

REFERENCE TITLE: election law amendments

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1460

Introduced by
Senator Shope

AN ACT

AMENDING SECTIONS 16-135, 16-153, 16-166, 16-205, 16-226, 16-227, 16-228, 16-312 AND 16-317, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 3, ARTICLE 2, ARIZONA REVISED STATUTES BY ADDING SECTION 16-319; AMENDING SECTIONS 16-322, 16-343, 16-403, 16-411, 16-412, 16-462, 16-502, 16-544, 16-579, 41-166 AND 45-415, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-135, Arizona Revised Statutes, is amended to
3 read:

4 16-135. Change of residence from one address to another

5 A. An elector who is correcting the residence address shown on the
6 elector's voter registration record shall reregister with the new
7 residence address or correct the voter registration record as prescribed
8 by this section.

9 B. An elector who moves from the address at which ~~he~~ THE ELECTOR is
10 registered to another address within the same county and who fails to
11 notify the county recorder of the change of address before the date of an
12 election shall be ~~permitted~~ ALLOWED to correct the voter registration
13 records at the appropriate polling place for the voter's new address. The
14 voter shall present a form of identification that includes the voter's
15 given name and surname and the voter's complete residence address that is
16 located within the precinct for the voter's new residence address. The
17 voter shall affirm in writing the new residence address and shall be
18 ~~permitted~~ ALLOWED to vote a provisional ballot.

19 C. When an elector completes voting a provisional ballot, the
20 election official shall place the ballot in an envelope for provisional
21 ballots and shall deposit the envelope in the ballot box designated for
22 provisional ballots.

23 D. Within ten calendar days after a general election that includes
24 an election for a federal office and within five business days after any
25 other election, a provisional ballot shall be compared to the signature
26 roster for the precinct in which the voter was listed and if the voter's
27 signature does not appear on the signature roster for that election and if
28 there is no record of that voter having voted early for that election, the
29 provisional ballot shall be ~~counted~~ PROCESSED. If the signature roster or
30 early ballot information indicates that the person did vote in that
31 election, the provisional ballot for that person shall remain unopened and
32 shall not be counted.

33 E. An elector may also correct the residence address on the
34 elector's voter registration record by requesting the address change on a
35 written request for an early ballot that is submitted pursuant to section
36 16-542 and that contains all of the following:

- 37 1. A request to change the voter registration record.
- 38 2. The elector's new residence address.
- 39 3. An affirmation that the information is true and correct.
- 40 4. The elector's signature.

41 Sec. 2. Section 16-153, Arizona Revised Statutes, is amended to
42 read:

43 16-153. Voter registration; confidentiality; definitions

44 A. Eligible persons, and any other registered voter who resides at
45 the same residence address as the eligible person, may request that the

1 general public be prohibited from accessing the eligible person's
2 identifying information, including any of that person's documents and
3 voting precinct number contained in that person's voter registration
4 record.

5 B. Eligible persons may request this action by filing an affidavit
6 that states all of the following on an application form developed by the
7 administrative office of the courts in agreement with an association of
8 counties and an organization of peace officers:

9 1. The person's full legal name, residential address and date of
10 birth.

11 2. Unless the person is the spouse of a peace officer or the spouse
12 or minor child of a deceased peace officer or the person is a former
13 public official or former judge, the position the person currently holds
14 and a description of the person's duties, except that an eligible person
15 who is protected under an order of protection or injunction against
16 harassment shall instead attach a copy of the order of protection or
17 injunction against harassment.

18 3. The reasons for reasonably believing that the person's life or
19 safety or that of another person is in danger and that sealing the
20 identifying information and voting precinct number of the person's voting
21 record will serve to reduce the danger.

22 C. The affidavit shall be filed with the presiding judge of the
23 superior court in the county in which the affiant resides. To prevent
24 multiple filings, an eligible person who is a peace officer, prosecutor,
25 public defender, code enforcement officer, corrections or detention
26 officer, corrections support staff member or law enforcement support staff
27 member shall deliver the affidavit to the peace officer's commanding
28 officer, or to the head of the prosecuting, public defender, code
29 enforcement, law enforcement, corrections or detention agency, as
30 applicable, or that person's designee, who shall file the affidavits at
31 one time. In the absence of an affidavit that contains a request for
32 immediate action and is supported by facts justifying an earlier
33 presentation, the commanding officer, or the head of the prosecuting,
34 public defender, code enforcement, law enforcement, corrections or
35 detention agency, as applicable, or that person's designee, shall not file
36 affidavits more often than quarterly.

37 D. On receipt of an affidavit or affidavits, the presiding judge of
38 the superior court shall file with the clerk of the superior court a
39 petition on behalf of all requesting affiants. The petition shall have
40 attached each affidavit presented. In the absence of an affidavit that
41 contains a request for immediate action and that is supported by facts
42 justifying an earlier consideration, the presiding judge may accumulate
43 affidavits and file a petition at the end of each quarter.

44 E. The presiding judge of the superior court shall review the
45 petition and each attached affidavit to determine whether the action

1 requested by each affiant should be granted. The presiding judge of the
2 superior court shall order the sealing for five years of the information
3 contained in the voter record of the affiant and, on request, any other
4 registered voter who resides at the same residence address if the
5 presiding judge concludes that this action will reduce a danger to the
6 life or safety of the affiant.

7 F. The recorder shall remove the restrictions on all voter records
8 submitted pursuant to subsection E of this section by January 5 in the
9 year after the court order expires. The county recorder shall send by
10 mail one notice to either the former public official, peace officer,
11 spouse of a peace officer, spouse or minor child of a deceased peace
12 officer, public defender, prosecutor, code enforcement officer,
13 corrections or detention officer, corrections support staff member, law
14 enforcement support staff member, employee of the department of child
15 safety or employee of adult protective services who has direct contact
16 with families in the course of employment or the employing agency of a
17 peace officer, public defender, prosecutor, code enforcement officer,
18 corrections or detention officer, corrections support staff member or law
19 enforcement support staff member who was granted an order pursuant to this
20 section of the order's expiration date at least six months before the
~~expiration~~ JANUARY 5 REMOVAL date. If the notice is sent to the employing
21 agency, the employing agency shall immediately notify the person who was
22 granted the order of the upcoming expiration date. The county recorder
23 may coordinate with the county assessor and county treasurer to prevent
24 multiple notices from being sent to the same person.

25 G. On entry of the court order, the clerk of the superior court
26 shall file the court order with the county recorder. On receipt of the
27 court order the county recorder shall seal the voter registration of the
28 persons listed in the court order no later than one hundred twenty days
29 from the date of receipt of the court order. To include a subsequent
30 voter registration in the court order, a person listed in the court order
31 shall present to the county recorder at the time of registration a
32 certified copy of the court order or shall provide the county recorder the
33 recording number of the court order. The information in the registration
34 shall not be disclosed and is not a public record.

35 H. If the court denies an affiant's requested sealing of the voter
36 registration record, the affiant may request a court hearing. The hearing
37 shall be conducted by the court where the petition was filed.

38 I. On motion to the court, if the presiding judge of the superior
39 court concludes that a voter registration record has been sealed in error
40 or that the cause for the original affidavit no longer exists, the
41 presiding judge may vacate the court order prohibiting public access to
42 the voter registration record.

43 J. On request by a person who is protected under an order of
44 protection or injunction against harassment and presentation of an order

1 of protection issued pursuant to section 13-3602, an injunction against
2 harassment issued pursuant to section 12-1809 or an order of protection or
3 injunction against harassment issued by a court in another state or a
4 program participant in the address confidentiality program pursuant to
5 title 41, chapter 1, article 3, the county recorder shall seal the voter
6 registration record of the person who is protected and, on request, any
7 other registered voter who resides at the residence address of the
8 protected person. The record shall be sealed no later than one hundred
9 twenty days from the date of receipt of the court order. The information
10 in the registration shall not be disclosed and is not a public record.

11 K. For the purposes of this section:

12 1. "Code enforcement officer" means a person who is employed by a
13 state or local government and whose duties include performing field
14 inspections of buildings, structures or property to ensure compliance with
15 and enforce national, state and local laws, ordinances and codes.

16 2. "Commissioner" means a commissioner of the superior court or
17 municipal court.

18 3. "Corrections support staff member" means an adult or juvenile
19 corrections employee who has direct contact with inmates.

20 4. "Eligible person" means a former public official, peace officer,
21 spouse of a peace officer, spouse or minor child of a deceased peace
22 officer, justice, judge, commissioner, hearing officer, public defender,
23 prosecutor, member of the commission on appellate court appointments, code
24 enforcement officer, adult or juvenile corrections officer, corrections
25 support staff member, probation officer, member of the board of executive
26 clemency, law enforcement support staff member, employee of the department
27 of child safety or employee of adult protective services who has direct
28 contact with families in the course of employment, national guard member
29 who is acting in support of a law enforcement agency, person who is
30 protected under an order of protection or injunction against harassment or
31 firefighter who is assigned to the Arizona counter terrorism information
32 center in the department of public safety.

33 5. "Former public official" means a person who was duly elected or
34 appointed to Congress, the legislature or a statewide office, who ceased
35 serving in that capacity and who was the victim of a dangerous offense as
36 defined in section 13-105 while in office.

37 6. "Hearing officer" means a hearing officer who is appointed
38 pursuant to section 28-1553.

39 7. "Judge" means a judge or former judge of the United States
40 district court, the United States court of appeals, the United States
41 magistrate court, the United States bankruptcy court, the United States
42 immigration court, the Arizona court of appeals, the superior court or a
43 municipal court.

44 8. "Justice" means a justice of the United States or Arizona
45 supreme court or a justice of the peace.

1 9. "Law enforcement support staff member" means a person who serves
2 in the role of an investigator or prosecutorial assistant in an agency
3 that investigates or prosecutes crimes, who is integral to the
4 investigation or prosecution of crimes and whose name or identity will be
5 revealed in the course of public proceedings.

6 10. "Peace officer":

7 (a) Has the same meaning prescribed in section 1-215.
8 (b) Includes a federal law enforcement officer or agent who resides
9 in this state and who has the power to make arrests pursuant to federal
10 law.

11 11. "Prosecutor" means a current or former United States attorney,
12 county attorney, municipal prosecutor or attorney general and includes a
13 current or former assistant or deputy United States attorney, county
14 attorney, municipal prosecutor or attorney general.

15 12. "Public defender" means a federal public defender, county
16 public defender, county legal defender or county contract indigent defense
17 counsel and includes an assistant or deputy federal public defender,
18 county public defender or county legal defender.

