



ARIZONA STATE SENATE
Fifty-Fourth Legislature, First Regular Session

AMENDED

FACT SHEET FOR S.B. 1054

early ballots; deficiencies; cure period

Purpose

Requires a county recorder or other officer in charge of elections to confirm or allow a voter to correct an early ballot envelope submitted with an inconsistent signature not later than the fifth business day after a primary, general or special election that includes a federal office or the third business day after any other election.

Background

Current statute states that the county recorder or other officer in charge of elections shall compare the signatures on completed early ballot affidavits with the signature on the elector's registration form. If the signatures match, the ballot is tallied. If the signatures do not match, the county recorder or other officer in charge of elections shall make a reasonable attempt to contact the early voter. The tallying of ballots begins no earlier than seven days before election day ([A.R.S. § 16-550](#)).

On an early ballot affidavit, an early voter signs a declaration under penalty of perjury that states: 1) the county a voter is registered in; 2) the voter has not voted and will not vote in the election in any other county or state; 3) the voter marked the ballot and signed the affidavit personally; and 4) the voter acknowledges that knowingly voting more than once in any election is a class 5 felony. In order to be valid and counted, the ballot and affidavit must be delivered to the office of the county recorder or other officer in charge of elections or may be deposited at any polling place in the county no later than 7:00 p.m. on election day ([A.R.S. § 16-547](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the county recorder or other officer in charge of elections to determine whether a voter's signature on a submitted early ballot envelope is consistent with the signature on a voter's registration record.
2. Requires, if the signature on a voter's early ballot envelope is inconsistent with the signature on a voter's registration record, the county recorder or other officer in charge of elections to:
 - a) make reasonable efforts to contact the voter;
 - b) advise the voter of the inconsistent signature; and
 - c) allow the voter to correct the signature.

3. Requires the county recorder or other officer in charge of elections to confirm or allow the elector to correct an inconsistent signature not later than the fifth business day after a primary, general or special election that includes a federal office or the third business day after any other election.
4. Increases, from 7 days to 14 days prior to election day, the time a county may begin tallying ballots.
5. Exempts a special taxing district authorized to conduct its own election and a special district mail ballot election from cure period and ballot tallying requirements.
6. Makes technical changes.
7. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Changes the standard for a deficiency from a missing or illegible signature to a signature inconsistent with the signature on an elector's registration record.
2. Allows the county to confirm an inconsistent signature.
3. Decreases, from the fifth business day after the election to the third business day after the election, the number of days a voter may cure his or her ballot after election day for any election other than a primary, general or special election that includes a federal office.
4. Allows counties to begin counting ballots 14 days prior to election day instead of 7 days prior to election day.
5. Exempts a special taxing district authorized to conduct its own election and a special district mail ballot election from cure period and ballot tallying requirements.

Senate Action

JUD 1/24/19 DP 7-0-0

Prepared by Senate Research

February 8, 2019

JA/RC/kja