recorder or other officer in charge of elections  
32 shall provide to each election board an appropriate alphabetized list of  
33 voters who have requested and have been sent an early ballot. Any person  
34 who is on that list of voters and who was sent an early ballot shall not  
35 vote at the polling place for that election precinct except as prescribed  
36 by section 16-579, subsection B.

37 F. The county recorder or other officer in charge of elections may  
38 provide for any of the following in the same manner prescribed by law for  
39 other elections:

40 1. Special election boards.

41 2. Emergency balloting for persons who experience an emergency  
42 after 5:00 p.m. on the Friday preceding the presidential preference  
43 election and before 5:00 p.m. on the Monday immediately preceding the  
44 presidential preference election. **BEFORE RECEIVING A BALLOT PURSUANT TO**

1 THIS PARAGRAPH, A PERSON WHO EXPERIENCES AN EMERGENCY SHALL PROVIDE  
2 IDENTIFICATION AS PRESCRIBED IN SECTION 16-579 AND SHALL SIGN AN AFFIDAVIT  
3 UNDER PENALTY OF PERJURY THAT DESCRIBES THE EMERGENCY, STATES THAT THE  
4 OCCURRENCE WAS UNAVOIDABLE AND COULD NOT BE KNOWN IN ADVANCE AND STATES  
5 THAT WITHOUT THE EMERGENCY PROVISIONS, THE PERSON WOULD OTHERWISE BE  
6 UNABLE TO VOTE IN THE ELECTION IN ANY OTHER MANNER. AFFIDAVITS RECEIVED  
7 PURSUANT TO THIS SUBSECTION ARE NOT SUBJECT TO INSPECTION PURSUANT TO  
8 TITLE 39, CHAPTER 1, ARTICLE 2.

9 G. NOTWITHSTANDING SECTION 16-579, SUBSECTION A, PARAGRAPH 2, FOR  
10 EMERGENCY BALLOTTING PURSUANT TO SUBSECTION F, PARAGRAPH 2 OF THIS SECTION,  
11 THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY ALLOW A  
12 QUALIFIED ELECTOR TO UPDATE THE ELECTOR'S VOTER REGISTRATION INFORMATION  
13 AS PROVIDED FOR IN THE SECRETARY OF STATE'S INSTRUCTIONS AND PROCEDURES  
14 MANUAL ADOPTED PURSUANT TO SECTION 16-452.

15 ~~G.~~ H. Sections 16-550, 16-551 and 16-552 govern the use of early  
16 ballottting for the presidential preference election.

17 Sec. 2. Section 16-411, Arizona Revised Statutes, is amended to  
18 read:

19 16-411. *Designation of election precincts and polling places;*  
20 *voting centers; electioneering; wait times*

21 A. The board of supervisors of each county, on or before December 1  
22 of each year preceding the year of a general election, by an order, shall  
23 establish a convenient number of election precincts in the county and  
24 define the boundaries of the precincts. The election precinct boundaries  
25 shall be so established as included within election districts prescribed  
26 by law for elected officers of the state and its political subdivisions  
27 including community college district precincts, except those elected  
28 officers provided for in titles 30 and 48.

29 B. Not less than twenty days before a general or primary election,  
30 and at least ten days before a special election, the board shall designate  
31 one polling place within each precinct where the election shall be held,  
32 except that:

33 1. On a specific finding of the board, included in the order or  
34 resolution designating polling places pursuant to this subsection, that no  
35 suitable polling place is available within a precinct, a polling place for  
36 that precinct may be designated within an adjacent precinct.

37 2. Adjacent precincts may be combined if boundaries so established  
38 are included in election districts prescribed by law for state elected  
39 officials and political subdivisions including community college districts  
40 but not including elected officials prescribed by titles 30 and 48. The  
41 officer in charge of elections may also split a precinct for  
42 administrative purposes. The polling places shall be listed in separate  
43 sections of the order or resolution.

