

House Engrossed

elections; ballot privacy folders

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

CHAPTER 420
HOUSE BILL 2362

AN ACT

AMENDING SECTION 16-579, ARIZONA REVISED STATUTES; RELATING TO POLLING
PLACE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-579, Arizona Revised Statutes, is amended to
3 read:

4 16-579. Procedure for obtaining ballot by elector

5 A. Every qualified elector, before receiving a ballot, shall
6 announce the elector's name and place of residence in a clear, audible
7 tone of voice to the election official in charge of the signature roster
8 or present the elector's name and residence in writing. The election
9 official in charge of the signature roster shall comply with the following
10 and the qualified elector shall be allowed within the voting area:

11 1. The elector shall present any of the following:

12 (a) A valid form of identification that bears the photograph, name
13 and address of the elector that reasonably appear to be the same as the
14 name and address in the precinct register, including an Arizona driver
15 license, an Arizona nonoperating identification license, a tribal
16 enrollment card or other form of tribal identification or a United States
17 federal, state or local government issued identification. Identification
18 is deemed valid unless it can be determined on its face that it has
19 expired.

20 (b) Two different items that contain the name and address of the
21 elector that reasonably appear to be the same as the name and address in
22 the precinct register, including a utility bill, a bank or credit union
23 statement that is dated within ninety days of the date of the election, a
24 valid Arizona vehicle registration, an Arizona vehicle insurance card, an
25 Indian census card, tribal enrollment card or other form of tribal
26 identification, a property tax statement, a recorder's certificate, a
27 voter registration card, a valid United States federal, state or local
28 government issued identification or any mailing that is labeled as
29 "official election material". Identification is deemed valid unless it
30 can be determined on its face that it has expired.

31 (c) A valid form of identification that bears the photograph, name
32 and address of the elector except that if the address on the
33 identification does not reasonably appear to be the same as the address in
34 the precinct register or the identification is a valid United States
35 military identification card or a valid United States passport and does
36 not bear an address, the identification must be accompanied by one of the
37 items listed in subdivision (b) of this paragraph.

38 2. If the elector does not present identification that complies
39 with paragraph 1 of this subsection, the elector is only eligible to vote
40 a provisional ballot as prescribed by section 16-584 or a conditional
41 provisional ballot as provided for in the secretary of state's instruction
42 and procedures manual adopted pursuant to section 16-452.

1 B. Any qualified elector who is listed as having applied for an
2 early ballot but who states that the elector has not voted and will not
3 vote an early ballot for this election or surrenders the early ballot to
4 the precinct inspector on election day shall be allowed to vote pursuant
5 to the procedure set forth in section 16-584.

6 C. Each qualified elector's name shall be numbered consecutively by
7 the clerks and in the order of applications for ballots. The judge shall
8 give the qualified elector only one ballot AND A BALLOT PRIVACY FOLDER,
9 and the elector's name shall be immediately checked on the precinct
10 register. NOTWITHSTANDING ANY PROVISION OF THIS PARAGRAPH, NO VOTER SHALL
11 BE REQUIRED TO ACCEPT OR USE A BALLOT PRIVACY FOLDER.

12 D. For precincts in which a paper signature roster is used, each
13 qualified elector shall sign the elector's name in the signature roster
14 ~~prior to~~ BEFORE receiving a ballot, but an inspector or judge may sign the
15 roster for an elector who is unable to sign because of physical
16 disability, and in that event the name of the elector shall be written
17 with red ink, and no attestation or other proof shall be necessary. The
18 provisions of this subsection relating to signing the signature roster
19 shall not apply to electors casting a ballot using early voting
20 procedures.

21 E. For precincts in which an electronic poll book system is used,
22 each qualified elector shall sign the elector's name as prescribed in the
23 instructions and procedures manual adopted by the secretary of state
24 pursuant to section 16-452 before receiving a ballot, but an inspector or
25 judge may sign the roster for an elector who is unable to sign because of
26 physical disability, and in that event the name of the elector shall be
27 written with the inspector's or judge's attestation on the same signature
28 line.

29 F. A person offering to vote at a special district election for
30 which no special district register has been supplied shall sign an
31 affidavit stating the person's address and that the person resides within
32 the district boundaries or proposed district boundaries and swearing that
33 the person is a qualified elector and has not already voted at the
34 election being held.

APPROVED BY THE GOVERNOR JULY 9, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2021.