

Senate Engrossed House Bill

voter registration; state residency; cancellation

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HOUSE BILL 2243

AN ACT

AMENDING SECTION 16-152, ARIZONA REVISED STATUTES; AMENDING SECTION 16-165, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 99, SECTION 8; AMENDING SECTION 21-314, 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 16-152, Arizona Revised Statutes, is amended to  
3 read:  
4 16-152. Registration form  
5 A. The form used for the registration of electors shall contain:  
6 1. The date the registrant signed the form.  
7 2. The registrant's given name, middle name, if any, and surname.  
8 3. The complete address of the registrant's actual place of  
9 residence, including street name and number, apartment or space number,  
10 city or town and zip code, or such description of the location of the  
11 residence that it can be readily ascertained or identified.  
12 4. The registrant's complete mailing address, if different from the  
13 residence address, including post office address, city or town, zip code  
14 or other designation used by the registrant for receiving mail. The form  
15 shall also include a line for the registrant's e-mail address (optional to  
16 registrant).  
17 5. The registrant's party preference. The two largest political  
18 parties that are entitled to continued representation on the ballot shall  
19 be listed on the form in the order determined by calculating which party  
20 has the highest number of registered voters at the close of registration  
21 for the most recent general election for governor, then the second  
22 highest. The form shall allow the registrant to circle, check or  
23 otherwise mark the party preference and shall include a blank line for  
24 other party preference options.  
25 6. The registrant's telephone number, unless unlisted.  
26 7. The registrant's state or country of birth.  
27 8. The registrant's date of birth.  
28 9. The registrant's occupation.  
29 10. The registrant's Indian census number (optional to registrant).  
30 11. The registrant's father's name or mother's maiden name.  
31 12. One of the following identifiers for each registrant:  
32 (a) The Arizona driver license number of the registrant or  
33 nonoperating identification license number of the registrant that is  
34 issued pursuant to section 28-3165.  
35 (b) If the registrant does not have an Arizona driver license or  
36 nonoperating identification license, the last four digits of the  
37 registrant's social security number.  
38 (c) If the registrant does not have an Arizona driver license or  
39 nonoperating identification license or a social security number and the  
40 registrant attests to that, a unique identifying number consisting of the  
41 registrant's unique identification number to be assigned by the secretary  
42 of state in the statewide electronic voter registration database.  
43 13. A statement as to whether or not the registrant is currently  
44 registered in another state, county or precinct, and if so, the name,  
45 address, county and state of previous registration.

1           14. The question to the registrant "Are you a citizen of the United  
2 States of America?", appropriate boxes for the registrant to check "yes"  
3 or "no" and a statement instructing the registrant not to complete the  
4 form if the registrant checked "no".

5           15. The question to the registrant "Will you be eighteen years of  
6 age on or before election day?", appropriate boxes for the registrant to  
7 check "yes" or "no" and a statement instructing the registrant not to  
8 complete the form if the registrant checked "no".

9           16. A statement that the registrant has not been convicted of  
10 treason or a felony, or if so, that the registrant's civil rights have  
11 been restored.

12           17. A statement that the registrant is a resident of this state and  
13 of the county in which the registrant is registering.

14           18. A statement that executing a false registration is a class 6  
15 felony.

16           19. The signature of the registrant.

17           20. If the registrant is unable to sign the form, a statement that  
18 the affidavit was completed according to the registrant's direction.

19           21. A statement that if an applicant declines to register to vote,  
20 the fact that the applicant has declined to register will remain  
21 confidential and will be used only for voter registration purposes.

22           22. A statement that if an applicant does register to vote, the  
23 office at which the applicant submits a voter registration application  
24 will remain confidential and will be used only for voter registration  
25 purposes.

26           23. A statement that the applicant shall submit evidence of United  
27 States citizenship with the application and that the registrar shall  
28 reject the application if no evidence of citizenship is attached.