19 Sec. 3. Section 16-166, Arizona Revised Statutes, is amended to
20 read:

21 16-166. Verification of registration

22 A. Except for the mailing of sample ballots, a county recorder who
23 mails an item to any elector shall send the mailing by nonforwardable
24 first class mail marked with the statement required by the postmaster to
25 receive an address correction notification. If the item is returned
26 undelivered, the county recorder shall send a follow-up notice to that
27 elector within three weeks of receipt of the returned notice. The county
28 recorder shall send the follow-up notice to the address that appears in
29 the general county register or to the forwarding address provided by the
30 United States postal service. The follow-up notice shall include an
31 appropriate internet address for revising voter registration information
32 or a registration form and the information prescribed by section 16-131,
33 subsection C and shall state that if the elector does not complete and
34 return a new registration form with current information to the county
35 recorder or make changes to the elector's voter registration information
36 that is maintained online within thirty-five days, the elector's
37 registration status shall be changed from active to inactive.

38 B. If the elector provides the county recorder with a new
39 registration form or otherwise revises the elector's information, the
40 county recorder shall change the general register to reflect the changes
41 indicated on the new registration. If the elector indicates a new
42 residence address outside that county, the county recorder shall forward
43 the voter registration form or revised information to the county recorder
44 of the county in which the elector's address is located. If the elector

1 provides a new residence address that is located outside this state, the
2 county recorder shall cancel the elector's registration.

3 C. The county recorder shall maintain on the inactive voter list
4 the names of electors who have been removed from the general register
5 pursuant to subsection A or E of this section for a period of four years
6 or through the date of the second general election for federal office
7 following the date of the notice from the county recorder that is sent
8 pursuant to subsection E of this section.

9 D. On notice that a government agency has changed the name of any
10 street, route number, post office box number or other address designation,
11 the county recorder shall revise the registration records and shall send a
12 new verification of registration notice to the electors whose records were
13 changed.

14 E. The county recorder on or before May 1 of each year preceding a
15 state primary and general election or more frequently as the recorder
16 deems necessary may use the change of address information supplied by the
17 postal service through its licensees **AND THE INFORMATION PROVIDED BY AN**
ELECTRONIC VOTER REGISTRATION INFORMATION CENTER to identify registrants
18 whose addresses may have changed. If it appears from information provided
19 by the postal service **OR AN ELECTRONIC VOTER REGISTRATION INFORMATION**
CENTER that a registrant has moved to a different residence address ~~in the~~
20 ~~same county~~, the county recorder shall ~~change the registration records to~~
21 ~~reflect the new address and shall~~ send the registrant a notice of the
22 change by forwardable mail and a postage prepaid preaddressed return form
23 or an appropriate internet address for revising voter registration
24 information by which the registrant may verify or correct the registration
25 information. If the registrant fails to revise the information or return
26 the form postmarked not later than thirty-five days after the mailing of
27 the notice, the elector's registration status shall be changed from active
28 to inactive. If the notice sent by the recorder is not returned, the
29 registrant may be required to provide affirmation or confirmation of the
30 registrant's address in order to vote. If the registrant does not vote in
31 an election during the period after the date of the notice from the
32 recorder through the date of the second general election for federal
33 office following the date of that notice, the registrant's name shall be
34 removed from the list of inactive voters. If the registrant has changed
35 residence to a new county, the county recorder shall provide information
36 on how the registrant can continue to be eligible to vote.

37 F. The county recorder shall reject any application for
38 registration that is not accompanied by satisfactory evidence of United
39 States citizenship. Satisfactory evidence of citizenship shall include
40 any of the following:

41 1. The number of the applicant's driver license or nonoperating
42 identification license issued after October 1, 1996 by the department of
43 transportation or the equivalent governmental agency of another state

1 within the United States if the agency indicates on the applicant's driver
2 license or nonoperating identification license that the person has
3 provided satisfactory proof of United States citizenship.

4 2. A legible photocopy of the applicant's birth certificate that
5 verifies citizenship to the satisfaction of the county recorder.

6 3. A legible photocopy of pertinent pages of the applicant's United
7 States passport identifying the applicant and the applicant's passport
8 number or presentation to the county recorder of the applicant's United
9 States passport.

10 4. A presentation to the county recorder of the applicant's United
11 States naturalization documents or the number of the certificate of
12 naturalization. If only the number of the certificate of naturalization
13 is provided, the applicant shall not be included in the registration rolls
14 until the number of the certificate of naturalization is verified with the
15 United States immigration and naturalization service by the county
16 recorder.

17 5. Other documents or methods of proof that are established
18 pursuant to the immigration reform and control act of 1986.

19 6. The applicant's bureau of Indian affairs card number, tribal
20 treaty card number or tribal enrollment number.

21 G. Notwithstanding subsection F of this section, any person who is
22 registered in this state on the effective date of this amendment to this
23 section is deemed to have provided satisfactory evidence of citizenship
24 and shall not be required to resubmit evidence of citizenship unless the
25 person is changing voter registration from one county to another.

26 H. For the purposes of this section, proof of voter registration
27 from another state or county is not satisfactory evidence of citizenship.

28 I. A person who modifies voter registration records with a new
29 residence ballot shall not be required to submit evidence of citizenship.
30 After citizenship has been demonstrated to the county recorder, the person
31 is not required to resubmit satisfactory evidence of citizenship in that
32 county.

33 J. After a person has submitted satisfactory evidence of
34 citizenship, the county recorder shall indicate this information in the
35 person's permanent voter file. After two years the county recorder may
36 destroy all documents that were submitted as evidence of citizenship.

37 Sec. 4. Section 16-205, Arizona Revised Statutes, is amended to
38 read:

39 16-205. Election dates; notice; administration

40 A. At least ~~one~~ TWO hundred ~~eighty~~ TEN days before each
41 consolidated election date prescribed by section 16-204, each county board
42 of supervisors shall give notice in writing regarding the consolidated
43 election program to each school district, community college district,
44 city, town and special taxing district organized pursuant to title 48,

1 chapters 5, 6, 8, 10, 13, 14, 15 and 16 in that county. The notice shall
2 state the date of the election.

3 B. The board of supervisors may hold elections only on the dates
4 prescribed by section 16-204.

5 C. The secretary of state shall coordinate the consolidated
6 elections with the board of supervisors. The board of supervisors may
7 enter into an intergovernmental agreement pursuant to title 11, chapter 7,
8 article 3 with each political subdivision that participates in a
9 consolidated election in that county in order to administer those
10 elections. After consultation with the political subdivisions that are
11 participating in a consolidated election, the officer in charge of
12 elections shall administer the appointment of election boards.

13 D. Within ninety days after a consolidated election conducted
14 pursuant to this section, the board of supervisors shall prepare a report
15 that provides an itemized account of all costs incurred by the county in
16 administering the election, including an itemized account of all charges
17 made to each political subdivision that participated in that election.
18 Political subdivisions that participated in an election conducted pursuant
19 to this section may request and receive a copy of this report from the
20 board.

21 E. The board of supervisors shall require the county recorder or
22 other officer in charge of elections to calculate voter turnout for
23 candidate races as prescribed by section 16-204.01, shall determine
24 whether section 16-204.01 requires a political subdivision to consolidate
25 its election dates and shall announce its determination and the
26 implementation date for consolidation at a public meeting held not more
27 than ninety days after issuance of the official county canvass for an
28 election. After the implementation date, the board of supervisors may not
29 call, authorize the call for or authorize the county to administer an
30 election for that political subdivision except as prescribed by section
31 16-204.01.

32 Sec. 5. Section 16-226, Arizona Revised Statutes, is amended to
33 read:

34 16-226. Nonpartisan elections; local elections; time of
35 calling; definition

36 A. Nonpartisan elections and elections held by a school district, a
37 city or a town that are not held concurrently with a general election
38 shall be called ~~no~~ NOT later than one hundred ~~fifty~~ EIGHTY days before the
39 date of holding the election. This subsection does not apply to an
40 election called pursuant to section 19-209.

41 B. For the purposes of this article, "nonpartisan" means an
42 election that is held by a special district established pursuant to title
43 48 and that is not held concurrently with the general election.

1 Sec. 6. Section 16-227, Arizona Revised Statutes, is amended to
2 read:

3 **16-227. Publication of call of election for nonpartisan**
4 **elections**

5 A. The governing body shall publish a call of election at least
6 twice in a newspaper of general circulation in the election district in
7 which a nonpartisan election is being held not less than one week apart
8 during the six calendar weeks preceding one hundred fifty days before the
9 election. **IF THERE IS NOT A NEWSPAPER OF GENERAL CIRCULATION IN THE**
10 **ELECTION DISTRICT, THE GOVERNING BODY SHALL POST THE CALL OF ELECTION ON**
11 **THE GOVERNING BODY'S PUBLIC WEBSITE AND AT OTHER LOCATIONS AT WHICH THE**
12 **GOVERNING BODY CUSTOMARILY POSTS PUBLIC NOTICE OF THE GOVERNING BODY'S**
13 **PUBLIC MEETINGS.** The call of election shall contain:

- 14 1. The purpose of the election.
- 15 2. The date of holding the election.
- 16 3. The last date and place for filing nomination petitions, if
17 applicable.
- 18 4. The last date to register to vote in the election.
- 19 5. The name of the election district conducting the election.
- 20 6. The proposed boundaries of the election district, if for
21 establishment or annexation.
- 22 7. If the election is a special district mail ballot election as
23 described in chapter 4, article 8.1 of this title, the date the mail
24 ballots will be mailed to qualified electors of the district.

25 B. In lieu of publishing the call described in subsection A of this
26 section, the governing body may mail a call of election to each household
27 in the district containing a qualified elector. The call shall contain
28 the same information described in subsection A of this section and be
29 mailed not later than one hundred fifty days before the election.

30 Sec. 7. Section 16-228, Arizona Revised Statutes, is amended to
31 read:

32 **16-228. Notice of election for nonpartisan elections**

33 A. The governing body shall publish a notice of election at least
34 twice in a newspaper of general circulation in the election district in
35 which a nonpartisan election is being held not less than one week apart
36 during the six calendar weeks preceding twenty days before the election.
IF THERE IS NOT A NEWSPAPER OF GENERAL CIRCULATION IN THE ELECTION
DISTRICT, THE GOVERNING BODY SHALL POST THE CALL OF ELECTION ON THE
GOVERNING BODY'S PUBLIC WEBSITE AND AT OTHER LOCATIONS AT WHICH THE
GOVERNING BODY CUSTOMARILY POSTS PUBLIC NOTICE OF THE GOVERNING BODY'S
PUBLIC MEETINGS. This notice shall contain at least:

- 42 1. The date of the election.
- 43 2. The location of the polls.
- 44 3. The hours the polls will be open.
- 45 4. The purpose of the election.

1 5. The election district conducting the election.

