

REFERENCE TITLE: voting centers; board of supervisors

State of Arizona
House of Representatives
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HB 2343

Introduced by
Representatives Salman: Bolding, Cano, Chávez, DeGrazia, Friese, Hernandez
M, Longdon, Powers Hannley, Rodriguez, Stahl Hamilton, Teller, Terán,
Tsosie, Senator Mendez

AN ACT

AMENDING SECTION 16-411, ARIZONA REVISED STATUTES; AMENDING TITLE 16,
CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-414;
AMENDING SECTIONS 16-542, 16-558.02 AND 16-584, ARIZONA REVISED STATUTES;
RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-411, Arizona Revised Statutes, is amended to
3 read:

4 **16-411. Designation of election precincts and polling places;**
5 **voting centers; electioneering; wait times**

6 A. The board of supervisors of each county, on or before October 1
7 of each year preceding the year of a general election, by an order, shall
8 establish a convenient number of election precincts in the county and
9 define the boundaries of the precincts. The election precinct boundaries
10 shall be ~~so~~ established ~~so~~ as **TO BE** included within election districts
11 prescribed by law for elected officers of the state and its political
12 subdivisions, including community college district precincts, except those
13 elected officers provided for in titles 30 and 48.

14 B. ~~Not less than~~ **AT LEAST** twenty days before a general or primary
15 election, and at least ten days before a special election, the board shall
16 designate one polling place within each precinct where the election shall
17 be held, except that:

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

22 2. Adjacent precincts may be combined if boundaries so established
23 are included in election districts prescribed by law for state elected
24 officials and political subdivisions including community college districts
25 but not including elected officials prescribed by titles 30 and 48. The
26 officer in charge of elections may also split a precinct for
27 administrative purposes. The polling places shall be listed in separate
28 sections of the order or resolution.

29 3. On a specific finding of the board that the number of persons
30 who are listed as permanent early voters pursuant to section 16-544 is
31 likely to substantially reduce the number of voters appearing at one or
32 more specific polling places at that election, adjacent precincts may be
33 consolidated by combining polling places and precinct boards for that
34 election. The board of supervisors shall ensure that a reasonable and
35 adequate number of polling places will be designated for that election.
36 Any consolidated polling places shall be listed in separate sections of
37 the order or resolution of the board.

38 4. **ONLY** on a specific resolution of the board, the board may
39 authorize the **COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS TO**
40 **use ~~of~~ ADDITIONAL TYPES OF VOTING AND TO DETERMINE ADDITIONAL VOTING**
41 **LOCATIONS AS FOLLOWS:**

42 (a) Voting centers in place of or in addition to specifically
43 designated polling places. A voting center ~~shall allow~~ **IS A PHYSICAL**
44 **LOCATION THAT Allows** any voter in that county to receive the appropriate
45 ballot for that voter ~~on election day~~ after presenting identification as

1 prescribed in section 16-579 and to lawfully cast the ballot **FOR AN**
2 **ELECTION**. Voting centers may be established in coordination and
3 consultation with the county recorder, ~~OR OTHER OFFICER IN CHARGE OF~~
4 **ELECTIONS** at other county offices or at other locations in the county
5 deemed appropriate. **ON ELECTION DAY, A VOTING CENTER IS DEEMED TO BE A**
6 **POLLING PLACE AND SECTIONS 13-3102, 16-515 AND 16-579 APPLY.** A VOTING
7 CENTER MAY BE USED AS AN EARLY VOTING LOCATION AS PRESCRIBED BY SECTION
8 16-542 AND AS A BALLOT REPLACEMENT LOCATION AS PRESCRIBED BY SECTION
9 16-558.02.

10 (b) **EARLY VOTING DROP-OFF CENTERS IN ADDITION TO SPECIFICALLY**
11 **DESIGNATED POLLING PLACES.** AN EARLY VOTING DROP-OFF CENTER IS A FACILITY
12 IN WHICH ANY VOTER IN THAT COUNTY MAY DELIVER A VOTED EARLY BALLOT TO A
13 **LAWFUL CUSTODIAN OF THE VOTED BALLOT.**

14 5. On a specific resolution of the board of supervisors that is
15 limited to a specific election date and that is voted on by a recorded
16 vote, the board may authorize the county recorder or other officer in
17 charge of elections to use emergency voting centers as follows:

18 (a) The board shall specify in the resolution the location and the
19 hours of operation of the emergency voting centers.

