Chapter 343

Senate Bill 1003

An Act

Amending Sections 16-547 and 16-550, Arizona Revised Statutes; Relating to Conduct of Elections.

(Text of Bill Begins on Next Page)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 16-547, Arizona Revised Statutes, is amended to read:

16-547. Ballot affidavit; form
A. The early ballot shall be accompanied by an envelope bearing on the front the name, official title and post office address of the recorder or other officer in charge of elections and on the other side a printed affidavit in substantially the following form:

I declare the following under penalty of perjury: I am a registered voter in ___________ county Arizona, I have not voted and will not vote in this election in any other county or state, I understand that knowingly voting more than once in any election is a class 5 felony and I voted the enclosed ballot and signed this affidavit personally unless noted below.

If the voter was assisted by another person in marking the ballot, complete the following:

I declare the following under penalty of perjury: At the registered voter's request I assisted the voter identified in this affidavit with marking the voter's ballot, I marked the ballot as directly instructed by the voter, I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation and I understand that there is no power of attorney for voting and that the voter must be able to make their selection even if they cannot physically mark the ballot.

Name of voter assistant: ___________________________
Address of voter assistant: ________________________

B. The face of each envelope in which a ballot is sent to a federal postcard applicant or in which a ballot is returned by such applicant to the recorder or other officer in charge of elections shall be in the form prescribed in accordance with the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code section 1973ff 20301). Otherwise, the envelopes shall be the same as those used to send ballots to, or receive ballots from, other early voters.

C. The county recorder or other officer in charge of elections shall supply printed instructions to early voters that direct them to sign the affidavit, mark the ballot and return both in the enclosed self-addressed envelope that complies with section 16-545. The instructions shall include the following statement:

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. THE BALLOT WILL NOT BE COUNTED
WITHOUT THE VOTER'S SIGNATURE ON THE ENVELOPE.
WARNING—It is a felony to offer or receive any compensation
for a ballot.
Sec. 2. Section 16-550, Arizona Revised Statutes, is amended to
read:
16-550. Receipt of voter's ballot; cure period
A. On receipt of the envelope containing the early ballot and the
ballot affidavit, the county recorder or other officer in charge of
elections shall compare the signatures thereon with the signature of the
elector on the elector's registration record. If the signature is
inconsistent with the elector's signature on the elector's registration
record, the county recorder or other officer in charge of elections shall
make reasonable efforts to contact the voter, advise the voter of the
inconsistent signature and allow the voter to correct or the county to
confirm the inconsistent signature. The county recorder or other officer
in charge of elections shall allow signatures to be corrected 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. IF THE SIGNATURE IS MISSING, THE COUNTY RECORDER OR OTHER
OFFICER IN CHARGE OF ELECTIONS SHALL MAKE REASONABLE EFFORTS TO CONTACT
THE ELECTOR, ADVISE THE ELECTOR OF THE MISSING SIGNATURE AND ALLOW THE
ELECTOR TO ADD THE ELECTOR'S SIGNATURE NOT LATER THAN 7:00 P.M. ON
ELECTION DAY. If satisfied that the signatures correspond, the recorder
or other officer in charge of elections shall hold the envelope containing
the early ballot and the completed affidavit unopened in accordance with
the rules of the secretary of state.
B. The recorder or other officer in charge of elections shall
thereafter safely keep the affidavits and early ballots in the recorder's
or other officer's office until delivered pursuant to section 16-551 and
tallying of ballots shall not begin any earlier than fourteen days before
election day.
C. The county recorder shall send a list of all voters who were
issued early ballots to the election board of the precinct in which the
voter is registered.
D. This section does not apply to:
1. A special taxing district that is authorized pursuant to section
16-191 to conduct its own elections.
2. A special district mail ballot election that is conducted
pursuant to article 8.1 of this chapter.
Sec. 3. Legislative intent; missing ballot signature;
clarifying language
The legislature intends that the amendments made by this act to
sections 16-547 and 16-550, Arizona Revised Statutes, are clarifying
changes only and do not provide for any substantive change in the law.
APPROVED BY THE GOVERNOR MAY 7, 2021.