

Senate Engrossed House Bill  
voter registration; cancellations; causes

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

# HOUSE BILL 2617

AN ACT

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 VOTER REGISTRATION.

(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, as amended by  
3 Laws 2022, chapter 99, section 8, is amended to read:  
4 16-165. Causes for cancellation; report  
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~~ IS INFORMED AND  
8 CONFIRMS THAT the person registered IS DEAD.  
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 ~~10. When the county recorder receives and confirms information that~~  
33 ~~the person registered is not a United States citizen.~~  
34 10. WHEN THE COUNTY RECORDER RECEIVES AND CONFIRMS INFORMATION THAT  
35 THE PERSON REGISTERED:  
36 (a) IS NOT A UNITED STATES CITIZEN, INCLUDING WHEN THE COUNTY  
37 RECORDER RECEIVES A SUMMARY REPORT FROM THE JURY COMMISSIONER OR JURY  
38 MANAGER PURSUANT TO SECTION 21-314 INDICATING THAT A PERSON WHO IS  
39 REGISTERED TO VOTE HAS STATED THAT THE PERSON IS NOT A UNITED STATES  
40 CITIZEN.  
41 (b) HAS BEEN ISSUED A DRIVER LICENSE OR THE EQUIVALENT OF AN  
42 ARIZONA NONOPERATING IDENTIFICATION LICENSE FROM ANOTHER STATE. THE  
43 DEPARTMENT OF TRANSPORTATION SHALL FURNISH MONTHLY TO THE SECRETARY OF  
44 STATE A LIST OF PERSONS WHO THE DEPARTMENT HAS BEEN NOTIFIED HAVE BEEN  
45 ISSUED A DRIVER LICENSE OR THE EQUIVALENT OF AN ARIZONA NONOPERATING

1 IDENTIFICATION LICENSE IN ANOTHER STATE. WITHIN TEN DAYS AFTER RECEIVING  
2 THE LIST OF PERSONS FROM THE DEPARTMENT OF TRANSPORTATION, THE SECRETARY  
3 OF STATE SHALL PROVIDE TO THE APPROPRIATE COUNTY RECORDER A LIST OF  
4 REGISTERED VOTERS IN THAT COUNTY WHO HAVE BEEN ISSUED A DRIVER LICENSE OR  
5 THE EQUIVALENT OF AN ARIZONA NONOPERATING IDENTIFICATION LICENSE FROM  
6 ANOTHER STATE.

7 (c) IS OTHERWISE NOT A QUALIFIED ELECTOR AS PRESCRIBED BY SECTION  
8 16-101 IF THE COUNTY RECORDER CONFIRMS THE INFORMATION THAT PROVIDES THE  
9 BASIS FOR DETERMINING THAT THE PERSON IS NOT A QUALIFIED ELECTOR.

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

15 C. BEFORE THE COUNTY RECORDER CANCELS A REGISTRATION:

16 1. PURSUANT TO SUBSECTION A, PARAGRAPH 10, SUBDIVISION (a) OF THIS  
17 SECTION, THE COUNTY RECORDER SHALL SEND THE PERSON NOTICE THAT THE  
18 REGISTRATION WILL BE CANCELED IN NINETY DAYS UNLESS THE PERSON PROVIDES  
19 SATISFACTORY EVIDENCE THAT THE PERSON IS QUALIFIED. IF THE PERSON  
20 REGISTERED DOES NOT PROVIDE SATISFACTORY EVIDENCE WITHIN NINETY DAYS, THE  
21 COUNTY RECORDER SHALL CANCEL THE REGISTRATION AND NOTIFY THE COUNTY  
22 ATTORNEY AND ATTORNEY GENERAL FOR POSSIBLE INVESTIGATION.

23 2. PURSUANT TO SUBSECTION A, PARAGRAPH 10, SUBDIVISION (b) OF THIS  
24 SECTION, THE COUNTY RECORDER SHALL SEND NOTICE THAT THE REGISTRATION WILL  
25 BE CANCELED IN NINETY DAYS UNLESS THE PERSON PROVIDES SATISFACTORY  
26 EVIDENCE THAT THE PERSON IS QUALIFIED. THE COUNTY RECORDER SHALL INCLUDE  
27 IN THE NOTICE THE REASON FOR THE CANCELLATION AND SHALL SEND IT TO BOTH OF  
28 THE FOLLOWING:

29 (a) THE ADDRESS IN THE PERSON'S VOTER REGISTRATION FILE.

30 (b) THE ADDRESS SHOWN IN THE DEPARTMENT OF TRANSPORTATION'S RECORDS  
31 FROM THE ISSUANCE OF A DRIVER LICENSE OR OTHER STATE-ISSUED IDENTIFICATION  
32 IN ANOTHER STATE, IF ACCESSIBLE.

