

House Engrossed

voter registration database; death records

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 49

HOUSE BILL 2054

AN ACT

AMENDING SECTION 16-165, ARIZONA REVISED STATUTES; RELATING TO
QUALIFICATION AND REGISTRATION OF ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-165, Arizona Revised Statutes, is amended to
3 read:
4 16-165. Causes for cancellation
5 A. The county recorder shall cancel a registration:
6 1. At the request of the person registered.
7 2. When the county recorder knows of the death of the person
8 registered.
9 3. If the person has been adjudicated an incapacitated person as
10 defined in section 14-5101.
11 4. When the person registered has been convicted of a felony, and
12 the judgment of conviction has not been reversed or set aside. The county
13 recorder shall cancel the registration on receipt of notice of a felony
14 conviction from the court or from the secretary of state or when reported
15 by the elector on a signed juror questionnaire that is completed pursuant
16 to section 21-314.
17 5. On production of a certified copy of a judgment directing a
18 cancellation to be made.
19 6. Promptly after the election if the person registered has applied
20 for a ballot pursuant to section 16-126.
21 7. When a person has been on the inactive voter list and has not
22 voted during the time periods prescribed in section 16-166, subsection C.
23 8. When the county recorder receives written information from the
24 person registered that the person has a change of residence within the
25 county and the person does not complete and return a new registration form
26 within twenty-nine days after the county recorder mails notification of
27 the need to complete and return a new registration form with current
28 information.
29 9. When the county recorder receives written information from the
30 person registered that the person has a change of address outside the
31 county.
32 B. If the county recorder cancels a registration pursuant to
33 subsection A, paragraph 8 of this section, the county recorder shall send
34 the person notice that the registration has been cancelled and a
35 registration form with the information described in section 16-131,
36 subsection C attached to the form.
37 C. When proceedings in the superior court or the United States
38 district court result in a person being declared incapable of taking care
39 of himself and managing his property, and for whom a guardian of the
40 person and estate is appointed, result in such person being committed as
41 an insane person or result in a person being convicted of a felony, the
42 clerk of the superior court in the county in which those proceedings
43 occurred shall file with the secretary of state an official notice of that
44 fact. The secretary of state shall notify the appropriate county recorder
45 and the recorder shall cancel the name of the person on the register.

1 Such notice shall name the person covered, shall give the person's date
2 and place of birth if available, the person's social security number, if
3 available, the person's usual place of residence, the person's address and
4 the date of the notice, and shall be filed with the recorder of the county
5 where the person last resided.

6 D. Each month the department of health services shall transmit to
7 the secretary of state without charge a record of the death of every
8 resident of the state reported to the department within the preceding
9 month. This record shall include only the name of the decedent, the
10 decedent's date of birth, the decedent's date of death, the decedent's
11 social security number, if available, the decedent's usual legal residence
12 at the time of death and, if available, the decedent's father's name or
13 mother's maiden name. The secretary of state shall use the record for the
14 sole purpose of canceling the names of deceased persons from the statewide
15 voter registration database. In addition, the department of health
16 services shall annually provide to the secretary of state from the
17 statewide electronic death registration system without charge a record of
18 all deaths of residents of this state that are reported to the department
19 of health services. The records transmitted by the department of health
20 services shall include only the name of the decedent, the decedent's date
21 of birth, the decedent's social security number, if available, the
22 decedent's usual legal residence at the time of death and, if available,
23 the decedent's father's name or mother's maiden name. The secretary of
24 state ~~may~~ SHALL compare the records of deaths with the statewide voter
25 registration database. Public access to the records is prohibited. Use
26 of information from the records for purposes other than those required by
27 this section is prohibited. The name of each deceased person shall
28 promptly be canceled from the statewide voter registration database and
29 the secretary of state shall notify the appropriate county recorder and
30 the recorder shall cancel the name of the person from the register.

APPROVED BY THE GOVERNOR MARCH 18, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 18, 2021.