29           24. A STATEMENT THAT IF THE REGISTRANT PERMANENTLY MOVES TO ANOTHER  
30 STATE AFTER REGISTERING TO VOTE IN THIS STATE, THE REGISTRANT'S VOTER  
31 REGISTRATION WILL BE CANCELED.

32           B. A duplicate voter receipt shall be provided with the form that  
33 provides space for the name, street address and city of residence of the  
34 applicant, party preference and the date of signing. The voter receipt is  
35 evidence of valid registration for the purpose of casting a provisional  
36 ballot as prescribed in section 16-584, subsection B.

37           C. The state voter registration form shall be printed in a form  
38 prescribed by the secretary of state.

39           D. The county recorder may establish procedures to verify whether a  
40 registrant has successfully petitioned the court for an injunction against  
41 harassment pursuant to section 12-1809 or an order of protection pursuant  
42 to section 13-3602 and, if verified, to protect the registrant's residence  
43 address, telephone number or voting precinct number, if appropriate, from  
44 public disclosure.

1 E. Subsection A of this section does not apply to registrations  
2 received from the department of transportation pursuant to section 16-112.

3 Sec. 2. Section 16-165, Arizona Revised Statutes, as amended by Laws  
4 2022, chapter 99, section 8, is amended to read:

5 16-165. Causes for cancellation; report

6 A. The county recorder shall cancel a registration:

7 1. At the request of the person registered.

8 2. When the county recorder ~~knows of the death of~~ IS INFORMED AND  
9 CONFIRMS THAT the person registered IS DEAD.

10 3. If the person has been adjudicated an incapacitated person as  
11 defined in section 14-5101.

12 4. When the person registered has been convicted of a felony, and  
13 the judgment of conviction has not been reversed or set aside. The county  
14 recorder shall cancel the registration on receipt of notice of a felony  
15 conviction from the court or from the secretary of state or when reported  
16 by the elector on a signed juror questionnaire that is completed pursuant  
17 to section 21-314.

18 5. On production of a certified copy of a judgment directing a  
19 cancellation to be made.

20 6. Promptly after the election if the person registered has applied  
21 for a ballot pursuant to section 16-126.

22 7. When a person has been on the inactive voter list and has not  
23 voted during the time periods prescribed in section 16-166, subsection C.

24 8. When the county recorder receives written information from the  
25 person registered that the person has a change of residence within the  
26 county and the person does not complete and return a new registration form  
27 within twenty-nine days after the county recorder mails notification of  
28 the need to complete and return a new registration form with current  
29 information.

30 9. When the county recorder receives written information from the  
31 person registered that the person has a change of address outside the  
32 county, INCLUDING WHEN THE COUNTY RECORDER EITHER:

33 (a) RECEIVES A FORM FROM THE PERSON PURSUANT TO SUBSECTION E OF  
34 THIS SECTION ON WHICH THE PERSON HAS CONFIRMED THAT THE PERSON IS NOT A  
35 RESIDENT OF THIS STATE.

36 (b) RECEIVES A SUMMARY REPORT FROM THE JURY COMMISSIONER OR JURY  
37 MANAGER PURSUANT TO SECTION 21-314 INDICATING THAT THE PERSON HAS STATED  
38 THAT THE PERSON IS NOT A RESIDENT OF THE COUNTY. BEFORE THE COUNTY  
39 RECORDER CANCELS A REGISTRATION PURSUANT TO THIS SUBDIVISION, THE COUNTY  
40 RECORDER SHALL SEND THE PERSON NOTICE BY FORWARDABLE MAIL AND A POSTAGE  
41 PREPAID PREAMDRESSED RETURN FORM REQUESTING THE PERSON CONFIRM BY SIGNING  
42 UNDER PENALTY OF PERJURY THAT THE PERSON IS A RESIDENT OF THE COUNTY AND  
43 IS NOT KNOWINGLY REGISTERED TO VOTE IN ANOTHER COUNTY OR ANOTHER  
44 STATE. THE NOTICE SHALL INFORM THE PERSON THAT FAILURE TO RETURN THE FORM  
45 WITHIN THIRTY FIVE DAYS WILL RESULT IN THE PERSON'S REGISTRATION BEING

1 CANCELED. IF THE PERSON FAILS TO RETURN THE NOTICE WITHIN THIRTY FIVE  
2 DAYS THE COUNTY RECORDER SHALL CANCEL THE PERSON'S REGISTRATION.