1       3. On a specific finding of the board that the number of persons  
2 who are listed as permanent early voters pursuant to section 16-544 is  
3 likely to substantially reduce the number of voters appearing at one or  
4 more specific polling places at that election, adjacent precincts may be  
5 consolidated by combining polling places and precinct boards for that  
6 election. The board of supervisors shall ensure that a reasonable and  
7 adequate number of polling places will be designated for that election.  
8 Any consolidated polling places shall be listed in separate sections of  
9 the order or resolution of the board.

10      4. On a specific resolution of the board, the board may authorize  
11 the use of voting centers in place of or in addition to specifically  
12 designated polling places. A voting center shall allow any voter in that  
13 county to receive the appropriate ballot for that voter on election day  
14 and lawfully cast the ballot. Voting centers may be established in  
15 coordination and consultation with the county recorder, at other county  
16 offices or at other locations in the county deemed appropriate.

17      5. ON A SPECIFIC RESOLUTION OF THE BOARD OF SUPERVISORS THAT IS  
18 LIMITED TO A SPECIFIC ELECTION DATE AND THAT IS VOTED ON BY A RECORDED  
19 VOTE, THE BOARD MAY AUTHORIZE THE COUNTY RECORDER OR OTHER OFFICER IN  
20 CHARGE OF ELECTIONS TO USE EMERGENCY VOTING CENTERS AS FOLLOWS:

21       (a) THE BOARD SHALL SPECIFY IN THE RESOLUTION THE LOCATION OF THE  
22 EMERGENCY VOTING CENTERS AND THE HOURS OF OPERATION.

23       (b) A QUALIFIED ELECTOR VOTING AT AN EMERGENCY VOTING CENTER SHALL  
24 PROVIDE IDENTIFICATION AS PRESCRIBED IN SECTION 16-579, EXCEPT THAT  
25 NOTWITHSTANDING SECTION 16-579, SUBSECTION A, PARAGRAPH 2, FOR ANY VOTING  
26 AT AN EMERGENCY VOTING CENTER, THE COUNTY RECORDER OR OTHER OFFICER IN  
27 CHARGE OF ELECTIONS MAY ALLOW A QUALIFIED ELECTOR TO UPDATE THE ELECTOR'S  
28 VOTER REGISTRATION INFORMATION AS PROVIDED FOR IN THE SECRETARY OF STATE'S  
29 INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-452.

30       (c) IF AN EMERGENCY VOTING CENTER ESTABLISHED PURSUANT TO THIS  
31 SECTION BECOMES UNAVAILABLE AND THERE IS NOT SUFFICIENT TIME FOR THE BOARD  
32 OF SUPERVISORS TO CONVENE TO APPROVE AN ALTERNATE LOCATION FOR THAT  
33 EMERGENCY VOTING CENTER, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF  
34 ELECTIONS MAY MAKE CHANGES TO THE APPROVED EMERGENCY VOTING CENTER  
35 LOCATION AND SHALL NOTIFY THE PUBLIC AND THE BOARD OF SUPERVISORS  
36 REGARDING THAT CHANGE AS SOON AS PRACTICABLE. THE ALTERNATE EMERGENCY  
37 VOTING CENTER SHALL BE AS CLOSE IN PROXIMITY TO THE APPROVED EMERGENCY  
38 VOTING CENTER LOCATION AS POSSIBLE.

39       C. If the board fails to designate the place for holding the  
40 election, or if it cannot be held at or about the place designated, the  
41 justice of the peace in the precinct, two days before the election, by an  
42 order, copies of which the justice of the peace shall immediately post in  
43 three public places in the precinct, shall designate the place within the  
44 precinct for holding the election. If there is no justice of the peace in

1 the precinct, or if the justice of the peace fails to do so, the election  
2 board of the precinct shall designate and give notice of the place within  
3 the precinct of holding the election. For any election in which there are  
4 no candidates for elected office appearing on the ballot, the board may  
5 consolidate polling places and precinct boards and may consolidate the  
6 tabulation of results for that election if all of the following apply:

7 1. All affected voters are notified by mail of the change at least  
8 thirty-three days before the election.