20 (b) A qualified elector voting at an emergency voting center shall
21 provide identification as prescribed in section 16-579, except that
22 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
23 at an emergency voting center, the county recorder or other officer in
24 charge of elections may allow a qualified elector to update the elector's
25 voter registration information as provided for in the secretary of state's
26 instructions and procedures manual adopted pursuant to section 16-452.

27 (c) If an emergency voting center established pursuant to this
28 section becomes unavailable and there is not sufficient time for the board
29 of supervisors to convene to approve an alternate location for that
30 emergency voting center, the county recorder or other officer in charge of
31 elections may make changes to the approved emergency voting center
32 location and shall notify the public and the board of supervisors
33 regarding that change as soon as practicable. The alternate emergency
34 voting center shall be as close in proximity to the approved emergency
35 voting center location as possible.

36 C. If the board fails to designate the place for holding the
37 election, or if it cannot be held at or about the place designated, the
38 justice of the peace in the precinct, two days before the election, by an
39 order, copies of which the justice of the peace shall immediately post in
40 three public places in the precinct, shall designate the place within the
41 precinct for holding the election. If there is no justice of the peace in
42 the precinct, or if the justice of the peace fails to do so, the election
43 board of the precinct shall designate and give notice of the place within
44 the precinct of holding the election. For any election in which there are
45 no candidates for elected office appearing on the ballot, the board may

1 consolidate polling places and precinct boards and may consolidate the
2 tabulation of results for that election if all of the following apply:

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

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

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

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

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

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

23 1. Space is not available at the school.

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

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

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

1 the county recorder or other officer in charge of elections shall update
2 the website as soon as is practicable to include any new polling places,
3 shall highlight the polling place location on the website and shall
4 specify the reason the emergency designation was granted and the number of
5 attempts that were made to find a polling place before granting an
6 emergency designation.

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

13 1. An act of God renders a previously set polling place as
14 unusable.

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

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

25 1. The number of ballots voted in the prior primary and general
26 elections.

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

29 3. The number of registered voters and the number of registered
30 voters who cast an early ballot for the current primary or general
31 election.

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

34 Sec. 2. Title 16, chapter 4, article 2, Arizona Revised Statutes,
35 is amended by adding section 16-414, to read:

36 16-414. Appointment of voting center election boards:
37 qualifications

38 A. WHEN AN ELECTION IS ORDERED AND VOTING CENTERS ARE USED, THE
39 BOARD OF SUPERVISORS SHALL APPOINT A VOTING CENTER ELECTION BOARD FOR EACH
40 VOTING CENTER CONSISTING OF AT LEAST ONE INSPECTOR, ONE MARSHAL AND AS
41 MANY JUDGES OR CLERKS AS DEEMED NECESSARY. VOTING CENTER ELECTION BOARD
42 WORKERS MAY BE HIRED TO WORK SHIFTS AS LONG AS THERE ARE ALWAYS SUFFICIENT
43 WORKERS PRESENT TO ASSIST VOTERS. INSPECTORS, MARSHALS, JUDGES AND CLERKS
44 SHALL BE QUALIFIED ELECTORS OF THE COUNTY, AND DIFFERENT POLITICAL PARTIES
45 MUST BE REPRESENTED WITHIN EACH VOTING CENTER ELECTION BOARD. THERE SHALL

1 BE AN EQUAL NUMBER OF INSPECTORS IN THE VARIOUS VOTING CENTERS IN THE
2 COUNTY WHO ARE MEMBERS OF THE TWO LARGEST POLITICAL PARTIES.

3 B. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS MAY
4 APPOINT A PERSON WHO IS NOT ELIGIBLE TO VOTE TO A VOTING CENTER ELECTION
5 BOARD TO SERVE AS A CLERK OF ELECTIONS ONLY IF ALL OF THE FOLLOWING APPLY:

6 1. THE PERSON IS A MINOR WHO WILL BE AT LEAST SIXTEEN YEARS OF AGE
7 AT THE TIME OF THE ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE
8 VOTING CENTER ELECTION BOARD.

9 2. THE PERSON IS A CITIZEN OF THE UNITED STATES AT THE TIME OF THE
10 ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE VOTING CENTER ELECTION
11 BOARD.

12 3. THE PERSON IS SUPERVISED BY AN ADULT WHO HAS BEEN TRAINED AS A
13 VOTING CENTER ELECTION BOARD WORKER.

14 4. THE PERSON HAS RECEIVED TRAINING PROVIDED BY THE OFFICER IN
15 CHARGE OF ELECTIONS.