3 ~~10. When the county recorder receives and confirms information that~~  
4 ~~the person registered is not a United States citizen.~~

5 10. WHEN THE COUNTY RECORDER OBTAINS INFORMATION PURSUANT TO THIS  
6 SECTION AND CONFIRMS THAT THE PERSON REGISTERED IS NOT A UNITED STATES  
7 CITIZEN, INCLUDING WHEN THE COUNTY RECORDER RECEIVES A SUMMARY REPORT FROM  
8 THE JURY COMMISSIONER OR JURY MANAGER PURSUANT TO SECTION 21-314  
9 INDICATING THAT A PERSON WHO IS REGISTERED TO VOTE HAS STATED THAT THE  
10 PERSON IS NOT A UNITED STATES CITIZEN. BEFORE THE COUNTY RECORDER CANCELS  
11 A REGISTRATION PURSUANT TO THIS PARAGRAPH, THE COUNTY RECORDER SHALL SEND  
12 THE PERSON NOTICE BY FORWARDABLE MAIL THAT THE PERSON'S REGISTRATION WILL  
13 BE CANCELED IN THIRTY FIVE DAYS UNLESS THE PERSON PROVIDES SATISFACTORY  
14 EVIDENCE OF UNITED STATES CITIZENSHIP PURSUANT TO SECTION 16-166. THE  
15 NOTICE SHALL INCLUDE A LIST OF DOCUMENTS THE PERSON MAY PROVIDE AND A  
16 POSTAGE PREPAID PREAMDRESSED RETURN ENVELOPE. IF THE PERSON REGISTERED  
17 DOES NOT PROVIDE SATISFACTORY EVIDENCE WITHIN THIRTY FIVE DAYS, THE COUNTY  
18 RECORDER SHALL CANCEL THE REGISTRATION AND NOTIFY THE COUNTY ATTORNEY AND  
19 ATTORNEY GENERAL FOR POSSIBLE INVESTIGATION.

20 B. If the county recorder cancels a registration pursuant to  
21 subsection A, paragraph 8 of this section, the county recorder shall send  
22 the person notice that the registration has been ~~cancelled~~ CANCELED and a  
23 registration form with the information described in section 16-131,  
24 subsection C attached to the form.

25 C. When proceedings in the superior court or the United States  
26 district court result in a person being declared incapable of taking care  
27 of himself and managing his property, and for whom a guardian of the  
28 person and estate is appointed, result in such person being committed as  
29 an insane person or result in a person being convicted of a felony, the  
30 clerk of the superior court in the county in which those proceedings  
31 occurred shall file with the secretary of state an official notice of that  
32 fact. The secretary of state shall notify the appropriate county recorder  
33 and the recorder shall cancel the name of the person on the  
34 register. Such notice shall name the person covered, shall give the  
35 person's date and place of birth if available, the person's social  
36 security number, if available, the person's usual place of residence, the  
37 person's address and the date of the notice, and shall be filed with the  
38 recorder of the county where the person last resided.

39 D. Each month the department of health services shall transmit to  
40 the secretary of state without charge a record of the death of every  
41 resident of the state reported to the department within the preceding  
42 month. This record shall include only the name of the decedent, the  
43 decedent's date of birth, the decedent's date of death, the decedent's  
44 social security number, if available, the decedent's usual legal residence  
45 at the time of death and, if available, the decedent's father's name or