9 2. Notice of the change in polling places includes notice of the  
10 new voting location, notice of the hours for voting on election day and  
11 notice of the telephone number to call for voter assistance.

12 3. All affected voters receive information on early voting that  
13 includes the application used to request an early voting ballot.

14 D. The board is not required to designate a polling place for  
15 special district mail ballot elections held pursuant to article 8.1 of  
16 this chapter, but the board may designate one or more sites for voters to  
17 deposit marked ballots until 7:00 p.m. on the day of the election.

18 E. Except as provided in subsection F of this section, a public  
19 school shall provide sufficient space for use as a polling place for any  
20 city, county or state election when requested by the officer in charge of  
21 elections.

22 F. The principal of the school may deny a request to provide space  
23 for use as a polling place for any city, county or state election if,  
24 within two weeks after a request has been made, the principal provides a  
25 written statement indicating a reason the election cannot be held in the  
26 school, including any of the following:

27 1. Space is not available at the school.

28 2. The safety or welfare of the children would be jeopardized.

29 G. The board shall make available to the public as a public record  
30 a list of the polling places for all precincts in which the election is to  
31 be held.

32 H. Except in the case of an emergency, any facility that is used as  
33 a polling place on election day or that is used as an early voting site  
34 during the period of early voting shall allow persons to electioneer and  
35 engage in other political activity outside of the seventy-five foot limit  
36 prescribed by section 16-515 in public areas and parking lots used by  
37 voters. This subsection shall not be construed to permit the temporary or  
38 permanent construction of structures in public areas and parking lots or  
39 the blocking or other impairment of access to parking spaces for voters.  
40 The county recorder or other officer in charge of elections shall post on  
41 its website at least two weeks before election day a list of those polling  
42 places in which emergency conditions prevent electioneering and shall  
43 specify the reason the emergency designation was granted and the number of  
44 attempts that were made to find a polling place before granting an

1 emergency designation. If the polling place is not on the website list of  
2 polling places with emergency designations, electioneering and other  
3 political activity shall be permitted outside of the seventy-five foot  
4 limit. If an emergency arises after the county recorder or other officer  
5 in charge of elections' initial website posting, the county recorder or  
6 other officer in charge of elections shall update the website as soon as  
7 is practicable to include any new polling places, shall highlight the  
8 polling place location on the website and shall specify the reason the  
9 emergency designation was granted and the number of attempts that were  
10 made to find a polling place before granting an emergency designation.

11 I. For the purposes of this section, a county recorder or other  
12 officer in charge of elections shall designate a polling place as an  
13 emergency polling place and thus prohibit persons from electioneering and  
14 engaging in other political activity outside of the seventy-five foot  
15 limit prescribed by section 16-515 but inside the property of the facility  
16 that is hosting the polling place if any of the following occurs:

17 1. An act of God renders a previously set polling place as  
18 unusable.

19 2. A county recorder or other officer in charge of elections has  
20 exhausted all options and there are no suitable facilities in a precinct  
21 that are willing to be a polling place unless a facility can be given an  
22 emergency designation.

23 J. The secretary of state shall provide through the instructions  
24 and procedures manual adopted pursuant to section 16-452 the maximum  
25 allowable wait time for any election that is subject to section 16-204 and  
26 provide for a method to reduce voter wait time at the polls in the primary  
27 and general elections. The method shall consider at least all of the  
28 following for primary and general elections in each precinct:

29 1. The number of ballots voted in the prior primary and general  
30 elections.

31 2. The number of registered voters who voted early in the prior  
32 primary and general elections.

33 3. The number of registered voters and the number of registered  
34 voters who cast an early ballot for the current primary or general  
35 election.

36 4. The number of election board members and clerks and the number  
37 of rosters that will reduce voter wait time at the polls.