2 B. In lieu of publishing the notice described in subsection A **OF**
3 **THIS SECTION**, the governing body may, and for a nonresident qualified
4 elector of any special district shall, mail a notice of election to each
5 household containing a qualified elector of the district. **Such THE** notice
6 shall contain the same information described in subsection A, paragraphs
7 1, 4 and 5 **OF THIS SECTION** and the polling place for that household's
8 qualified electors and the times it is open. Mailings may be made over a
9 period of days but shall be mailed in order to be delivered to households
10 before the earliest date of mailing to registered voters of any requested
11 early ballots for that election.

12 C. In mail ballot elections, the governing body shall publish a
13 notice of election at least twice in a newspaper of general circulation in
14 the special district in which the election is being held once a week
15 during each of the two weeks immediately preceding the thirty days before
16 the election. This notice shall contain at least:

- 17 1. The date of the election.
- 18 2. The date ballots will be mailed.
- 19 3. The deadline and location for return of the ballots.
- 20 4. The method for obtaining a replacement if a ballot is destroyed,
lost, spoiled or not received.
- 21 5. A statement that no polling place will be provided.
- 22 6. The name of the district that is conducting the election.
- 23 7. The qualifications of electors.

24 D. In lieu of publishing the notice described in subsection C **OF**
25 **THIS SECTION**, the governing body may, and for a nonresident qualified
26 elector of any special district shall, mail a notice of election to each
27 household containing a qualified elector of the district. The notice
28 shall contain the same information described in subsection C **OF THIS**
29 **SECTION** and shall be mailed not later than forty-five days before the
30 election.

31 Sec. 8. Section 16-312, Arizona Revised Statutes, is amended to
32 read:

33 16-312. Filing of nomination papers for write-in candidates

34 A. Any person desiring to become a write-in candidate for an
35 elective office in any election shall be at the time of filing a qualified
36 elector of the county or district the person proposes to represent and
37 shall have been a resident of that county or district for one hundred
38 twenty days before the date of the election, except that for a city or
39 town office, section 9-232 applies with respect to residency for the
40 candidate. The person shall file a nomination paper, signed by the
41 candidate, giving the person's actual residence address or, if the person
42 does not have an actual residence address, a description of place of
43 residence and post office address, or, if the person's actual residence
44 address is protected pursuant to section 16-153, a post office box or

1 private mailbox address in the candidate's district, precinct or
2 municipality, as applicable for the district, precinct or municipal office
3 that the person proposes to represent, and the person's age, length of
4 residence in the state and date of birth.

5 B. A write-in candidate shall file the nomination paper not earlier
6 than one hundred fifty days before the election and not later than 5:00
7 p.m. on the ~~fortieth~~ ONE HUNDRED SIXTH day before the election, ~~except~~
8 ~~that:~~

9 ~~1. A candidate running as a write-in candidate as provided in
10 section 16-343, subsection D shall file the nomination paper not later
11 than 5:00 p.m. on the fifth day before the election.~~

12 ~~2. A candidate running as a write-in candidate for an election that
13 may be canceled pursuant to section 16-410 shall file the nomination paper
14 not later than 5:00 p.m. on the one hundred sixth day before the election.~~

15 C. The write-in filing procedure shall be in the same manner as
16 prescribed in section 16-311. Any person who does not file a timely
17 nomination paper shall not be counted in the tally of ballots. The filing
18 officer shall not accept the nomination paper of a candidate for state or
19 local office unless the candidate provides or has provided the financial
20 disclosure statement as prescribed for candidates for that office.

21 D. Except in cases where the liability is being appealed, the
22 filing officer shall not accept the nomination paper of a write-in
23 candidate for state or local office if the person is liable for an
24 aggregation of \$1,000 or more in fines, penalties, late fees or
25 administrative or civil judgments, including any interest or costs, in any
26 combination, that have not been fully satisfied at the time of the
27 attempted filing of the nomination paper and the liability arose from
28 failure to comply with or enforcement of chapter 6 of this title.

29 E. The secretary of state shall notify the various boards of
30 supervisors as to write-in candidates filing with the secretary of state's
31 office. The county school superintendent shall notify the appropriate
32 board of supervisors as to write-in candidates filing with the
33 superintendent's office. The board of supervisors shall notify the
34 appropriate election board inspector of all candidates who have properly
35 filed such statements. In the case of a city or town election, the city
36 or town clerk shall notify the appropriate election board inspector of
37 candidates properly filed. No other write-ins shall be counted. The
38 election board inspector shall post the notice of official write-in
39 candidates in a conspicuous location within the polling place.

40 F. Except as provided in section 16-343, subsection E, a candidate
41 may not file pursuant to this section if any of the following applies:

42 1. For a candidate in the general election, the candidate ran in
43 the immediately preceding primary election and failed to be nominated to
44 the office sought in the current election.

1 2. For a candidate in the general election, the candidate filed a
2 nomination petition for the immediately preceding primary election for the
3 office sought and failed to provide a sufficient number of valid petition
4 signatures as prescribed by section 16-322.

5 3. For a candidate in the primary election, the candidate filed a
6 nomination petition for the current primary election for the office sought
7 and failed to provide a sufficient number of valid petition signatures as
8 prescribed by section 16-322, withdrew from the primary election after a
9 challenge was filed or was removed from or otherwise determined by court
10 order to be ineligible for the primary election ballot.

11 4. For a candidate in the general election, the candidate filed a
12 nomination petition for nomination other than by primary for the office
13 sought and failed to provide a sufficient number of valid petition
14 signatures as prescribed by section 16-341.

15 G. A person who files a nomination paper pursuant to this section
16 for the office of president of the United States shall designate in
17 writing to the secretary of state at the time of filing the name of the
18 candidate's vice-presidential running mate, the names of presidential
19 electors who will represent that candidate and a statement signed by the
20 vice-presidential running mate and designated presidential electors that
21 indicates their consent to be designated. A nomination paper for each
22 presidential elector designated shall be filed with the candidate's
23 nomination paper. The number of presidential electors shall equal the
24 number of United States senators and representatives in Congress from this
25 state.

26 Sec. 9. Section 16-317, Arizona Revised Statutes, is amended to
27 read:

28 16-317. Secure online signature collection; filing offices

29 A. Notwithstanding any other statute in this title, the secretary
30 of state shall provide a system for ALL FILING OFFICES IN THIS STATE TO
31 ALLOW qualified electors to sign a nomination petition for candidates ~~for~~
~~city or town office, county office and the office of precinct committeeman~~
32 by way of a secure internet portal. The system shall allow only those
33 qualified electors who are eligible to sign a petition for a particular
34 candidate to sign the petition, shall provide a method for the qualified
35 elector's identity to be properly verified and shall provide for the
36 secretary of state to transmit those filings or a facsimile of those
37 filings to the officer in charge of elections for the appropriate
38 office. A candidate WHOSE FILING OFFICE PARTICIPATES IN THE SYSTEM may
39 choose to collect ~~up to the minimum number~~ ANY OR ALL of THE required
40 nomination petition signatures by use of the online signature collection
41 system prescribed by this section.

42 B. ~~This section applies only to candidates for city or town elected~~
43 ~~office, county office and the office of precinct committeeman.~~

1 Sec. 10. Title 16, chapter 3, article 2, Arizona Revised Statutes,
2 is amended by adding section 16-319, to read:

3 16-319. Redistricting; candidate nomination papers and
4 petitions; signatures; exemption

5 A. EXCEPT FOR CANDIDATES FOR A FEDERAL, STATEWIDE OR LEGISLATIVE
6 OFFICE AND NOTWITHSTANDING ANY OTHER LAW, FOR CANDIDATES FOR ELECTION TO
7 AN OFFICE IMMEDIATELY FOLLOWING REDISTRICTING AS OTHERWISE PROVIDED BY
8 LAW, THE FOLLOWING APPLY:

9 1. IF THE CANDIDATE STATEMENT OF INTEREST, NOMINATION PAPER AND
10 NOMINATION PETITION ARE IN COMPLIANCE WITH OTHERWISE APPLICABLE LAW, THE
11 FILING OFFICER SHALL ACCEPT AS A VALID FILING THE NOMINATION PAPER AND
12 NOMINATION PETITION OF A PERSON THAT DESIGNATE A DISTRICT FOR THAT
13 PERSON'S CANDIDACY AND THAT USE ANY OR ALL OF THE FOLLOWING:

14 (a) THE CANDIDATE'S DISTRICT AS USED IN THE ELECTION FOR THAT
15 OFFICE IMMEDIATELY PRECEDING THE REDISTRICTING.

16 (b) THE CANDIDATE'S DISTRICT AS DESIGNATED AS A RESULT OF A
17 REDISTRICTING PLAN ADOPTED FOR THE UPCOMING ELECTION.

18 (c) THE CANDIDATE'S DISTRICT AS DESIGNATED AS A RESULT OF A
19 REDISTRICTING PLAN THAT IS ORDERED FOR USE IN THE UPCOMING ELECTION BY A
20 COURT OF COMPETENT JURISDICTION.

21 2. IF THE CANDIDATE NOMINATION PAPER AND NOMINATION PETITION ARE IN
22 COMPLIANCE WITH OTHERWISE APPLICABLE LAW, THE FILING OFFICER SHALL ACCEPT
23 AND PETITION SIGNERS ARE VALID IF THE PETITION SIGNERS ARE REGISTERED
24 VOTERS WHO ARE RESIDENTS OF ANY OR ALL OF THE FOLLOWING DISTRICTS THAT THE
25 CANDIDATE PROPOSES TO REPRESENT:

26 (a) THE CANDIDATE'S DISTRICT AS USED IN THE ELECTION FOR THAT
27 OFFICE IMMEDIATELY PRECEDING THE REDISTRICTING.

28 (b) THE CANDIDATE'S DISTRICT AS DESIGNATED AS A RESULT OF A
29 REDISTRICTING PLAN ADOPTED FOR THE UPCOMING ELECTION.

30 (c) THE CANDIDATE'S DISTRICT AS DESIGNATED AS A RESULT OF A
31 REDISTRICTING PLAN THAT IS ORDERED FOR USE IN THE UPCOMING ELECTION BY A
32 COURT OF COMPETENT JURISDICTION.

33 B. THIS SECTION DOES NOT APPLY TO A SPECIAL ELECTION TO FILL A
34 VACANCY IN ANY OFFICE PRESCRIBED IN SUBSECTION A OF THIS SECTION.

35 Sec. 11. Section 16-322, Arizona Revised Statutes, is amended to
36 read:

37 16-322. Number of signatures required on nomination petitions

38 A. Nomination petitions shall be signed by a number of qualified
39 signers equal to:

40 1. If for a candidate for the office of United States senator or
41 for a state office, excepting members of the legislature and superior
42 court judges, at least one-fourth of one percent but not more than ten
43 percent of the total number of qualified signers in the state.

