State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019  

CHAPTER 282  

HOUSE BILL 2039  

AN ACT  
AMENDING SECTION 16-161, ARIZONA REVISED STATUTES; AMENDING SECTION 16-549, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 107, SECTION 4; RELATING TO ELECTIONS AND ELECTORS.  

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 16-161, Arizona Revised Statutes, is amended to read:

16-161. Official record of registration; federal form; reporting

A. When the registration form is filled out, signed by the elector and received by the county recorder, it shall constitute an official public record of the registration of the elector.

B. On the dates prescribed by Section 16-168, subsection G, the county recorder shall report to the secretary of state and shall prominently post on the recorder’s website the number of persons who are registered to vote using the federal or state voter registration form and who have not provided proof of citizenship to the county recorder and, after each general election, shall post on the recorder’s website the number of ballots cast by those persons who were eligible to vote a ballot containing federal offices only.

Sec. 2. Section 16-549, Arizona Revised Statutes, as amended by Laws 2019, chapter 107, section 4, is amended to read:

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

A. The county recorder or other officer in charge of elections, for the purpose of making it possible for qualified electors who are ill or have a disability to vote, may appoint such number of special election boards as needed. In a partisan election, each such board shall consist of two members, one from each of the two political parties that cast the highest number of votes in the state in the last preceding general election. The county chairman of each such party shall furnish, within sixty days before the election day, the county recorder or other officer in charge of elections with a list of names of qualified electors within the chairman's political party, and such additional lists as may be required, from which the county recorder or other officer in charge of elections shall appoint members to such special election boards. The county recorder or other officer in charge of elections may refuse for cause to appoint or may for cause remove a member of this board. A person who is a candidate for an office other than precinct committeeman is not eligible to serve on the special election board for that election.

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

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

D. Qualified electors who become ill or become a person with a
disability after the second Friday before the election may nevertheless
request personal ballot delivery pursuant to this section, and the county
recorder or other officer in charge of elections shall when possible honor
such requests up to and including the last day before the election.
Qualified electors who are admitted to a hospital after 5:00 p.m. on the
second Friday preceding the election and before 5:00 p.m. on election day
may request the county recorder or other officer in charge of elections to
provide a special election board with a ballot at the elector's place of
confinement. If the county recorder or other officer in charge of
elections is able to accommodate the request, the voted ballot of the
elector shall be sealed in an envelope and shall be processed as a
provisional ballot pursuant to section 16-584. Before receiving a ballot
pursuant to this subsection, a qualified elector shall provide
identification as prescribed in section 16-579 and shall sign a statement
under penalty of perjury that states that the person is experiencing or
experienced an emergency after 5:00 p.m. on the SECOND Friday immediately
preceding the election and before 5:00 p.m. on the Monday immediately
preceding the election that would prevent the person from voting at the
polls. Signed statements received pursuant to this subsection are not
subject to inspection pursuant to title 39, chapter 1, article 2.

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

APPROVED BY THE GOVERNOR JUNE 7, 2019.