

ARIZONA STATE SENATE

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TO: MEMBERS OF THE SENATE
APPROPRIATIONS COMMITTEE

DATE: February 18, 2021

SUBJECT: Strike everything amendment to S.B. 1485, relating to permanent early voting list; eligibility

Purpose

Renames the permanent early voting list (PEVL) as the early voting list (EVL). Removes a voter from the EVL if the voter fails to vote by early ballot in both the primary election and the general election for two consecutive primary and general elections for which there was a federal, statewide or legislative race on the ballot. Requires counties to notify a voter prior to removing that voter from the EVL.

Background

Any voter may request to be included on the PEVL. The county recorder of each county is required to maintain the PEVL as part of the voter registration roll.

After a voter has requested to be included on the PEVL, the voter must be sent an early ballot by mail automatically for any election at which a voter is eligible to vote until: 1) the voter requests in writing to be removed from the PEVL; 2) the voter's registration or eligibility for registration is moved to inactive status or canceled as otherwise provided by law; and 3) the notice sent by the county recorder or other officer in charge of elections is returned undeliverable and the county recorder or officer in charge of elections is unable to contact the voter. A voter's failure to vote an early ballot once received does not constitute grounds to remove the voter from the PEVL ([A.R.S. § 16-544](#)).

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

Provisions

1. Requires a county recorder to remove a voter from the EVL and stop sending the voter early ballots if the voter fails to vote by early ballot in both the primary election and the general election for two consecutive primary and general elections in which there was a federal, statewide or legislative race on the ballot.
2. Requires a county recorder or other officer in charge of elections to notify a voter on the EVL who did not vote an early ballot in both the primary and the general election for the two most recent general elections for federal office by December 1 of each even-numbered year prior to removing that voter from the EVL.
3. Requires that the notice sent to a voter prior to removal from the EVL for failure to vote by early ballot inform the voter that, in order to remain on the EVL, the voter must:
 - a) confirm in writing the voter's desire to remain on the EVL;
 - b) return the completed notice to the county recorder or other officer in charge of elections within 30 days after the notice is sent to the voter;
 - c) include the voter's address and date of birth; and
 - d) sign the notice.

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4. Requires, if a voter receives a notice of removal from the EVL and fails to respond within 30 days, the county recorder or other officer in charge of election to remove the voter's name from the EVL.
5. Exempts special taxing districts authorized to conduct their own elections and special district mail ballot election from the requirement to remove voters from the EVL for failure to vote by early ballot.
6. Renames the PEVL to the EVL.
7. Makes technical and conforming changes.
8. Becomes effective on the general effective date.