44 2. If for a candidate for the office of representative in Congress,
45 at least one-half of one percent but not more than ten percent of the

1 total number of qualified signers in the district from which the
2 representative shall be elected except that if for a candidate for a
3 special election to fill a vacancy in the office of representative in
4 Congress, at least one-fourth of one percent but not more than ten percent
5 of the total number of qualified signers in the district from which the
6 representative shall be elected.

7 3. If for a candidate for the office of member of the legislature,
8 at least one-half of one percent but not more than three percent of the
9 total number of qualified signers in the district from which the member of
10 the legislature may be elected.

11 4. If for a candidate for a county office or superior court judge,
12 at least one percent but not more than ten percent of the total number of
13 qualified signers in the county or district, except that if for a
14 candidate from a county with a population of two hundred thousand persons
15 or more, at least one-fourth of one percent but not more than ten percent
16 of the total number of qualified signers in the county or district.

17 5. If for a candidate for a community college district, at least
18 one-quarter of one percent but not more than ten percent of the total
19 voter registration in the precinct as established pursuant to section
20 15-1441. Notwithstanding the total voter registration in the community
21 college district, the maximum number of signatures required by this
22 paragraph is one thousand.

23 6. If for a candidate for county precinct committeeman, at least
24 two percent but not more than ten percent of the party voter registration
25 in the precinct or ten signatures, whichever is less.

26 7. If for a candidate for justice of the peace or constable, at
27 least one percent but not more than ten percent of the number of qualified
28 signers in the precinct.

29 8. If for a candidate for mayor or other office nominated by a city
30 at large, at least five percent and not more than ten percent of the
31 designated party vote in the city, except that a city that chooses to hold
32 nonpartisan elections may provide by ordinance that the minimum number of
33 signatures required for the candidate be one thousand signatures or five
34 percent of the vote in the city, whichever is less, but not more than ten
35 percent of the vote in the city.

36 9. If for an office nominated by ward, precinct or other district
37 of a city, at least five percent and not more than ten percent of the
38 designated party vote in the ward, precinct or other district, except that
39 a city that chooses to hold nonpartisan elections may provide by ordinance
40 that the minimum number of signatures required for the candidate be two
41 hundred fifty signatures or five percent of the vote in the district,
42 whichever is less, but not more than ten percent of the vote in the
43 district.

44 10. If for a candidate for an office nominated by a town at large,
45 by a number of qualified electors who are qualified to vote for the

1 candidate whose nomination petition they are signing equal to at least
2 five percent and not more than ten percent of the vote in the town, except
3 that a town that chooses to hold nonpartisan elections may provide by
4 ordinance that the minimum number of signatures required for the candidate
5 be one thousand signatures or five percent of the vote in the town,
6 whichever is less, but not more than ten percent of the vote in the town.

7 11. If for a candidate for a governing board of a school district
8 or a career technical education district, at least one-half of one percent
9 of the total voter registration in the school district or career technical
10 education district if the board members are elected at large or one
11 percent of the total voter registration in the single member district if
12 governing board members are elected from single member districts or
13 one-half of one percent of the total voter registration in the single
14 member district if career technical education district board members are
15 elected from single member districts. Notwithstanding the total voter
16 registration in the school district, career technical education district
17 or single member district of the school district or career technical
18 education district, the maximum number of signatures required by this
19 paragraph is four hundred.

20 12. If for a candidate for a governing body of a special district
21 as described in title 48, at least one-half of one percent of the vote in
22 the special district but not more than two hundred fifty and not fewer
23 than five signatures.

24 B. The basis of percentage in each instance referred to in
25 subsection A of this section, except in cities, towns and school
26 districts, shall be the number of qualified signers as determined from the
27 voter registration totals as reported pursuant to section 16-168,
28 subsection G on January 2 of the year in which the general election is
29 held. In cities, the basis of percentage shall be the vote of the party
30 for mayor at the last preceding election at which a mayor was elected. In
31 towns, the basis of percentage shall be the highest vote cast for an
32 elected official of the town at the last preceding election at which an
33 official of the town was elected. In school districts or career technical
34 education districts, the basis of percentage shall be the total number of
35 active registered voters in the school district or career technical
36 education district or single member district, whichever applies. The
37 total number of active registered voters for school districts or career
38 technical education districts shall be calculated using the periodic
39 reports prepared by the county recorder pursuant to section 16-168,
40 subsection G. The count that is reported on January 2 of the year in
41 which the general election is held shall be the basis for the calculation
42 of total voter registration for school districts or career technical
43 education districts.

44 C. In primary elections the signature requirement for party
45 nominees, other than nominees of the parties entitled to continued

1 representation pursuant to section 16-804, is at least one-tenth of one
2 percent of the total vote for the winning candidate or candidates for
3 governor or presidential electors at the last general election within the
4 district. Signatures must be obtained from qualified electors who are
5 qualified to vote for the candidate whose nomination petition they are
6 signing.

7 D. If new boundaries for congressional districts, ~~OR~~ legislative
8 districts, ~~supervisorial districts, justice precincts or election~~
~~precincts~~ are established and effective subsequent to January 2 of the
10 year of a general election and before the date for filing of nomination
11 petitions, the basis for determining the required number of nomination
12 petition signatures is the number of qualified signers in the elective
13 office, ~~OR~~ district ~~or precinct~~ that was effective on January 2 of the
14 year of a general election. IF NEW BOUNDARIES FOR SUPERVISORIAL
15 DISTRICTS, JUSTICE PRECINCTS OR ELECTION PRECINCTS ARE ESTABLISHED AND
16 EFFECTIVE SUBSEQUENT TO JANUARY 2 OF THE YEAR OF A GENERAL ELECTION AND
17 BEFORE THE DATE FOR FILING OF NOMINATION PETITIONS FOR THE ELECTIVE
18 OFFICE, DISTRICT OR PRECINCT, THE BASIS FOR DETERMINING THE REQUIRED
19 NUMBER OF NOMINATION PETITION SIGNATURES IS THE NUMBER OF QUALIFIED
20 SIGNERS IN THE ELECTIVE OFFICE, DISTRICT OR PRECINCT ON THE EFFECTIVE DATE
21 OF THE NEW DISTRICTS OR PRECINCTS.

22 Sec. 12. Section 16-343, Arizona Revised Statutes, is amended to
23 read:

24 16-343. Filling vacancy caused by death or incapacity or
25 withdrawal of candidate

26 A. A vacancy occurring due to death, mental incapacity or voluntary
27 withdrawal of a candidate after the close of petition filing but before a
28 primary or general election shall be filled by the political party with
29 which the candidate was affiliated as follows:

30 1. In the case of a United States senator or statewide candidate,
31 the state executive committee of the candidate's political party shall
32 nominate a candidate of the party's choice and shall file a nomination
33 paper and declaration complying with the requirements for candidates as
34 stated in section 16-311 in order to fill the vacancy.

35 2. In the case of a vacancy for the office of United States
36 representative or the legislature, the party precinct committeemen of that
37 congressional or legislative district shall nominate a candidate of the
38 party's choice and shall file a nomination paper and declaration complying
39 with the requirements of section 16-311.

40 3. In the case of a vacancy for a county or precinct office, the
41 party county committee of counties with a population of less than two
42 hundred fifty thousand persons according to the most recent United States
43 decennial census and, in counties with a population of two hundred fifty
44 thousand persons or more according to the most recent United States
45 decennial census the county officers of the party together with the

1 chairman of the party precinct committeemen in each legislative district
2 of the county, shall nominate a candidate of the party's choice and shall
3 file a nomination paper and declaration complying with the requirements of
4 section 16-311 to fill such vacancy.

5 4. If the vacancy occurs in a candidate race for partisan
6 nomination in which at least one candidate of the vacating candidate's
7 political party remains on the ballot for the vacating candidate's office,
8 the vacancy shall not be filled. For an office to which more than one
9 candidate will be elected, the vacancy shall not be filled if at least one
10 candidate of the vacating candidate's political party remains on the
11 ballot for each of the multiple seats for the office sought by the
12 vacating candidate.

13 B. The nomination paper and declaration required in subsection A of
14 this section shall be filed with the office with which nomination
15 petitions were to be filed at any time before the official ballots are
16 printed.

17 C. Any meetings for the purpose of filing a nomination paper and
18 declaration provided for in this section shall be called by the chairman
19 of such committee or legislative district, except that in the case of
20 multicounty legislative or congressional districts the party county
21 chairman of the county having the largest geographic area within such
22 district shall call such meeting. The chairman or in his absence the vice
23 chairman calling such meeting shall preside. The call to such meeting
24 shall be mailed or given in person to each person entitled to participate
25 ~~no~~ NOT later than one day before such meeting. A majority of those
26 present and voting shall be required to fill a vacancy pursuant to this
27 section.

28 D. A vacancy that is due to voluntary or involuntary withdrawal of
29 the candidate and that occurs following the printing of official ballots
30 shall ~~not~~ be filled ~~in accordance with this section, however, prospective~~
~~candidates shall comply with section 16-312. A candidate running as a~~
~~write-in candidate under this subsection shall file the nomination paper~~
~~no later than 5:00 p.m. on the fifth day before the election AS PRESCRIBED~~
~~IN SECTION 16-230 EXCEPT THAT FOR THE LEGISLATURE, SECTION 41-1202~~
~~APPLIES.~~

36 E. Candidates nominated pursuant to subsection A of this section ~~or~~
37 ~~a candidate running as a write-in candidate under subsection D of this~~
38 ~~section~~ may be a candidate who ran in the immediately preceding primary
39 election for the office and failed to be nominated.

40 F. If a vacancy occurs as described in subsection A of this section
41 for a state office, the secretary of state shall notify the various boards
42 of supervisors as to the vacancy. The boards of supervisors shall notify
43 the inspectors of the various precinct election boards in the county,
44 district or precinct where a vacancy occurs. In the case of a city or
45 town election, the city or town clerk shall notify the appropriate

inspectors. A vacancy that occurs as prescribed in subsection D of this section due to the death, WITHDRAWAL or incapacity of the candidate shall not be filled and the secretary of state shall notify the appropriate county board of supervisors to post a notice of the death, WITHDRAWAL or incapacity of the candidate in each polling place along with notice that any votes cast for that candidate will be tabulated. IF THE DECEASED, WITHDRAWN OR INCAPACITATED CANDIDATE RECEIVES THE HIGHEST NUMBER OF VOTES, THE OFFICE SHALL BE DECLARED VACANT AND SECTION 16-230 APPLIES, EXCEPT THAT FOR A VACANCY IN A LEGISLATIVE OFFICE, SECTION 41-1202 APPLIES.