16 5. THE PERSON'S PARENT OR GUARDIAN HAS PROVIDED WRITTEN PERMISSION
17 FOR THE PERSON TO SERVE.

18 C. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT BE REQUIRED TO
19 REDUCE ITS AVERAGE DAILY MEMBERSHIP, AS DEFINED IN SECTION 15-901, FOR ANY
20 PUPIL WHO IS ABSENT FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF
21 THE PUPIL'S SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO
22 SUBSECTION B OF THIS SECTION.

23 D. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT COUNT ANY PUPIL'S
24 ABSENCE FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF THE PUPIL'S
25 SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO SUBSECTION B OF THIS
26 SECTION AGAINST ANY MANDATORY ATTENDANCE REQUIREMENTS FOR THE PUPIL.

27 E. THIS SECTION DOES NOT PREVENT THE BOARD OF SUPERVISORS OR
28 OFFICER IN CHARGE OF ELECTIONS FROM REFUSING TO REAPPOINT FOR CAUSE, OR
29 FROM REMOVING FOR CAUSE, A VOTING CENTER ELECTION BOARD MEMBER.

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

32 16-542. Request for ballot; civil penalties; violation;
33 classification

34 A. Within ninety-three days before any election called pursuant to
35 the laws of this state, an elector may make a verbal or signed request to
36 the county recorder, or other officer in charge of elections for the
37 applicable political subdivision of this state in whose jurisdiction the
38 elector is registered to vote, for an official early ballot. In addition
39 to name and address, the requesting elector shall provide the date of
40 birth and state or country of birth or other information that if compared
41 to the voter registration information on file would confirm the identity
42 of the elector. If the request indicates that the elector needs a primary
43 election ballot and a general election ballot, the county recorder or
44 other officer in charge of elections shall honor the request. For any
45 partisan primary election, if the elector is not registered as a member of

1 a political party that is entitled to continued representation on the
2 ballot pursuant to section 16-804, the elector shall designate the ballot
3 of only one of the political parties that is entitled to continued
4 representation on the ballot and the elector may receive and vote the
5 ballot of only that one political party, which also shall include any
6 nonpartisan offices and ballot questions, or the elector shall designate
7 the ballot for nonpartisan offices and ballot questions only and the
8 elector may receive and vote the ballot that contains only nonpartisan
9 offices and ballot questions. The county recorder or other officer in
10 charge of elections shall process any request for an early ballot for a
11 municipal election pursuant to this subsection. The county recorder may
12 establish on-site early voting locations at the recorder's office, which
13 shall be open and available for use beginning the same day that a county
14 begins to send out the early ballots. **ON A SPECIFIC RESOLUTION OF THE**
BOARD OF SUPERVISORS, THE BOARD MAY AUTHORIZE The county recorder ~~may~~ OR
OTHER OFFICER IN CHARGE OF ELECTIONS TO also establish any other early
17 voting locations in the county ~~the recorder deems~~ DEEMED necessary. **A**
COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY MAKE CHANGES
19 **TO THE APPROVED EARLY VOTING LOCATIONS AND SHALL NOTIFY THE PUBLIC AND THE**
20 **BOARD OF SUPERVISORS REGARDING THESE CHANGES AS SOON AS IS PRACTICABLE.**
21 **NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR OTHER OFFICER IN**
22 **CHARGE OF ELECTIONS WHO ESTABLISHES EARLY VOTING LOCATIONS MAY CONTINUE TO**
23 **OPERATE THOSE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD**
24 **IMMEDIATELY PRECEDING ELECTION DAY, EXCEPT THAT ON-SITE EARLY VOTING SHALL**
25 **END AS NEEDED TO ENSURE THAT PRECINCT REGISTERS AND OTHER ELECTION**
26 **MATERIALS ARE REVISED FOR USE ON ELECTION DAY TO INDICATE WHICH VOTERS**
27 **HAVE REQUESTED AN EARLY BALLOT, WHICH VOTERS HAVE ALREADY VOTED AND WHICH**
28 **VOTERS ARE ON THE INACTIVE VOTER LIST.** Any on-site early voting location
29 or other early voting location shall require each elector to present
30 identification as prescribed in section 16-579 before receiving a ballot.
31 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
32 early voting location or other early voting location the county recorder
33 or other officer in charge of elections may provide for a qualified
34 elector to update the elector's voter registration information as provided
35 for in the secretary of state's ~~instruction~~ INSTRUCTIONS and procedures
36 manual adopted pursuant to section 16-452.