33 3. PURSUANT TO SUBSECTION A, PARAGRAPH 10, SUBDIVISION (c) OF THIS  
34 SECTION, THE COUNTY RECORDER SHALL SEND THE PERSON NOTICE THAT THE  
35 REGISTRATION WILL BE CANCELED IN NINETY DAYS UNLESS THE PERSON PROVIDES  
36 SATISFACTORY EVIDENCE THAT THE PERSON IS QUALIFIED. IF THE PERSON  
37 REGISTERED DOES NOT PROVIDE SATISFACTORY EVIDENCE WITHIN NINETY DAYS, THE  
38 COUNTY RECORDER SHALL CANCEL THE REGISTRATION.

39 ~~e.~~ D. When proceedings in the superior court or the United States  
40 district court result in a person being declared incapable of taking care  
41 of himself and managing his property, and for whom a guardian of the  
42 person and estate is appointed, result in such person being committed as  
43 an insane person or result in a person being convicted of a felony, the  
44 clerk of the superior court in the county in which those proceedings  
45 occurred shall file with the secretary of state an official notice of that

1 fact. The secretary of state shall notify the appropriate county recorder  
2 and the recorder shall cancel the name of the person on the register.  
3 Such notice shall name the person covered, shall give the person's date  
4 and place of birth if available, the person's social security number, if  
5 available, the person's usual place of residence, the person's address and  
6 the date of the notice, and shall be filed with the recorder of the county  
7 where the person last resided.

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

33 F. EACH MONTH THE SECRETARY OF STATE SHALL COMPARE THE STATEWIDE  
34 VOTER REGISTRATION DATABASE TO THE DRIVER LICENSE DATABASE MAINTAINED BY  
35 THE DEPARTMENT OF TRANSPORTATION. THE SECRETARY OF STATE SHALL NOTIFY THE  
36 APPROPRIATE COUNTY RECORDER IF A PERSON WHO IS REGISTERED TO VOTE IN THAT  
37 COUNTY HAS CHANGED THE PERSON'S RESIDENCE ADDRESS OR IS NOT A UNITED  
38 STATES CITIZEN.

39 G. TO THE EXTENT PRACTICABLE, EACH MONTH THE COUNTY RECORDER SHALL  
40 COMPARE THE COUNTY'S VOTER REGISTRATION DATABASE TO THE SOCIAL SECURITY  
41 ADMINISTRATION DATABASE.

42 H. TO THE EXTENT PRACTICABLE, EACH MONTH THE COUNTY RECORDER SHALL  
43 COMPARE PERSONS WHO ARE REGISTERED TO VOTE IN THAT COUNTY AND WHO THE  
44 COUNTY RECORDER HAS REASON TO BELIEVE ARE NOT UNITED STATES CITIZENS WITH  
45 THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM MAINTAINED BY

1 THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES TO VERIFY THE  
2 CITIZENSHIP STATUS OF THE PERSONS REGISTERED.

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

9 J. THE COUNTY RECORDER SHALL REGULARLY REVIEW RELEVANT CITY, TOWN,  
10 COUNTY, STATE AND FEDERAL DATABASES TO WHICH THE COUNTY RECORDER HAS  
11 ACCESS TO ENSURE THAT PERSONS WHO ARE REGISTERED TO VOTE ARE QUALIFIED  
12 ELECTORS PURSUANT TO SECTION 16-101.

13 K. THE SECRETARY OF STATE SHALL REPORT TO THE LEGISLATURE AT THE  
14 END OF EACH QUARTER THE NUMBER OF DEATHS REPORTED TO THE SECRETARY OF  
15 STATE BY THE DEPARTMENT OF HEALTH SERVICES AND THE NUMBER OF VOTER  
16 REGISTRATION CANCELLATION NOTICES ISSUED BY THE SECRETARY OF STATE TO THE  
17 COUNTY RECORDERS AS A RESULT OF THOSE REPORTS.

18 Sec. 2. Section 21-314, Arizona Revised Statutes, is amended to  
19 read:

20 21-314. Juror questionnaire

21 A. The jury commissioner or jury manager shall use a questionnaire  
22 to determine whether a person is qualified to serve or has valid grounds  
23 to be excused or postponed from service. The jury commissioner or jury  
24 manager may require additional information from the person to make this  
25 determination. The jury commissioner or jury manager may determine juror  
26 qualifications, excuses and postponements at the same time.

27 B. The jury commissioner or jury manager may destroy the fully  
28 answered questionnaire ninety days after the commissioner or manager  
29 receives it.

30 C. The juror questionnaire may be included in the same mailing as  
31 the summons to attend the court as a juror or the questionnaire may be  
32 mailed before the summons.

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

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