G. The inspectors shall post the notice of vacancy in the same manner as posting official write-in candidates. ~~In the case of a withdrawal of a candidate that occurs after the printing of official ballots, the inspectors shall post the notice of withdrawal in a conspicuous location in each polling place.~~ Notice of ~~withdrawal~~ THE VACANCY shall also be posted at all early voting locations and shall be made available to early voters by providing with the early ballot instructions a website address at which prompt updates to information regarding write-in and withdrawn candidates are available.

Sec. 13. Section 16-403, Arizona Revised Statutes, is amended to read:

16-403. City or town elections; duties of officers

In city or town **primary** elections, the duties devolving **upon** ON the secretary of state in other elections shall devolve **upon** ON the mayor or similar governing officer, board or commission, and the duties prescribed in this chapter devolving **upon** ON the clerk of the board of supervisors shall devolve **upon** ON the city or town clerk.

Sec. 14. Section 16-411, Arizona Revised Statutes, is amended to read:

16-411. Designation of election precincts and polling places; voting centers; electioneering; wait times

A. The board of supervisors of each county, on or before October 1 of each year preceding the year of a general election, by an order, shall establish a convenient number of election precincts in the county and define the boundaries of the precincts.—**AS FOLLOWS:**

1. The election precinct boundaries shall be established so as to be included within election districts prescribed by law for elected officers of the state and its political subdivisions, including community college district precincts, except those elected officers provided for in titles 30 and 48.

2. IF AFTER OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF A GENERAL ELECTION THE BOARD OF SUPERVISORS MUST FURTHER ADJUST PRECINCT BOUNDARIES DUE TO THE REDISTRICTING OF ELECTION DISTRICTS AS PRESCRIBED BY LAW AND TO COMPLY WITH THIS SUBSECTION, THE BOARD OF SUPERVISORS SHALL ADJUST THESE PRECINCT BOUNDARIES AS SOON AS IS PRACTICABLE.

1 B. At least twenty days before a general or primary election, and
2 at least ten days before a special election, the board shall designate one
3 polling place within each precinct where the election shall be held,
4 except that:

5 1. On a specific finding of the board, included in the order or
6 resolution designating polling places pursuant to this subsection, that no
7 suitable polling place is available within a precinct, a polling place for
8 that precinct may be designated within an adjacent precinct.

9 2. Adjacent precincts may be combined if boundaries so established
10 are included in election districts prescribed by law for state elected
11 officials and political subdivisions including community college districts
12 but not including elected officials prescribed by titles 30 and 48. The
13 officer in charge of elections may also split a precinct for
14 administrative purposes. The polling places shall be listed in separate
15 sections of the order or resolution.

16 3. On a specific finding of the board that the number of persons
17 who are listed as early voters pursuant to section 16-544 is likely to
18 substantially reduce the number of voters appearing at one or more
19 specific polling places at that election, adjacent precincts may be
20 consolidated by combining polling places and precinct boards for that
21 election. The board of supervisors shall ensure that a reasonable and
22 adequate number of polling places will be designated for that election.
23 Any consolidated polling places shall be listed in separate sections of
24 the order or resolution of the board.

25 4. On a specific resolution of the board, the board may authorize
26 the use of voting centers in place of or in addition to specifically
27 designated polling places. A voting center shall allow any voter in that
28 county to receive the appropriate ballot for that voter on election day
29 after presenting identification as prescribed in section 16-579 and to
30 lawfully cast the ballot. Voting centers may be established in
31 coordination and consultation with the county recorder, at other county
32 offices or at other locations in the county deemed appropriate.

33 5. On a specific resolution of the board of supervisors that is
34 limited to a specific election date and that is voted on by a recorded
35 vote, the board may authorize the county recorder or other officer in
36 charge of elections to use emergency voting centers as follows:

37 (a) The board shall specify in the resolution the location and the
38 hours of operation of the emergency voting centers.

39 (b) A qualified elector voting at an emergency voting center shall
40 provide identification as prescribed in section 16-579, except that
41 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
42 at an emergency voting center, the county recorder or other officer in
43 charge of elections may allow a qualified elector to update the elector's
44 voter registration information as provided for in the secretary of state's
45 instructions and procedures manual adopted pursuant to section 16-452.

1 (c) If an emergency voting center established pursuant to this
2 section becomes unavailable and there is not sufficient time for the board
3 of supervisors to convene to approve an alternate location for that
4 emergency voting center, the county recorder or other officer in charge of
5 elections may make changes to the approved emergency voting center
6 location and shall notify the public and the board of supervisors
7 regarding that change as soon as practicable. The alternate emergency
8 voting center shall be as close in proximity to the approved emergency
9 voting center location as possible.

10 C. If the board fails to designate the place for holding the
11 election, or if it cannot be held at or about the place designated, the
12 justice of the peace in the precinct, two days before the election, by an
13 order, copies of which the justice of the peace shall immediately post in
14 three public places in the precinct, shall designate the place within the
15 precinct for holding the election. If there is no justice of the peace in
16 the precinct, or if the justice of the peace fails to do so, the election
17 board of the precinct shall designate and give notice of the place within
18 the precinct of holding the election. For any election in which there are
19 no candidates for elected office appearing on the ballot, the board may
20 consolidate polling places and precinct boards and may consolidate the
21 tabulation of results for that election if all of the following apply:

22 1. All affected voters are notified by mail of the change at least
23 thirty-three days before the election.

24 2. Notice of the change in polling places includes notice of the
25 new voting location, notice of the hours for voting on election day and
26 notice of the telephone number to call for voter assistance.

27 3. All affected voters receive information on early voting that
28 includes the application used to request an early voting ballot.

29 D. The board is not required to designate a polling place for
30 special district mail ballot elections held pursuant to article 8.1 of
31 this chapter, but the board may designate one or more sites for voters to
32 deposit marked ballots until 7:00 p.m. on the day of the election.

33 E. Except as provided in subsection F of this section, a public
34 school shall provide sufficient space for use as a polling place for any
35 city, county or state election when requested by the officer in charge of
36 elections.

37 F. The principal of the school may deny a request to provide space
38 for use as a polling place for any city, county or state election if,
39 within two weeks after a request has been made, the principal provides a
40 written statement indicating a reason the election cannot be held in the
41 school, including any of the following:

- 42 1. Space is not available at the school.
43 2. The safety or welfare of the children would be jeopardized.

1 G. The board shall make available to the public as a public record
2 a list of the polling places for all precincts in which the election is to
3 be held.

4 H. Except in the case of an emergency, any facility that is used as
5 a polling place on election day or that is used as an early voting site
6 during the period of early voting shall allow persons to electioneer and
7 engage in other political activity outside of the seventy-five foot limit
8 prescribed by section 16-515 in public areas and parking lots used by
9 voters. This subsection does not allow the temporary or permanent
10 construction of structures in public areas and parking lots or the
11 blocking or other impairment of access to parking spaces for voters. The
12 county recorder or other officer in charge of elections shall post on its
13 website at least two weeks before election day a list of those polling
14 places in which emergency conditions prevent electioneering and shall
15 specify the reason the emergency designation was granted and the number of
16 attempts that were made to find a polling place before granting an
17 emergency designation. If the polling place is not on the website list of
18 polling places with emergency designations, electioneering and other
19 political activity shall be allowed outside of the seventy-five foot
20 limit. If an emergency arises after the county recorder or other officer
21 in charge of elections' initial website posting, the county recorder or
22 other officer in charge of elections shall update the website as soon as
23 is practicable to include any new polling places, shall highlight the
24 polling place location on the website and shall specify the reason the
25 emergency designation was granted and the number of attempts that were
26 made to find a polling place before granting an emergency designation.

27 I. For the purposes of this section, a county recorder or other
28 officer in charge of elections shall designate a polling place as an
29 emergency polling place and thus prohibit persons from electioneering and
30 engaging in other political activity outside of the seventy-five foot
31 limit prescribed by section 16-515 but inside the property of the facility
32 that is hosting the polling place if any of the following occurs:

33 1. An act of God renders a previously set polling place as
34 unusable.

35 2. A county recorder or other officer in charge of elections has
36 exhausted all options and there are no suitable facilities in a precinct
37 that are willing to be a polling place unless a facility can be given an
38 emergency designation.

39 J. The secretary of state shall provide through the instructions
40 and procedures manual adopted pursuant to section 16-452 the maximum
41 allowable wait time for any election that is subject to section 16-204 and
42 provide for a method to reduce voter wait time at the polls in the primary
43 and general elections. The method shall consider at least all of the
44 following for primary and general elections in each precinct:

1 1. The number of ballots voted in the prior primary and general
2 elections.

3 2. The number of registered voters who voted early in the prior
4 primary and general elections.

5 3. The number of registered voters and the number of registered
6 voters who cast an early ballot for the current primary or general
7 election.

8 4. The number of election board members and clerks and the number
9 of rosters that will reduce voter wait time at the polls.

10 Sec. 15. Section 16-412, Arizona Revised Statutes, is amended to
11 read:

12 16-412. Effective date of new precincts

13 A. After establishing precincts as provided in section 16-411, the
14 board of supervisors of each county shall deliver to the county recorder a
15 complete description of these precincts immediately after adoption.

16 B. IF NEW PRECINCT BOUNDARIES ARE ESTABLISHED AS PROVIDED IN
17 SECTION 16-411, the county recorder shall ~~then~~ transfer all the voters who
18 reside in a new precinct as the result of this adoption by January 2 of
19 the year of the next general election. The county recorder shall mail the
20 notice of the precinct change to each household containing a registered
21 voter, unless a sample ballot containing the precinct name or number is
22 mailed ~~prior to~~ BEFORE the primary election. For the purpose of
23 conducting any election called pursuant to the laws of this state,
24 precincts adopted ON OR BEFORE OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF
25 A GENERAL ELECTION under the provisions of section 16-411 ~~shall~~ become
26 effective ~~to~~ NOT later than January 2 of the year of the next general
27 election.

28 C. IF REDISTRICTING REQUIRES ADJUSTMENT OF PRECINCT BOUNDARIES
29 AFTER OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF A GENERAL ELECTION, THE
30 COUNTY RECORDER SHALL TRANSFER TO THE NEW PRECINCT WITHIN SIXTY DAYS AFTER
31 ADOPTION OF THE NEW PRECINCT BOUNDARIES ALL VOTERS WHO RESIDE IN A NEW
32 PRECINCT AS THE RESULT OF THE ADJUSTMENT OF PRECINCT BOUNDARIES. THE
33 COUNTY RECORDER SHALL MAIL THE NOTICE OF THE PRECINCT CHANGE TO EACH
34 HOUSEHOLD CONTAINING A REGISTERED VOTER UNLESS A SAMPLE BALLOT CONTAINING
35 THE PRECINCT NAME OR NUMBER IS MAILED BEFORE THE PRIMARY ELECTION. FOR
36 THE PURPOSE OF CONDUCTING ANY ELECTION CALLED PURSUANT TO THE LAWS OF THIS
37 STATE, PRECINCTS ADOPTED AFTER OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF
38 A GENERAL ELECTION BECOME EFFECTIVE NOT LATER THAN IN THE YEAR OF THE
39 NEXT GENERAL ELECTION.