37 B. Notwithstanding subsection A of this section, a request for an
38 official early ballot from an absent uniformed services voter or overseas
39 voter as defined in the uniformed and overseas citizens absentee voting
40 act of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter
41 whose information is protected pursuant to section 16-153 that is received
42 by the county recorder or other officer in charge of elections more than
43 ninety-three days before the election is valid. If requested by the
44 absent uniformed services or overseas voter, or a voter whose information
45 is protected pursuant to section 16-153, the county recorder or other

1 officer in charge of elections shall provide to the requesting voter early
2 ballot materials through the next regularly scheduled general election for
3 federal office immediately following receipt of the request unless a
4 different period of time, which does not exceed the next two regularly
5 scheduled general elections for federal office, is designated by the
6 voter.

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

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

28 E. In order to be complete and correct and to receive an early
29 ballot by mail, an elector's request that an early ballot be mailed to the
30 elector's residence or temporary address must include all of the
31 information prescribed by subsection A of this section and must be
32 received by the county recorder or other officer in charge of elections ~~to~~
33 ~~NOT~~ later than 5:00 p.m. on the eleventh day preceding the election. An
34 elector who appears personally ~~to~~ ~~NOT~~ later than 5:00 p.m. on the Friday
35 preceding the election at an on-site early voting location that is
36 established by the county recorder or other officer in charge of elections
37 shall be given a ballot after presenting identification as prescribed in
38 section 16-579 and shall be ~~permitted~~ ALLOWED to vote at the on-site
39 location. **IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS**
40 **IS ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTIONS MATERIALS IN A**
41 **TIMELY MANNER FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF**
42 **THIS SECTION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS**
43 **MAY OPERATE THE ON-SITE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD**
44 **IMMEDIATELY PRECEDING ELECTION DAY.** Notwithstanding section 16-579,
45 subsection A, paragraph 2, at any on-site early voting location the county

1 recorder or other officer in charge of elections may provide for a
2 qualified elector to update the elector's voter registration information
3 as provided for in the secretary of state's ~~instruction~~ **INSTRUCTIONS** and
4 procedures manual adopted pursuant to section 16-452. If an elector's
5 request to receive an early ballot is not complete and correct but
6 complies with all other requirements of this section, the county recorder
7 or other officer in charge of elections shall attempt to notify the
8 elector of the deficiency of the request.

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

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

18 H. As a result of experiencing an emergency between 5:00 p.m. on
19 the Friday preceding the election and 5:00 p.m. on the Monday preceding
20 the election **AND IF EARLY VOTING FOR THAT ELECTION HAS ENDED IN THAT**
21 **COUNTY**, qualified electors may request to vote in the manner prescribed by
22 the board of supervisors of their respective county. Before voting
23 pursuant to this subsection, an elector who experiences an emergency shall
24 provide identification as prescribed in section 16-579 and shall sign a
25 statement under penalty of perjury that states that the person is
26 experiencing or experienced an emergency after 5:00 p.m. on the Friday
27 immediately preceding the election and before 5:00 p.m. on the Monday
28 immediately preceding the election that would prevent the person from
29 voting at the polls. Signed statements received pursuant to this
30 subsection are not subject to inspection pursuant to title 39, chapter 1,
31 article 2. For the purposes of this subsection, "emergency" means any
32 unforeseen circumstances that would prevent the elector from voting at the
33 polls.

34 I. Notwithstanding section 16-579, subsection A, paragraph 2, for
35 any voting pursuant to subsection H of this section, the county recorder
36 or other officer in charge of elections may allow a qualified elector to
37 update the elector's voter registration information as provided for in the
38 secretary of state's instructions and procedures manual adopted pursuant
39 to section 16-452.

40 J. A candidate, political committee or other organization may
41 distribute early ballot request forms to voters. If the early ballot
42 request forms include a printed address for return, the addressee shall be
43 the political subdivision that will conduct the election. Failure to use
44 the political subdivision as the return addressee is punishable by a civil

1 penalty of up to three times the cost of the production and distribution
2 of the request.

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

15 Sec. 4. Section 16-558.02, Arizona Revised Statutes, is amended to
16 read:

17 **16-558.02. Replacement ballots**

18 A. The county recorder or other officer in charge of ~~the election~~
19 **ELECTIONS** shall determine ~~a central location~~ **ONE OR MORE LOCATIONS** in the
20 ~~district~~ **APPROPRIATE JURISDICTION** for electors to obtain a replacement
21 ballot. ~~The~~ **EACH** location shall be open until 7:00 p.m. ~~of~~ **ON** the day of
22 the election. An elector may obtain a replacement ballot until 7:00 p.m.
23 on the day of the election on presentation of a signed, sworn statement
24 that the **ORIGINAL** ballot was ~~lost, spoiled, destroyed or~~ not ~~received~~
25 **CAST**.