38 Sec. 3. Section 16-542, Arizona Revised Statutes, is amended to  
39 read:

40 16-542. Request for ballot; civil penalties; violation;  
41 classification

42 A. Within ninety-three days before any election called pursuant to  
43 the laws of this state, an elector may make a verbal or signed request to  
44 the county recorder, or other officer in charge of elections for the

1 applicable political subdivision of this state in whose jurisdiction the  
2 elector is registered to vote, for an official early ballot. In addition  
3 to name and address, the requesting elector shall provide the date of  
4 birth and state or country of birth or other information that if compared  
5 to the voter registration information on file would confirm the identity  
6 of the elector. If the request indicates that the elector needs a primary  
7 election ballot and a general election ballot, the county recorder or  
8 other officer in charge of elections shall honor the request. For any  
9 partisan primary election, if the elector is not registered as a member of  
10 a political party that is entitled to continued representation on the  
11 ballot pursuant to section 16-804, the elector shall designate the ballot  
12 of only one of the political parties that is entitled to continued  
13 representation on the ballot and the elector may receive and vote the  
14 ballot of only that one political party, which also shall include any  
15 nonpartisan offices and ballot questions, or the elector shall designate  
16 the ballot for nonpartisan offices and ballot questions only and the  
17 elector may receive and vote the ballot that contains only nonpartisan  
18 offices and ballot questions. The county recorder or other officer in  
19 charge of elections shall process any request for an early ballot for a  
20 municipal election pursuant to this subsection. The county recorder may  
21 establish on-site early voting locations at the recorder's office, which  
22 shall be open and available for use beginning the same day that a county  
23 begins to send out the early ballots. The county recorder may also  
24 establish any other early voting locations in the county the recorder  
25 deems necessary.

26 B. Notwithstanding subsection A of this section, a request for an  
27 official early ballot from an absent uniformed services voter or overseas  
28 voter as defined in the uniformed and overseas citizens absentee voting  
29 act of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter  
30 whose information is protected pursuant to section 16-153 that is received  
31 by the county recorder or other officer in charge of elections more than  
32 ninety-three days before the election is valid. If requested by the  
33 absent uniformed services or overseas voter, or a voter whose information  
34 is protected pursuant to section 16-153, the county recorder or other  
35 officer in charge of elections shall provide to the requesting voter early  
36 ballot materials through the next regularly scheduled general election for  
37 federal office immediately following receipt of the request unless a  
38 different period of time, which does not exceed the next two regularly  
39 scheduled general elections for federal office, is designated by the  
40 voter.

41 C. The county recorder or other officer in charge of elections  
42 shall mail the early ballot and the envelope for its return postage  
43 prepaid to the address provided by the requesting elector within five days  
44 after receipt of the official early ballots from the officer charged by

1 law with the duty of preparing ballots pursuant to section 16-545, except  
2 that early ballot distribution shall not begin more than twenty-seven days  
3 before the election. If an early ballot request is received on or before  
4 the thirty-first day before the election, the early ballot shall be  
5 distributed not earlier than the twenty-seventh day before the election  
6 and not later than the twenty-fourth day before the election.

7 D. Only the elector may be in possession of that elector's unvoted  
8 early ballot. If a complete and correct request is made by the elector  
9 within twenty-seven days before the election, the mailing must be made  
10 within forty-eight hours after receipt of the request. Saturdays, Sundays  
11 and other legal holidays are excluded from the computation of the  
12 forty-eight hour period prescribed by this subsection. If a complete and  
13 correct request is made by an absent uniformed services voter or an  
14 overseas voter before the election, the regular early ballot shall be  
15 transmitted by mail, by fax or by other electronic format approved by the  
16 secretary of state within twenty-four hours after the early ballots are  
17 delivered pursuant to section 16-545, subsection B, excluding Sundays.

18 E. In order to be complete and correct and to receive an early  
19 ballot by mail, an elector's request that an early ballot be mailed to the  
20 elector's residence or temporary address must include all of the  
21 information prescribed by subsection A of this section and must be  
22 received by the county recorder or other officer in charge of elections no  
23 later than 5:00 p.m. on the eleventh day preceding the election. An  
24 elector who appears personally no later than 5:00 p.m. on the Friday  
25 preceding the election at an on-site early voting location that is  
26 established by the county recorder or other officer in charge of elections  
27 shall be given a ballot and permitted to vote at the on-site location. If  
28 an elector's request to receive an early ballot is not complete and  
29 correct but complies with all other requirements of this section, the  
30 county recorder or other officer in charge of elections shall attempt to  
31 notify the elector of the deficiency of the request.