40 Sec. 16. Section 16-462, Arizona Revised Statutes, is amended to
41 read:

42 16-462. Form of paper ballot

43 The ballots for a primary election shall be printed with a different
44 color designation for each political party that is included on the ballot.
45 Unless otherwise provided by law, the ballot shall be printed, "official

1 ballot of the _____ party, primary election (date), _____
2 precinct, county (or city or town) of _____, state of Arizona".
3 Below the heading shall be placed the title of each office to be voted
4 for, and an instruction to the voter as to how many are to be voted for
5 for the particular office, thus: "vote for not more than _____"
6 (insert the number to be elected), under which shall be placed
7 alphabetically and alternated, as provided by law, the names of all the
8 party's candidates to be voted for in each precinct of the county or
9 precinct or ward of the city or town for whom nomination papers have been
10 filed for such office, ~~leaving as many blank lines as there are offices~~
~~under that title to be filled~~, followed by a place for the voter to make a
11 mark to indicate the voter's choice either to the right or the left of the
12 candidate's name, ~~and of the blank line~~. FOR ANY OFFICE FOR WHICH A
13 WRITE-IN CANDIDATE HAS QUALIFIED TO APPEAR ON THE BALLOT, THE BALLOT SHALL
14 INCLUDE A BLANK LINE BELOW THE NAMES OF THE OTHER CANDIDATES FOR THAT
15 OFFICE FOLLOWED BY A PLACE FOR THE VOTER TO INDICATE THE VOTER'S CHOICE
16 EITHER TO THE RIGHT OR THE LEFT OF THE BLANK LINE FOR THE WRITE-IN
17 CANDIDATE. Double or more columns may be arranged on the ballot. In
18 other respects the ballot shall conform as nearly as possible to the
19 ballot prescribed for general elections.
20

21 Sec. 17. Section 16-502, Arizona Revised Statutes, is amended to
22 read:

23 16-502. Form and contents of ballot

24 A. Ballots shall be printed with black ink on white paper of
25 sufficient thickness to prevent the printing thereon from being
26 discernible from the back, and the same type shall be used for the names
27 of all candidates. The ballots shall be headed "official ballot" in
28 bold-faced plain letters, with a heavy rule above and below the heading.
29 Immediately below shall be placed the words "type of election, (date of
30 election)" and the name of the county and state in which the election is
31 held. The name or number of the precinct in which the election is held
32 shall be placed on the ballot in a uniform location for all ballots. No
33 other matter shall be placed or printed at the head of any ballot.
34 Instructions to the voter on marking the ballot may be printed below the
35 heading as follows:

36 1. Put a mark according to the instructions next to the
37 name of each candidate for each office for whom you wish to
38 vote.

39 2. If you wish to vote for a person whose name is not
40 printed on the ballot, write such name in the blank space
41 provided on the ballot and put a mark according to the
42 instructions next to the name so written.

3. Put a mark according to the instructions next to the word "yes" or "for" for each proposition or question you wish to be adopted. Put a mark according to the instructions next to the word "no" or "against" for each proposition or question you wish not to be adopted.

B. Immediately below the ballot instructions shall be placed the following:

Section One Partisan Ballot

C. Immediately below the heading for section one there shall be placed in columns the names of the candidates of the several political parties. Next to each candidate's name there shall be printed in bold-faced letters the name of the political party. At the head of each column shall be printed the names of the offices to be filled with the name of each office being of uniform type size. At the head of each column shall be printed in the following order the names of candidates for:

1. Presidential electors, which shall be in a list and next to the list shall be printed in bold type the surname of the presidential candidate, and the surname of the vice presidential candidate who is seeking election jointly with the presidential candidate shall be listed directly below the name of the presidential candidate. The indicator for the selection of the presidential and vice presidential candidates shall be directly next to the surname of the presidential candidate, and one mark directly next to a presidential candidate's surname shall be counted as a vote for each elector in the list next to the presidential and vice presidential candidates.

2. United States senator.

3. Representatives in Congress.

4. The several state offices.

5. The several county and precinct offices.

D. The names of candidates for the offices of state senator and state representative along with the district number shall be placed within the heading of each column to the right of the office name for state offices and immediately below the candidates for the office of governor. The number of the supervisorial district of which a candidate is a nominee shall be printed within the heading of each column to the right of the name of the office.

E. The lists of the candidates of the several parties shall be arranged with the names of the parties in descending order according to the votes cast for governor for that county in the most recent general election for the office of governor, commencing with the left-hand column. In the case of political parties that did not have candidates on the ballot in the last general election, such parties shall be listed in alphabetical order below the parties that did have candidates on the

1 ballot in the last general election. The names of all candidates
2 nominated under section 16-341 shall be placed in a single column below
3 that of the recognized parties. Next to the name of each candidate, in
4 parentheses, shall be printed a three-letter abbreviation that is taken
5 from the three words prescribed in the candidate's certificate of
6 nomination.

7 F. Immediately below the designation of the office to be voted for
8 shall appear the words: "Vote for not more than _____" (insert the
9 number to be elected).

10 G. In each column at the right or left of the name of each
11 candidate and on the same line there shall be a place for the voter to put
12 a mark. Below the name of the last named candidate for each office FOR
13 WHICH A WRITE-IN CANDIDATE HAS QUALIFIED TO APPEAR ON THE BALLOT, there
14 shall be as many blank lines as there are ~~offices~~ of QUALIFIED WRITE-IN
15 CANDIDATES FOR the same ~~title to be filled~~ OFFICE, with a place for the
16 voter to put a mark. On the blank line the voter may write the name of
17 any person for whom the voter desires to vote ~~whose name is not printed~~
18 AND WHO QUALIFIED TO APPEAR ON THE BALLOT AS A WRITE-IN CANDIDATE, and
19 next to the name so written the voter shall designate ~~his~~ THE VOTER'S
20 choice by a mark as in the case of printed names.

H. When there are two or more candidates of the same political party for the same office, or more than one candidate for a judicial office, the names of all such candidates shall be so alternated on the ballots used in each election district that the name of each candidate shall appear substantially an equal number of times in each possible location. If there are fewer or the same number of candidates seeking office than the number to be elected, the rotation of names is not required and the names shall be placed in alphabetical order.

29 I. Immediately below section one of the ballot shall be placed the
30 following:

Section Two

Nonpartisan Ballot

33 J. Immediately below the heading for section two shall be placed
34 the names of the candidates for justices of the supreme court, judges of
35 the court of appeals, judges of the superior court standing for retention
36 or rejection pursuant to article VI, section 38, Constitution of Arizona,
37 judges of the superior court standing for election pursuant to article VI,
38 section 12, Constitution of Arizona, school district officials and other
39 nonpartisan officials in a column or in columns without partisan or other
40 designation except the title of office in an order determined by the
41 officer in charge of the election.

42 K. Immediately below the offices listed in subsection J of this
43 section, the ballot shall contain a separate heading of any nonpartisan
44 office for a vacant unexpired term and shall include the expiration date
45 of the term of the vacated office.

1 L. All proposed constitutional amendments and other propositions or
2 questions to be submitted to the voters shall be printed immediately below
3 the names of candidates for nonpartisan positions in such order as the
4 secretary of state, or if a city or town election, the city or town clerk,
5 designates. Placement of county and local charter amendments,
6 propositions or questions shall be determined by the officer in charge of
7 the election. Except as provided by section 19-125, each proposition or
8 question shall be followed by the words "yes" and "no" or "for _____" and
9 "against _____" as the nature of the proposition or question requires,
10 and at the right or left of and next to each of such words shall be a
11 place for the voter to put a mark according to the instructions that is
12 similar in size to those places appearing opposite the names of the
13 candidates, in which the voter may indicate his vote for or against such
14 proposition or question by a mark as defined in section 16-400.

15 M. Instead of printing the official and descriptive titles or the
16 full text of each measure or question on the official ballot, the officer
17 in charge of elections may print phrases on the official ballot that
18 contain all of the following:

19 1. The number of the measure in reverse type and at least ~~twelve~~
20 ~~point~~ TWELVE-POINT type.

21 2. The designation of the measure as prescribed by section 19-125,
22 subsection C or as a question, proposition or charter amendment, followed
23 by the words "relating to..." and inserting the subject.

24 3. Either the statement prescribed by section 19-125, subsection D
25 that describes the effects of a "yes" vote and a "no" vote or, for other
26 measures, the text of the question or proposition.

27 4. The words "yes" and "no" or "for" and "against", as may be
28 appropriate and a place for the voter to put a mark.

29 N. For any ballot printed pursuant to subsection M of this section,
30 the instructions on the official ballot shall direct the voter to the full
31 text of the official and descriptive titles and the questions and
32 propositions as printed on the sample ballot and posted in the polling
33 place.

34 Sec. 18. Section 16-544, Arizona Revised Statutes, is amended to
35 read:

36 16-544. Active early voting list; civil penalty; violation;
37 classification; definition

38 A. Any voter may request to be included on a list of voters to
39 receive an early ballot by mail for any election for which the county
40 voter registration roll is used to prepare the election register. The
41 county recorder of each county shall maintain the active early voting list
42 as part of the voter registration roll.

43 B. In order to be included on the active early voting list, the
44 voter shall make a written request specifically requesting that the
45 voter's name be added to the active early voting list for all elections in

1 which the applicant is eligible to vote. An early voter request form
2 shall conform to requirements prescribed in the instructions and
3 procedures manual issued pursuant to section 16-452. The application
4 shall allow for the voter to provide the voter's name, residence address,
5 mailing address in the voter's county of residence, date of birth and
6 signature and shall state that the voter is attesting that the voter is a
7 registered voter who is eligible to vote in the county of residence. The
8 voter shall not list a mailing address that is outside of this state for
9 the purpose of the active early voting list unless the voter is an absent
10 uniformed services voter or overseas voter as defined in the uniformed and
11 overseas citizens absentee voting act ~~of 1986~~ (P.L. 99-410; 52 United
12 States Code section 20310). In lieu of the application, the applicant may
13 submit a written request that contains the required information.

14 C. On receipt of a request to be included on the active early
15 voting list, the county recorder or other officer in charge of elections
16 shall compare the signature on the request form with the voter's signature
17 on the voter's registration form and, if the request is from the voter,
18 shall mark the voter's registration file as an active early ballot
19 request.