26 B. The recorder or other officer in charge of elections shall keep
27 a record of each replacement ballot provided pursuant to this section.

28 C. If an elector to whom a replacement ballot is issued votes more
29 than once, only the first ballot received shall be counted.

30 Sec. 5. Section 16-584, Arizona Revised Statutes, is amended to
31 read:

32 **16-584. Qualified elector not on precinct register;**
33 **recorder's certificate; verified ballot; procedure**

34 A. A qualified elector whose name is not on the precinct register
35 and who presents a certificate from the county recorder showing that the
36 elector is entitled by law to vote in the precinct shall be entered on the
37 signature roster on the blank following the last printed name and shall be
38 given the next consecutive register number, and the qualified elector
39 shall sign in the space provided.

40 B. A qualified elector whose name is not on the precinct register,
41 on presentation of identification verifying the identity of the elector
42 that includes the voter's given name and surname and the complete
43 residence address that is verified by the election board to be in the
44 precinct or on signing an affirmation that states that the elector is a

1 registered voter in that jurisdiction and is eligible to vote in that
2 jurisdiction, shall be allowed to vote a provisional ballot.

3 C. If a voter has moved to a new address within the county and has
4 not notified the county recorder of the change of address before the date
5 of an election, the voter shall be ~~permitted~~ ALLOWED to correct the voting
6 records for purposes of voting in future elections at the appropriate
7 polling place for the voter's new address. The voter shall be ~~permitted~~
8 ALLOWED to vote a provisional ballot. The voter shall present a form of
9 identification that includes the voter's given name and surname and the
10 voter's complete residence address. The residence address must be within
11 the precinct in which the voter is attempting to vote, and the voter shall
12 affirm in writing that the voter is registered in that jurisdiction and is
13 eligible to vote in that jurisdiction.

14 D. On completion of the ballot, the VOTER OR THE election official
15 shall place the ballot in a provisional ballot envelope and shall deposit
16 the envelope in the ballot box. Within ten calendar days after a general
17 election that includes an election for a federal office and within five
18 business days after any other election or no later than the time at which
19 challenged early voting ballots are resolved, the signature shall be
20 compared to the precinct signature roster of the former precinct where the
21 voter was registered. If the voter's name is not signed on the roster and
22 if there is no indication that the voter voted an early ballot, the
23 provisional ballot envelope shall be opened and the ballot shall be
24 counted. If there is information showing the person did vote, the
25 provisional ballot shall remain unopened and shall not be counted. When
26 provisional ballots are confirmed for counting, the county recorder shall
27 use the information supplied on the provisional ballot envelope to correct
28 the address record of the voter.

29 E. When a voter is allowed to vote a provisional ballot, the
30 elector's name shall be entered on a separate signature roster page at the
31 end of the signature roster. Voters' names shall be numbered
32 consecutively beginning with the number V-1. The elector shall sign in
33 the space provided. The ballot shall be placed in a separate envelope,
34 the outside of which shall contain the precinct name or number, a sworn or
35 attested statement of the elector that the elector resides in the
36 precinct, is eligible to vote in the election and has not previously voted
37 in the election, the signature of the elector and the voter registration
38 number of the elector, if available. The ballot shall be verified for
39 proper registration of the elector by the county recorder before being
40 counted. The verification shall be made by the county recorder within ten
41 calendar days after a general election that includes an election for a
42 federal office and within five business days following any other
43 election. Verified ballots shall be counted by depositing the ballot in
44 the ballot box and showing on the records of the election that the elector

1 has voted. If registration is not verified the ballot shall remain
2 unopened and shall be retained in the same manner as voted ballots.

3 F. For any person who votes a provisional ballot, the county
4 recorder or other officer in charge of elections shall provide for a
5 method of notifying the provisional ballot voter at no cost to the voter
6 whether the voter's ballot was verified and counted and, if not counted,
7 the reason for not counting the ballot. The notification may be in the
8 form of notice by mail to the voter, establishment of a toll free
9 telephone number, internet access or other similar method to allow the
10 voter to have access to this information. The method of notification
11 shall provide reasonable restrictions that are designed to limit
12 transmittal of the information only to the voter.