32 F. Unless an elector specifies that the address to which an early  
33 ballot is to be sent is a temporary address, the recorder may use the  
34 information from an early ballot request form to update voter registration  
35 records.

36 G. The county recorder or other officer in charge of early  
37 balloting shall provide an alphabetized list of all voters in the precinct  
38 who have requested and have been sent an early ballot to the election  
39 board of the precinct in which the voter is registered not later than the  
40 day before the election.

41 H. As a result of an emergency occurring between 5:00 p.m. on the  
42 ~~second~~ Friday preceding the election and 5:00 p.m. on the Monday preceding  
43 the election, qualified electors may request to vote ~~early~~ in the manner  
44 prescribed by the ~~county recorder~~ BOARD OF SUPERVISORS of their respective

1 county. BEFORE VOTING PURSUANT TO THIS SUBSECTION, AN ELECTOR WHO  
2 EXPERIENCES AN EMERGENCY SHALL PROVIDE IDENTIFICATION AS PRESCRIBED IN  
3 SECTION 16-579 AND SHALL SIGN AN AFFIDAVIT UNDER PENALTY OF PERJURY THAT  
4 DESCRIBES THE EMERGENCY, STATES THAT THE OCCURRENCE WAS UNAVOIDABLE AND  
5 COULD NOT BE KNOWN IN ADVANCE AND STATES THAT WITHOUT THE EMERGENCY  
6 PROVISIONS, THE ELECTOR WOULD OTHERWISE BE UNABLE TO VOTE IN THE ELECTION  
7 IN ANY OTHER MANNER. AFFIDAVITS RECEIVED PURSUANT TO THIS SUBSECTION ARE  
8 NOT SUBJECT TO INSPECTION PURSUANT TO TITLE 39, CHAPTER 1, ARTICLE 2. For  
9 the purposes of this subsection, "emergency" means any unforeseen  
10 circumstances that would prevent the elector from voting at the polls.

11 I. NOTWITHSTANDING SECTION 16-579, SUBSECTION A, PARAGRAPH 2, FOR  
12 ANY VOTING PURSUANT TO SUBSECTION H OF THIS SECTION, THE COUNTY RECORDER  
13 OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY ALLOW A QUALIFIED ELECTOR TO  
14 UPDATE THE ELECTOR'S VOTER REGISTRATION INFORMATION AS PROVIDED FOR IN THE  
15 SECRETARY OF STATE'S INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED PURSUANT  
16 TO SECTION 16-452.

17 ~~J.~~ A candidate, political committee or other organization may  
18 distribute early ballot request forms to voters. If the early ballot  
19 request forms include a printed address for return, the addressee shall be  
20 the political subdivision that will conduct the election. Failure to use  
21 the political subdivision as the return addressee is punishable by a civil  
22 penalty of up to three times the cost of the production and distribution  
23 of the request.

24 ~~J.~~ K. All original and completed early ballot request forms that  
25 are received by a candidate, political committee or other organization  
26 shall be submitted within six business days after receipt by a candidate,  
27 political committee or other organization or eleven days before the  
28 election day, whichever is earlier, to the political subdivision that will  
29 conduct the election. Any person, political committee or other  
30 organization that fails to submit a completed early ballot request form  
31 within the prescribed time is subject to a civil penalty of up to  
32 ~~twenty-five dollars~~ \$25 per day for each completed form withheld from  
33 submittal. Any person who knowingly fails to submit a completed early  
34 ballot request form before the submission deadline for the election  
35 immediately following the completion of the form is guilty of a class 6  
36 felony.