1 mother's maiden name. The secretary of state shall use the record for the  
2 sole purpose of canceling the names of deceased persons from the statewide  
3 voter registration database. In addition, the department of health  
4 services shall annually provide to the secretary of state from the  
5 statewide electronic death registration system without charge a record of  
6 all deaths of residents of this state that are reported to the department  
7 of health services. The records transmitted by the department of health  
8 services shall include only the name of the decedent, the decedent's date  
9 of birth, the decedent's social security number, if available, the  
10 decedent's usual legal residence at the time of death and, if available,  
11 the decedent's father's name or mother's maiden name. The secretary of  
12 state shall compare the records of deaths with the statewide voter  
13 registration database. Public access to the records is prohibited. Use  
14 of information from the records for purposes other than those required by  
15 this section is prohibited. The name of each deceased person shall  
16 promptly be canceled from the statewide voter registration database and  
17 the secretary of state shall notify the appropriate county recorder and  
18 the recorder shall cancel the name of the person from the register.

19 E. EACH MONTH THE DEPARTMENT OF TRANSPORTATION SHALL FURNISH TO THE  
20 SECRETARY OF STATE WITHOUT CHARGE A LIST OF PERSONS WHO THE DEPARTMENT HAS  
21 BEEN NOTIFIED HAVE BEEN ISSUED A DRIVER LICENSE OR THE EQUIVALENT OF AN  
22 ARIZONA NONOPERATING IDENTIFICATION LICENSE IN ANOTHER STATE. WITHIN TEN  
23 DAYS AFTER RECEIVING THE LIST OF PERSONS FROM THE DEPARTMENT OF  
24 TRANSPORTATION, THE SECRETARY OF STATE SHALL PROVIDE TO THE APPROPRIATE  
25 COUNTY RECORDER A LIST OF REGISTERED VOTERS IN THAT COUNTY WHO HAVE BEEN  
26 ISSUED A DRIVER LICENSE OR THE EQUIVALENT OF AN ARIZONA NONOPERATING  
27 IDENTIFICATION LICENSE IN ANOTHER STATE. THE COUNTY RECORDER SHALL  
28 PROMPTLY SEND NOTICE BY FORWARDABLE MAIL TO EACH PERSON WHO HAS OBTAINED A  
29 DRIVER LICENSE OR THE EQUIVALENT OF AN ARIZONA NONOPERATING IDENTIFICATION  
30 LICENSE IN ANOTHER STATE AND A POSTAGE PREPAID PREAMDRESSED RETURN FORM  
31 REQUESTING THE PERSON CONFIRM BY SIGNING UNDER PENALTY OF PERJURY THAT THE  
32 PERSON IS A RESIDENT OF THIS STATE AND IS NOT KNOWINGLY REGISTERED TO VOTE  
33 IN ANOTHER STATE OR CONFIRM THAT THE PERSON IS NOT A RESIDENT OF THIS  
34 STATE. THE NOTICE SHALL INFORM THE PERSON THAT FAILURE TO RETURN THE FORM  
35 WITHIN NINETY DAYS WILL RESULT IN THE PERSON'S REGISTRATION BEING PLACED  
36 IN INACTIVE STATUS. IF THE PERSON RETURNS THE FORM WITHIN NINETY DAYS  
37 CONFIRMING THAT THE PERSON IS A RESIDENT OF THIS STATE, THE COUNTY  
38 RECORDER SHALL MAINTAIN THE REGISTRATION IN ACTIVE STATUS. IF THE PERSON  
39 FAILS TO RETURN THE FORM WITHIN NINETY DAYS, THE COUNTY RECORDER SHALL  
40 PLACE THE PERSON'S REGISTRATION IN INACTIVE STATUS.

41 F. EACH MONTH THE SECRETARY OF STATE SHALL COMPARE THE STATEWIDE  
42 VOTER REGISTRATION DATABASE TO THE DRIVER LICENSE DATABASE MAINTAINED BY  
43 THE DEPARTMENT OF TRANSPORTATION. THE SECRETARY OF STATE SHALL NOTIFY THE  
44 APPROPRIATE COUNTY RECORDER IF A PERSON WHO IS REGISTERED TO VOTE IN THAT

1 COUNTY HAS CHANGED THE PERSON'S RESIDENCE ADDRESS OR IS NOT A UNITED  
2 STATES CITIZEN.

3 G. TO THE EXTENT PRACTICABLE, EACH MONTH THE COUNTY RECORDER SHALL  
4 COMPARE THE COUNTY'S VOTER REGISTRATION DATABASE TO THE SOCIAL SECURITY  
5 ADMINISTRATION DATABASE.