20 D. Not less than ninety days before any polling place election
21 scheduled in March or August, the county recorder or other officer in
22 charge of elections shall mail to all voters who are eligible for the
23 election and who are included on the active early voting list an election
24 notice by nonforwardable mail that is marked with the statement required
25 by the postmaster to receive an address correction notification. If an
26 election is not formally called by a jurisdiction by the one hundred
27 ~~twentieth~~ EIGHTIETH day before the election, the recorder or other officer
28 in charge of elections is not required to send the election notice. The
29 notice shall include the dates of the elections that are the subject of
30 the notice, the dates that the voter's ballot is expected to be mailed and
31 the address where the ballot will be mailed. If the upcoming election is
32 a partisan open primary election and the voter is not registered as a
33 member of one of the political parties that is recognized for purposes of
34 that primary, the notice shall include information on the procedure for
35 the voter to designate a political party ballot. The notice shall be
36 delivered with return postage prepaid and shall also include a means for
37 the voter to do any of the following:

38 1. Change the mailing address for the voter's ballot to another
39 location in the voter's county of residence.

40 2. Update the voter's residence address in the voter's county of
41 residence.

42 3. Request that the voter not be sent a ballot for the upcoming
43 election or elections indicated on the notice.

44 E. If the notice that is mailed to the voter is returned
45 undeliverable by the postal service, the county recorder or other officer

1 in charge of elections shall take the necessary steps to contact the voter
2 at the voter's new residence address in order to update that voter's
3 address or to move the voter to inactive status as prescribed in section
4 16-166, subsection A. If a voter is moved to inactive status, the voter
5 shall be removed from the active early voting list. If the voter is
6 removed from the active early voting list, the voter shall only be added
7 to the active early voting list again if the voter submits a new request
8 pursuant to this section.

9 F. Not later than the first day of early voting, the county
10 recorder or other officer in charge of elections shall mail an early
11 ballot to all eligible voters included on the active early voting list in
12 the same manner prescribed in section 16-542, subsection C. If the voter
13 has not returned the notice or otherwise notified the election officer
14 within forty-five days before the election that the voter does not wish to
15 receive an early ballot by mail for the election or elections indicated,
16 the ballot shall automatically be scheduled for mailing.

17 G. If a voter who is on the active early voting list is not
18 registered as a member of a recognized political party and fails to notify
19 the county recorder of the voter's choice for political party ballot
20 within forty-five days before a partisan open primary election, the
21 following apply:

22 1. The voter shall not automatically be sent a ballot for that
23 partisan open primary election only and the voter's name shall remain on
24 the active early voting list for future elections.

25 2. To receive an early ballot for the primary election, the voter
26 shall submit the voter's choice for political party ballot to the county
27 recorder.

28 H. After a voter has requested to be included on the active early
29 voting list, the voter shall be sent an early ballot by mail automatically
30 for any election at which a voter at that residence address is eligible to
31 vote until any of the following occurs:

32 1. The voter requests in writing to be removed from the active
33 early voting list.

34 2. The voter's registration or eligibility for registration is
35 moved to inactive status or canceled as otherwise provided by law.

36 3. The notice sent by the county recorder or other officer in
37 charge of elections is returned undeliverable and the county recorder or
38 officer in charge of elections is unable to contact the voter to determine
39 the voter's continued desire to remain on the list.

40 4. The voter fails to vote an early ballot in all elections for two
41 consecutive election cycles. For the purposes of this paragraph,
42 "election" means any regular primary or regular general election for which
43 there was a federal race on the ballot or for which a city or town
44 candidate primary or first election or city or town candidate second,

1 general or runoff election was on the ballot. This paragraph does not
2 apply to:

3 (a) A special taxing district that is authorized pursuant to
4 section 16-191 to conduct its own elections.

5 (b) A special district mail ballot election that is conducted
6 pursuant to article 8.1 of this chapter.

7 I. A voter may make a written request at any time to be removed
8 from the active early voting list. The request shall include the voter's
9 name, residence address, date of birth and signature. On receipt of a
10 completed request to remove a voter from the active early voting list, the
11 county recorder or other officer in charge of elections shall remove the
12 voter's name from the list as soon as practicable.

13 J. An absent uniformed services voter or overseas voter as defined
14 in the uniformed and overseas citizens absentee voting act ~~of 1986~~
15 (P.L. 99-410; 52 United States Code section 20310) is eligible to be
16 placed on the active early voting list pursuant to this section.

17 K. A voter's failure to vote an early ballot once received does not
18 constitute grounds to remove the voter from the active early voting list,
19 except that a county recorder shall remove a voter from the active early
20 voting list if both of the following apply:

21 1. The county recorder or other officer in charge of elections
22 complies with subsection M of this section.

23 2. The voter fails to vote using an early ballot in all of the
24 following elections for two consecutive election cycles:

25 (a) A regular primary and regular general election for which there
26 was a federal race on the ballot.

27 (b) A city or town candidate primary or first election and a city
28 or town candidate second, general or runoff election.

29 L. On or before January 15 of each odd-numbered year, the county
30 recorder or other officer in charge of elections shall send a notice to
31 each voter who is on the active early voting list and who did not vote an
32 early ballot in all elections for two consecutive election cycles as
33 prescribed by subsection K of this section. If the voter has provided the
34 voter's telephone or mobile phone number or email address to the county
35 recorder, the county recorder may additionally provide the notice to the
36 voter by telephone call, text message or email. The notice shall inform
37 the voter that if the voter wishes to remain on the active early voting
38 list, the voter shall do both of the following with the notice received:

39 1. Confirm in writing the voter's desire to remain on the active
40 early voting list.

41 2. Return the completed notice to the county recorder or other
42 officer in charge of elections within ninety days after the notice is sent
43 to the voter. The notice shall be signed by the voter and shall contain
44 the voter's address and date of birth.

1 M. If a voter receives a notice as prescribed by subsection L of
2 this section and the voter fails to respond within the ninety-day period,
3 the county recorder or other officer in charge of elections shall remove
4 the voter's name from the active early voting list.

5 N. A candidate, political committee or other organization may
6 distribute active early voting list request forms to voters. If the
7 active early voting list request forms include a printed address for
8 return, that address shall be the political subdivision that will conduct
9 the election. Failure to use the political subdivision as the return
10 addressee is punishable by a civil penalty of up to three times the cost
11 of the production and distribution of the active early voting list
12 request.

13 O. All original and completed active early voting list request
14 forms that are received by a candidate, political committee or other
15 organization shall be submitted within six business days after receipt by
16 a candidate or political committee or eleven days before the election day,
17 whichever is earlier, to the political subdivision that will conduct the
18 election. Any person, political committee or other organization that
19 fails to submit a completed active early voting list request form within
20 the prescribed time is subject to a civil penalty of up to \$25 per day for
21 each completed form withheld from submittal. Any person who knowingly
22 fails to submit a completed active early voting list request form before
23 the submission deadline for the election immediately following the
24 completion of the form is guilty of a class 6 felony.

25 P. For the purposes of this section, "election cycle" means the
26 two-year period beginning on January 1 in the year after a statewide
27 general election or, for cities and towns, the two-year period beginning
28 on the first day of the calendar quarter after the calendar quarter in
29 which the city's or town's second, runoff or general election is scheduled
30 and ending on the last day of the calendar quarter in which the city's or
31 town's immediately following second, runoff or general election is
32 scheduled, however that election is designated by the city or town.

33 Sec. 19. Section 16-579, Arizona Revised Statutes, is amended to
34 read:

35 16-579. Procedure for obtaining ballot by elector

36 A. Every qualified elector, before receiving a ballot, shall
37 announce the elector's name and place of residence in a clear, audible
38 tone of voice to the election official in charge of the signature roster
39 or present the elector's name and residence in writing. The election
40 official in charge of the signature roster shall comply with the following
41 and the qualified elector shall be allowed within the voting area:

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

43 (a) A valid form of identification that bears the photograph, name
44 and address of the elector that reasonably appear to be the same as the
45 name and address in the precinct register, including an Arizona driver

1 license, an Arizona nonoperating identification license, a tribal
2 enrollment card or other form of tribal identification or a United States
3 federal, state or local government issued identification. Identification
4 is deemed valid unless it can be determined on its face that it has
5 expired.

6 (b) Two different items that contain the name and address of the
7 elector that reasonably appear to be the same as the name and address in
8 the precinct register, including a utility bill, a bank or credit union
9 statement that is dated within ninety days of the date of the election, a
10 valid Arizona vehicle registration, an Arizona vehicle insurance card, an
11 Indian census card, tribal enrollment card or other form of tribal
12 identification, a property tax statement, a recorder's certificate, a
13 voter registration card, a valid United States federal, state or local
14 government issued identification or any mailing that is labeled as
15 "official election material". Identification is deemed valid unless it
16 can be determined on its face that it has expired.

17 (c) A valid form of identification that bears the photograph, name
18 and address of the elector except that if the address on the
19 identification does not reasonably appear to be the same as the address in
20 the precinct register or the identification is a valid United States
21 military identification card or a valid United States passport and does
22 not bear an address, the identification must be accompanied by one of the
23 items listed in subdivision (b) of this paragraph.

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

29 3. IF THE VOTER SURRENDERS THE EARLY BALLOT TO THE PRECINCT
30 INSPECTOR AND THE VOTER IS NOT OTHERWISE REQUIRED TO BE ISSUED A
31 PROVISIONAL BALLOT, THE VOTER SHALL BE ISSUED A STANDARD BALLOT AFTER
32 PRESENTING IDENTIFICATION PURSUANT TO THIS SUBSECTION. THE PRECINCT
33 INSPECTOR SHALL RETAIN THE SURRENDERED EARLY BALLOT, UNOPENED IN ITS
34 AFFIDAVIT ENVELOPE.

35 B. Any qualified elector who is listed as having applied for an
36 early ballot but who states that the elector has not voted and will not
37 vote an early ballot for this election or surrenders the early ballot to
38 the precinct inspector on election day shall be allowed to vote pursuant
39 to the procedure set forth in section 16-584, EXCEPT THAT FOR ELECTIONS
40 CONDUCTED USING AN ELECTRONIC POLL BOOK OR SIMILAR SYSTEM WITH CONTINUOUS
41 VOTER USAGE UPDATES, THE FOLLOWING APPLY:

42 1. IF THE ELECTRONIC POLL BOOK OR OTHER SYSTEM INDICATES THAT THE
43 VOTER'S EARLY BALLOT HAS NOT BEEN RETURNED OR ACCEPTED BY THE COUNTY
44 RECORDER AND THE VOTER IS NOT OTHERWISE REQUIRED TO BE ISSUED A

1 PROVISIONAL BALLOT, THE VOTER MAY BE ISSUED A STANDARD BALLOT AFTER
2 PRESENTING IDENTIFICATION PURSUANT TO SUBSECTION A OF THIS SECTION.