37 Sec. 4. Section 16-549, Arizona Revised Statutes, is amended to  
38 read:

39 16-549. Special election boards: voting procedure for ill  
40 electors or electors with disabilities; expenses

41 A. The county recorder or other officer in charge of elections, for  
42 the purpose of making it possible for qualified electors who are ill or  
43 have a disability to vote, may appoint such number of special election  
44 boards as needed. In a partisan election, each such board shall consist

1 of two members, one from each of the two political parties ~~which~~ THAT cast  
2 the highest number of votes in the state in the last preceding general  
3 election. The county chairman of each such party shall furnish, within  
4 sixty days ~~prior to~~ BEFORE the election day, the county recorder or other  
5 officer in charge of elections with a list of names of qualified electors  
6 within the chairman's political party, and such additional lists as may be  
7 required, from which the county recorder or other officer in charge of  
8 elections shall appoint members to such special election boards. The  
9 county recorder or other officer in charge of elections may refuse for  
10 cause to appoint or may for cause remove a member of this board. A person  
11 who is a candidate for an office other than precinct committeeman is not  
12 eligible to serve on the special election board for that election.

13 B. Members of special election boards appointed under ~~the~~  
14 ~~provisions of~~ this section shall be reimbursed for travel expenses in the  
15 manner provided by law and shall also receive such compensation as the  
16 board of supervisors or the governing body prescribes, all of which shall  
17 be paid by the county or other political subdivision.

18 C. In lieu of the mailed early ballot procedure, any qualified  
19 elector who is confined as the result of a continuing illness or physical  
20 disability and is, therefore, not able to go to the polls on the day of  
21 the next election and who does not wish to vote by the mailed early ballot  
22 procedure, may make a verbal or a signed written request to the county  
23 recorder or other officer in charge of elections to have a ballot  
24 personally delivered to the elector by the special election board at the  
25 elector's place of confinement within the county or other political  
26 subdivision. The ballot shall be delivered to the elector in person by a  
27 special election board as provided in this section. Such requests must be  
28 made by 5:00 p.m. on the second Friday before the election.

29 D. Qualified electors who become ill or become a person with a  
30 disability after the second Friday before the election may nevertheless  
31 request personal ballot delivery pursuant to this section, and the county  
32 recorder or other officer in charge of elections shall when possible honor  
33 such requests up to and including the last day before the election.  
34 Qualified electors who are admitted to a hospital after 5:00 p.m. on the  
35 second Friday preceding the election and before 5:00 p.m. on election day  
36 may request the county recorder or other officer in charge of elections to  
37 provide a special election board with a ballot at the elector's place of  
38 confinement. If the county recorder or other officer in charge of  
39 elections is able to accommodate the request, the voted ballot of the  
40 elector shall be sealed in an envelope and shall be processed as a  
41 provisional ballot pursuant to section 16-584. BEFORE RECEIVING A BALLOT  
42 PURSUANT TO THIS SUBSECTION, A QUALIFIED ELECTOR SHALL PROVIDE  
43 IDENTIFICATION AS PRESCRIBED IN SECTION 16-579 AND SHALL SIGN AN AFFIDAVIT  
44 UNDER PENALTY OF PERJURY THAT DESCRIBES THE ELECTOR'S CIRCUMSTANCES,

1 STATES THAT THE CIRCUMSTANCES WERE UNAVOIDABLE AND COULD NOT BE KNOWN IN  
2 ADVANCE AND STATES THAT WITHOUT THE USE OF THE SPECIAL ELECTION BOARD, THE  
3 ELECTOR WOULD OTHERWISE BE UNABLE TO VOTE IN THE ELECTION IN ANY OTHER  
4 MANNER. AFFIDAVITS RECEIVED PURSUANT TO THIS SUBSECTION ARE NOT SUBJECT  
5 TO INSPECTION PURSUANT TO TITLE 39, CHAPTER 1, ARTICLE 2.

6 E. The manner and procedure of voting shall be as provided in  
7 section 16-548, except that the marked ballot in the sealed envelope shall  
8 be handed by the elector to the special election board and shall be  
9 delivered by the board to the county recorder or other officer in charge  
10 of elections.