6 H. TO THE EXTENT PRACTICABLE, EACH MONTH THE COUNTY RECORDER SHALL  
7 COMPARE PERSONS WHO ARE REGISTERED TO VOTE IN THAT COUNTY AND WHO THE  
8 COUNTY RECORDER HAS REASON TO BELIEVE ARE NOT UNITED STATES CITIZENS AND  
9 PERSONS WHO ARE REGISTERED TO VOTE WITHOUT SATISFACTORY EVIDENCE OF  
10 CITIZENSHIP AS PRESCRIBED BY SECTION 16-166 WITH THE SYSTEMATIC ALIEN  
11 VERIFICATION FOR ENTITLEMENTS PROGRAM MAINTAINED BY THE UNITED STATES  
12 CITIZENSHIP AND IMMIGRATION SERVICES TO VERIFY THE CITIZENSHIP STATUS OF  
13 THE PERSONS REGISTERED.

14 I. FOR PERSONS WHO ARE REGISTERED TO VOTE WITHOUT SATISFACTORY  
15 EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166, THE COUNTY  
16 RECORDER SHALL COMPARE THE ELECTRONIC VERIFICATION OF VITAL EVENTS SYSTEM  
17 MAINTAINED BY A NATIONAL ASSOCIATION FOR PUBLIC HEALTH STATISTICS AND  
18 INFORMATION SYSTEMS, IF ACCESSIBLE, WITH THE INFORMATION ON THE PERSON'S  
19 VOTER REGISTRATION FILE.

20 J. TO THE EXTENT PRACTICABLE, THE COUNTY RECORDER SHALL REVIEW  
21 RELEVANT CITY, TOWN, COUNTY, STATE AND FEDERAL DATABASES TO WHICH THE  
22 COUNTY RECORDER HAS ACCESS TO CONFIRM INFORMATION OBTAINED THAT REQUIRES  
23 CANCELLATION OF REGISTRATIONS PURSUANT TO THIS SECTION.

24 K. AFTER CANCELING A REGISTRATION PURSUANT TO THIS SECTION, THE  
25 COUNTY RECORDER SHALL SEND A NOTICE BY FORWARDABLE MAIL INFORMING THE  
26 PERSON THAT THE PERSON'S REGISTRATION HAS BEEN CANCELED, THE REASON FOR  
27 CANCELLATION, THE QUALIFICATIONS OF ELECTORS PURSUANT TO SECTION 16-101  
28 AND INSTRUCTIONS ON REGISTERING TO VOTE IF THE PERSON IS QUALIFIED.

29 L. THE SECRETARY OF STATE SHALL REPORT THE FOLLOWING INFORMATION TO  
30 THE LEGISLATURE AT THE END OF EACH QUARTER:

31 1. THE NUMBER OF DEATHS REPORTED TO THE SECRETARY OF STATE BY THE  
32 DEPARTMENT OF HEALTH SERVICES, THE NUMBER OF VOTER REGISTRATION  
33 CANCELLATION NOTICES ISSUED BY THE SECRETARY OF STATE TO THE COUNTY  
34 RECORDERS AS A RESULT OF THOSE REPORTS AND THE NUMBER OF REGISTRATIONS  
35 CANCELED AS A RESULT OF THOSE NOTICES.

