

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2237

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-542, Arizona Revised Statutes, is amended to
3 read:

4 16-542. Request for ballot; civil penalties; violation;
5 classification

6 A. Within ninety-three days before any election called pursuant to
7 the laws of this state, an elector may make a verbal or signed request to
8 the county recorder, or other officer in charge of elections for the
9 applicable political subdivision of this state in whose jurisdiction the
10 elector is registered to vote, for an official early ballot. In addition
11 to name and address, the requesting elector shall provide the date of birth
12 and state or country of birth or other information that if compared to the
13 voter registration information on file would confirm the identity of the
14 elector. If the request indicates that the elector needs a primary
15 election ballot and a general election ballot, the county recorder or other
16 officer in charge of elections shall honor the request. For any partisan
17 primary election, if the elector is not registered as a member of a
18 political party that is entitled to continued representation on the ballot
19 pursuant to section 16-804, the elector shall designate the ballot of only
20 one of the political parties that is entitled to continued representation
21 on the ballot and the elector may receive and vote the ballot of only that
22 one political party, which also shall include any nonpartisan offices and
23 ballot questions, or the elector shall designate the ballot for nonpartisan

1 offices and ballot questions only and the elector may receive and vote the
2 ballot that contains only nonpartisan offices and ballot questions. The
3 county recorder or other officer in charge of elections shall process any
4 request for an early ballot for a municipal election pursuant to this
5 subsection. The county recorder may establish on-site early voting
6 locations at the recorder's office, which shall be open and available for
7 use beginning the same day that a county begins to send out the early
8 ballots. IF THE BOARD OF SUPERVISORS APPROVES THE LOCATIONS IN ADVANCE,
9 the county recorder OR OTHER OFFICER IN CHARGE OF ELECTIONS may also
10 establish any other early voting locations in the county the recorder OR
11 OTHER OFFICER deems necessary. NOTWITHSTANDING ANY OTHER LAW, A COUNTY
12 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS WHO ESTABLISHES EARLY
13 VOTING LOCATIONS MAY CONTINUE TO OPERATE THOSE EARLY VOTING LOCATIONS AND
14 ON-SITE EARLY VOTING LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY
15 PRECEDING ELECTION DAY, EXCEPT THAT EARLY VOTING SHALL END FOR EARLY VOTING
16 LOCATIONS OR ON-SITE EARLY VOTING LOCATIONS AS NEEDED TO ENSURE THAT
17 PRECINCT REGISTERS AND OTHER ELECTION MATERIALS ARE REVISED FOR USE ON
18 ELECTION DAY TO INDICATE WHICH VOTERS HAVE REQUESTED AN EARLY BALLOT, WHICH
19 VOTERS HAVE ALREADY VOTED AND WHICH VOTERS ARE ON THE INACTIVE VOTER LIST.

20 B. Notwithstanding subsection A of this section, a request for an
21 official early ballot from an absent uniformed services voter or overseas
22 voter as defined in the uniformed and overseas citizens absentee voting act
23 of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter whose
24 information is protected pursuant to section 16-153 that is received by the
25 county recorder or other officer in charge of elections more than
26 ninety-three days before the election is valid. If requested by the absent
27 uniformed services or overseas voter, or a voter whose information is
28 protected pursuant to section 16-153, the county recorder or other officer
29 in charge of elections shall provide to the requesting voter early ballot
30 materials through the next regularly scheduled general election for federal
31 office immediately following receipt of the request unless a different

1 period of time, which does not exceed the next two regularly scheduled
2 general elections for federal office, is designated by the voter.

3 C. The county recorder or other officer in charge of elections shall
4 mail the early ballot and the envelope for its return postage prepaid to
5 the address provided by the requesting elector within five days after
6 receipt of the official early ballots from the officer charged by law with
7 the duty of preparing ballots pursuant to section 16-545, except that early
8 ballot distribution shall not begin more than twenty-seven days before the
9 election. If an early ballot request is received on or before the
10 thirty-first day before the election, the early ballot shall be distributed
11 not earlier than the twenty-seventh day before the election and not later
12 than the twenty-fourth day before the election.

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

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

1 ballot and ~~permitted~~ ALLOWED to vote at the on-site location, EXCEPT THAT
2 IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS IS ABLE TO
3 REVISE PRECINCT REGISTERS AND OTHER ELECTION MATERIALS IN A TIMELY MANNER
4 FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF THIS SECTION, THE
5 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY OPERATE THE ON-
6 SITE EARLY VOTING LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY
7 PRECEDING ELECTION DAY. If an elector's request to receive an early ballot
8 is not complete and correct but complies with all other requirements of
9 this section, the county recorder or other officer in charge of elections
10 shall attempt to notify the elector of the deficiency of the request.

11 F. Unless an elector specifies that the address to which an early
12 ballot is to be sent is a temporary address, the recorder may use the
13 information from an early ballot request form to update voter registration
14 records.

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

20 H. As a result of an emergency occurring between 5:00 p.m. on the
21 second Friday preceding the election and 5:00 p.m. on the Monday preceding
22 the election, qualified electors may request to vote early in the manner
23 prescribed by the county recorder of their respective county. For the
24 purposes of this subsection, "emergency" means any unforeseen circumstances
25 that would prevent the elector from voting at the polls.

26 I. A candidate, political committee or other organization may
27 distribute early ballot request forms to voters. If the early ballot
28 request forms include a printed address for return, the addressee shall be
29 the political subdivision that will conduct the election. Failure to use
30 the political subdivision as the return addressee is punishable by a civil
31 penalty of up to three times the cost of the production and distribution of
32 the request.

1 J. All original and completed early ballot request forms that are
2 received by a candidate, political committee or other organization shall be
3 submitted within six business days after receipt by a candidate, political
4 committee or other organization or eleven days before the election day,
5 whichever is earlier, to the political subdivision that will conduct the
6 election. Any person, political committee or other organization that fails
7 to submit a completed early ballot request form within the prescribed time
8 is subject to a civil penalty of up to ~~twenty-five dollars~~ \$25 per day for
9 each completed form withheld from submittal. Any person who knowingly
10 fails to submit a completed early ballot request form before the submission
11 deadline for the election immediately following the completion of the form
12 is guilty of a class 6 felony."

13 Amend title to conform

KELLY TOWNSEND

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C: MYR