3 2. IF THE ELECTRONIC POLL BOOK OR OTHER SYSTEM INDICATES THAT THE
4 VOTER'S EARLY BALLOT HAS BEEN RECEIVED OR ACCEPTED BY THE COUNTY RECORDER,
5 THE VOTER MAY NOT BE ISSUED A STANDARD BALLOT AND MAY ONLY BE ISSUED A
6 PROVISIONAL BALLOT AS PRESCRIBED IN SECTION 16-584.

7 C. Each qualified elector's name shall be numbered consecutively by
8 the clerks and in the order of applications for ballots. The judge shall
9 give the qualified elector only one ballot and a ballot privacy folder,
10 and the elector's name shall be immediately checked on the precinct
11 register. Notwithstanding any provision of this ~~paragraph~~ SUBSECTION, ~~no~~
12 ~~voter~~ AN ELECTOR shall NOT be required to accept or use a ballot privacy
13 folder.

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

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

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

36 Sec. 20. Section 41-166, Arizona Revised Statutes, is amended to
37 read:

38 41-166. Address use by state or local government entities

39 A. The program participant, and not the secretary of state, is
40 responsible for requesting that a state or local government entity use the
41 program participant's substitute address as the program participant's
42 residential, work or school address for all purposes for which the state
43 or local government entity requires or requests the residential, work or
44 school address.

1 B. Except as otherwise provided in this section or unless the
2 secretary of state grants a state or local government entity's request for
3 disclosure pursuant to section 41-167, if a program participant submits a
4 current and valid address confidentiality program authorization card to
5 the state or local government entity, the state or local government entity
6 shall accept the substitute address designation on the card as the program
7 participant's address for use as the program participant's residential,
8 work or school address when creating a new public record. The substitute
9 address given to the state or local government entity is considered the
10 last known address for the program participant used by the state or local
11 government entity until the time that the state or local government entity
12 receives notification pursuant to section 41-164. The state or local
13 government entity may make a photocopy of the card for the records of the
14 state or local government entity and shall immediately return the card to
15 the program participant.

16 C. Except as otherwise provided in this section or by order of the
17 court, if a program participant submits a current and valid address
18 confidentiality program authorization card to the court, the court shall
19 accept the substitute address designation on the card as the program
20 participant's address for use as the program participant's residential,
21 work or school address. The substitute address given to the court is
22 considered the last known address for the program participant used by the
23 court until the time that the court receives notification pursuant to
24 section 41-164. The court may make a photocopy of the card for the court
25 file and shall return the card to the program participant.

26 D. ~~The secretary of state shall send notice to the appropriate~~
27 ~~county election official and recorder~~ When a person WITH AN EXISTING VOTER
28 REGISTRATION RECORD becomes a program participant, THE SECRETARY OF STATE
29 SHALL SECURE THE PARTICIPANT'S VOTER REGISTRATION RECORD AND NOTIFY THE
30 APPROPRIATE COUNTY RECORDER OF THE PARTICIPANT'S SECURED STATUS, CURRENT
31 RESIDENCE ADDRESS AND SUBSTITUTE ADDRESS FOR THE COUNTY RECORDER TO REVISE
32 THE PARTICIPANT'S VOTER REGISTRATION RECORD so that the participant's
33 address can be kept confidential in the same manner as prescribed by
34 section 16-153. ~~Before sending the notice, the secretary of state shall~~
35 ~~check the statewide database to determine whether the participant's~~
36 ~~address is already protected as prescribed by section 16-153. If~~ A
37 program participant ~~would like to~~ WHO IS NOT ALREADY REGISTERED TO VOTE
38 MAY register to vote, USING THE SUBSTITUTE ADDRESS AND MUST PROVIDE THE
39 ELECTION OFFICIAL WITH THE PARTICIPANT'S ACTUAL RESIDENCE ADDRESS FOR
40 PRECINCT DESIGNATION PURPOSES. IF THE PARTICIPANT REGISTERS TO VOTE other
41 than online or at a driver license examination facility, the participant
42 shall present a completed VOTER REGISTRATION form with the participant's
43 substitute address and address confidentiality program card to the
44 appropriate election official. ~~The program participant shall provide the~~

1 ~~election official with the participant's actual physical address for~~
2 ~~precinct purposes.~~

3 E. A designated election official shall use the actual address of a
4 program participant for precinct designation and all official
5 election-related purposes and shall keep the program participant's actual
6 address confidential from the public. The election official shall use the
7 substitute address for all correspondence and mailings placed in the
8 United States mail. The substitute address shall not be used as an **ACTUAL**
9 **RESIDENCE** address for voter registration.

10 F. A state or local government entity's access to a program
11 participant's voter registration shall be governed by the disclosure
12 process set forth in section 41-167.

13 G. ~~This section applies only to a program participant who submits a~~
14 ~~current and valid address confidentiality program authorization card when~~
15 ~~registering to vote.~~

16 H. G. A program participant who completes an application to
17 register to vote at a driver license examination facility while receiving
18 a driver license or an identification card is required to have the program
19 participant's actual address on the driver license or identification card.
20 A program participant whose driver license has the substitute address may
21 register to vote, if otherwise eligible, pursuant to subsection E of this
22 section.

23 I. H. The substitute address shall not be used for purposes of
24 listing, appraising or assessing property taxes and collecting property
25 taxes. If a program participant would like to keep records maintained by
26 the county assessor and county treasurer confidential, the program
27 participant shall comply with section 11-484.

28 J. I. If a program participant is required by law to swear or
29 affirm to the program participant's address, the program participant may
30 use the participant's substitute address.

31 K. J. The substitute address shall not be used for purposes of
32 assessing any taxes or fees on a motor vehicle or for titling or
33 registering a motor vehicle. Notwithstanding any law to the contrary, any
34 record that includes a program participant's actual address pursuant to
35 this subsection shall be confidential and not available for inspection by
36 anyone other than the program participant.

37 L. K. The substitute address shall not be used on any document
38 related to real property recorded with a recorder. If a program
39 participant would like to keep real property records confidential, the
40 program participant shall comply with section 11-483.

41 M. L. A public school shall accept the substitute address as the
42 address of record and shall verify student enrollment eligibility through
43 the secretary of state. The secretary of state shall facilitate the
44 transfer of student records from one school to another.

1 **N.** Except as otherwise provided in this section, a program
2 participant's actual address and telephone number maintained by a state or
3 local government entity or disclosed by the secretary of state is not a
4 public record that is subject to inspection. This subsection shall not
5 apply to the following:

6 1. Any public record created more than ninety days before the date
7 that the program participant applied to be certified in the program.

8 2. A program participant who voluntarily requests that a state or
9 local government entity use the participant's actual address or
10 voluntarily gives the actual address to the state or local government
11 entity.

12 **O.** N. For any public record created within ninety days before the
13 date that a program participant applied to be certified in the program, a
14 state or local government entity shall redact the actual address from a
15 public record or change the actual address to the substitute address in
16 the public record, if a program participant who presents a current and
17 valid program authorization card requests the entity that maintains the
18 public record to use the substitute address instead of the actual address
19 on the public record.

20 Sec. 21. Section 45-415, Arizona Revised Statutes, is amended to
21 read:

22 45-415. Local initiation for active management area;
23 procedures

24 A. A groundwater basin ~~which~~ THAT is not included within an initial
25 active management area may be designated an active management area ~~upon~~ ON
26 petition by ten ~~per cent~~ PERCENT of the registered voters residing within
27 the boundaries of the proposed active management area, as of the most
28 recent report compiled by the county recorder in compliance with section
29 16-168, subsection G, and a subsequent election held pursuant to the
30 general election laws of this state. The form of the petition shall be
31 the same as for initiative petitions, and the applicant for ~~sueh~~ THE
32 petition shall comply with ~~the provisions of~~ section 19-111.

33 B. ~~Upon~~ ON application for a petition number with the clerk of the
34 board of supervisors or county election officer, the director shall
35 transmit a map of the groundwater basin to the county recorder of each
36 county in which the proposed active management area is located. The map
37 shall be on a scale adequate to show with substantial accuracy where the
38 boundaries of the groundwater basin cross the boundaries of county voting
39 precincts. The director shall also transmit to the county recorder all
40 other factual data concerning the boundaries of the groundwater basin that
41 may aid the county recorder in the determination of which registered
42 voters of the county are residents of the groundwater basin.

43 C. Any registered voter of a county whose residency in the
44 groundwater basin is in question shall be allowed to vote. The ballot
45 shall be placed in a separate envelope, the outside of which shall contain

1 the precinct name and number, the signature of the voter, the residence
2 address of the voter,~~—~~ and the voter registration number of the voter, if
3 available. The voter receipt card shall be attached to the envelope. The
4 county recorder shall verify the ballot for proper residency of the voter
5 before counting. Such verification shall be made within five business
6 days following the election, and the voter receipt card shall be returned
7 to the voter. Verified ballots shall be counted using the procedure
8 outlined for counting early ballots. If residency in the groundwater
9 basin is not verified, the ballot shall remain unopened and shall be
10 destroyed.

11 D. Except as provided in subsection E of this section, all election
12 expenses incurred pursuant to this section are the responsibility of the
13 county involved.

14 E. If a groundwater basin is located in two or more counties, the
15 following procedures apply:

16 1. The petition shall be filed with the clerk of the board of
17 supervisors or county election officer of the county in which the
18 plurality of the registered voters in the groundwater basin resides.

19 2. The number of registered voters required to sign the petition
20 shall be ten ~~per cent~~ PERCENT of the registered voters residing within the
21 boundaries of the proposed active management area, as of the most recent
22 report compiled by the county recorder in compliance with section 16-168,
23 subsection G, within the county in which the plurality of the registered
24 voters in the groundwater basin resides.

25 3. The election shall be called by the board of supervisors of the
26 county in which the petition is filed, and the board shall immediately
27 notify the board of supervisors of any other county included in the
28 groundwater basin of the date of the election. The election shall be held
29 not less than sixty days or more than ninety days from the date of the
30 call. The board of supervisors so notified shall then call the election
31 in that county for the same date and follow the procedures for conducting
32 the general elections in this state.

33 4. All election expenses incurred pursuant to this subsection are
34 the responsibilities of the counties involved on a proportional basis
35 considering the number of registered voters of each county that are
36 residents of the groundwater basin.

37 F. The ballot shall be worded, "Should the (insert name of basin)
38 groundwater basin be designated an active management area?" followed by
39 the words "yes" and "no". ~~Opposite each such word there shall be a square~~
40 ~~in which the voter may make a cross indicating his preference.~~