36 2. THE NUMBER OF PERSONS REPORTED TO THE SECRETARY OF STATE WHO  
37 HAVE BEEN ISSUED A DRIVER LICENSE OR THE EQUIVALENT OF AN ARIZONA  
38 NONOPERATING IDENTIFICATION LICENSE IN ANOTHER STATE, THE NUMBER OF  
39 NOTICES SENT PURSUANT TO SUBSECTION E OF THIS SECTION AND THE NUMBER OF  
40 VOTER REGISTRATIONS THAT HAVE BEEN PLACED IN INACTIVE STATUS AND THE  
41 NUMBER OF VOTER REGISTRATIONS THAT HAVE BEEN CANCELED AS A RESULT OF THOSE  
42 NOTICES.

1           3. THE NUMBER OF PERSONS WHO HAVE STATED ON A JURY QUESTIONNAIRE  
2 THAT THE PERSON IS NOT A UNITED STATES CITIZEN, THE NUMBER OF NOTICES SENT  
3 PURSUANT TO SUBSECTION A, PARAGRAPH 10 OF THIS SECTION AND THE NUMBER OF  
4 REGISTRATIONS THAT HAVE BEEN CANCELED AS A RESULT OF THOSE NOTICES.

5           4. THE NUMBER OF PERSONS WHO HAVE STATED ON A JURY QUESTIONNAIRE  
6 THAT THE PERSON IS NOT A RESIDENT OF THE COUNTY, THE NUMBER OF NOTICES  
7 SENT PURSUANT TO SUBSECTION A, PARAGRAPH 9, SUBDIVISION (b) OF THIS  
8 SECTION AND THE NUMBER OF REGISTRATIONS THAT HAVE BEEN CANCELED AS A  
9 RESULT OF THOSE NOTICES.

10          5. THE NUMBER OF REGISTRATIONS ON THE INACTIVE VOTER LIST THAT HAVE  
11 BEEN CANCELED PURSUANT TO SUBSECTION A, PARAGRAPH 7 OF THIS SECTION.

12          Sec. 3. Section 21-314, Arizona Revised Statutes, is amended to  
13 read:

14           21-314. Juror questionnaire

15           A. The jury commissioner or jury manager shall use a questionnaire  
16 to determine whether a person is qualified to serve or has valid grounds  
17 to be excused or postponed from service. The jury commissioner or jury  
18 manager may require additional information from the person to make this  
19 determination. The jury commissioner or jury manager may determine juror  
20 qualifications, excuses and postponements at the same time.

21           B. THE JUROR QUESTIONNAIRE SHALL INFORM THE PERSON THAT  
22 DISQUALIFICATION FROM JURY DUTY AS A RESULT OF RESPONDING TO THE  
23 QUESTIONNAIRE THAT THE PERSON IS NOT A RESIDENT OR IS NOT A UNITED STATES  
24 CITIZEN WILL RESULT IN THE PERSON'S VOTER REGISTRATION BEING CANCELED.

25           ~~B.~~ C. The jury commissioner or jury manager may destroy the fully  
26 answered questionnaire ninety days after the commissioner or manager  
27 receives it.

28           ~~C.~~ D. The juror questionnaire may be included in the same mailing  
29 as the summons to attend the court as a juror or the questionnaire may be  
30 mailed before the summons.

31           ~~D.~~ E. The jury commissioner or jury manager may investigate the  
32 accuracy of the answers to the questionnaire and may call on law  
33 enforcement agencies and the county attorney for assistance in an  
34 investigation.

35           F. THE JURY COMMISSIONER OR JURY MANAGER SHALL FORWARD TO THE  
36 SECRETARY OF STATE AND THE COUNTY RECORDER A SUMMARY REPORT DERIVED FROM  
37 JURY QUESTIONNAIRE DATA THAT CONTAINS INFORMATION THAT INDICATES THAT A  
38 PERSON IS NOT A UNITED STATES CITIZEN OR DOES NOT RESIDE IN THE  
39 COUNTY. THE REPORT SHALL ONLY CONTAIN THE INFORMATION THAT IS NECESSARY  
40 FOR THE COUNTY RECORDER TO ACCURATELY IDENTIFY THE PERSON IN THE VOTER  
41 REGISTRATION DATABASE.