

House Engrossed Senate Bill

election law amendments

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

SENATE BILL 1460

AN ACT

AMENDING SECTIONS 16-135, 16-153, 16-166, 16-205, 16-226, 16-227, 16-228, 16-403, 16-411, 16-412, 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.

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

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

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

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

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

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

13 K. For the purposes of this section:

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

18 2. "Commissioner" means a commissioner of the superior court or
19 municipal court.

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

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

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

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

42 7. "Judge" means a judge or former judge of the United States
43 district court, the United States court of appeals, the United States
44 magistrate court, the United States bankruptcy court, the United States

1 immigration court, the Arizona court of appeals, the superior court or a
2 municipal court.

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

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

10 10. "Peace officer":

11 (a) Has the same meaning prescribed in section 1-215.

12 (b) Includes a federal law enforcement officer or agent who resides
13 in this state and who has the power to make arrests pursuant to federal
14 law.

15 11. "Prosecutor" means a current or former United States attorney,
16 county attorney, municipal prosecutor or attorney general and includes a
17 current or former assistant or deputy United States attorney, county
18 attorney, municipal prosecutor or attorney general.

19 12. "Public defender" means a federal public defender, county
20 public defender, county legal defender or county contract indigent defense
21 counsel and includes an assistant or deputy federal public defender,
22 county public defender or county legal defender.

23 13. "PUBLIC OFFICIAL" MEANS A PERSON WHO IS DULY ELECTED OR
24 APPOINTED TO CONGRESS, THE LEGISLATURE OR A STATEWIDE OFFICE.

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

27 16-166. Verification of registration

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

1 B. If the elector provides the county recorder with a new
2 registration form or otherwise revises the elector's information, the
3 county recorder shall change the general register to reflect the changes
4 indicated on the new registration. If the elector indicates a new
5 residence address outside that county, the county recorder shall forward
6 the voter registration form or revised information to the county recorder
7 of the county in which the elector's address is located. If the elector
8 provides a new residence address that is located outside this state, the
9 county recorder shall cancel the elector's registration.

10 C. The county recorder shall maintain on the inactive voter list
11 the names of electors who have been removed from the general register
12 pursuant to subsection A or E of this section for a period of four years
13 or through the date of the second general election for federal office
14 following the date of the notice from the county recorder that is sent
15 pursuant to subsection E of this section.

16 D. On notice that a government agency has changed the name of any
17 street, route number, post office box number or other address designation,
18 the county recorder shall revise the registration records and shall send a
19 new verification of registration notice to the electors whose records were
20 changed.

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

1 F. The county recorder shall reject any application for
2 registration that is not accompanied by satisfactory evidence of United
3 States citizenship. Satisfactory evidence of citizenship shall include
4 any of the following:

5 1. The number of the applicant's driver license or nonoperating
6 identification license issued after October 1, 1996 by the department of
7 transportation or the equivalent governmental agency of another state
8 within the United States if the agency indicates on the applicant's driver
9 license or nonoperating identification license that the person has
10 provided satisfactory proof of United States citizenship.

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

13 3. A legible photocopy of pertinent pages of the applicant's United
14 States passport identifying the applicant and the applicant's passport
15 number or presentation to the county recorder of the applicant's United
16 States passport.

17 4. A presentation to the county recorder of the applicant's United
18 States naturalization documents or the number of the certificate of
19 naturalization. If only the number of the certificate of naturalization
20 is provided, the applicant shall not be included in the registration rolls
21 until the number of the certificate of naturalization is verified with the
22 United States immigration and naturalization service by the county
23 recorder.

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

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

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

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

35 I. A person who modifies voter registration records with a new
36 residence ballot shall not be required to submit evidence of citizenship.
37 After citizenship has been demonstrated to the county recorder, the person
38 is not required to resubmit satisfactory evidence of citizenship in that
39 county.

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

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

3 16-205. Election dates; notice; administration

4 A. At least ~~one~~ TWO hundred ~~eighty~~ TEN days before each
5 consolidated election date prescribed by section 16-204, each county board
6 of supervisors shall give notice in writing regarding the consolidated
7 election program to each school district, community college district,
8 city, town and special taxing district organized pursuant to title 48,
9 chapters 5, 6, 8, 10, 13, 14, 15 and 16 in that county. The notice shall
10 state the date of the election.

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

13 C. The secretary of state shall coordinate the consolidated
14 elections with the board of supervisors. The board of supervisors may
15 enter into an intergovernmental agreement pursuant to title 11, chapter 7,
16 article 3 with each political subdivision that participates in a
17 consolidated election in that county in order to administer those
18 elections. After consultation with the political subdivisions that are
19 participating in a consolidated election, the officer in charge of
20 elections shall administer the appointment of election boards.

21 D. Within ninety days after a consolidated election conducted
22 pursuant to this section, the board of supervisors shall prepare a report
23 that provides an itemized account of all costs incurred by the county in
24 administering the election, including an itemized account of all charges
25 made to each political subdivision that participated in that election.
26 Political subdivisions that participated in an election conducted pursuant
27 to this section may request and receive a copy of this report from the
28 board.

29 E. The board of supervisors shall require the county recorder or
30 other officer in charge of elections to calculate voter turnout for
31 candidate races as prescribed by section 16-204.01, shall determine
32 whether section 16-204.01 requires a political subdivision to consolidate
33 its election dates and shall announce its determination and the
34 implementation date for consolidation at a public meeting held not more
35 than ninety days after issuance of the official county canvass for an
36 election. After the implementation date, the board of supervisors may not
37 call, authorize the call for or authorize the county to administer an
38 election for that political subdivision except as prescribed by section
39 16-204.01.

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

42 16-226. Nonpartisan elections; local elections; time of
43 calling; definition

44 A. Nonpartisan elections and elections held by a school district, a
45 city or a town that are not held concurrently with a general election

1 shall be called ~~no~~ NOT later than one hundred ~~fifty~~ EIGHTY days before the
2 date of holding the election. This subsection does not apply to an
3 election called pursuant to section 19-209 OR 35-453.

4 B. For the purposes of this article, "nonpartisan" means an
5 election that is held by a special district established pursuant to title
6 48 and that is not held concurrently with the general election.

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

9 16-227. Publication of call of election for nonpartisan
10 elections

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

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

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

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

38 16-228. Notice of election for nonpartisan elections

39 A. The governing body shall publish a notice of election at least
40 twice in a newspaper of general circulation in the election district in
41 which a nonpartisan election is being held not less than one week apart
42 during the six calendar weeks preceding twenty days before the election.
43 IF THERE IS NOT A NEWSPAPER OF GENERAL CIRCULATION IN THE ELECTION
44 DISTRICT, THE GOVERNING BODY SHALL POST THE CALL OF ELECTION ON THE
45 GOVERNING BODY'S PUBLIC WEBSITE AND AT OTHER LOCATIONS AT WHICH THE

1 GOVERNING BODY CUSTOMARILY POSTS PUBLIC NOTICE OF THE GOVERNING BODY'S
2 PUBLIC MEETINGS. This notice shall contain at least:

- 3 1. The date of the election.
- 4 2. The location of the polls.
- 5 3. The hours the polls will be open.
- 6 4. The purpose of the election.
- 7 5. The election district conducting the election.

8 B. In lieu of publishing the notice described in subsection A OF
9 THIS SECTION, the governing body may, and for a nonresident qualified
10 elector of any special district shall, mail a notice of election to each
11 household containing a qualified elector of the district. ~~Such~~ THE notice
12 shall contain the same information described in subsection A, paragraphs
13 1, 4 and 5 OF THIS SECTION and the polling place for that household's
14 qualified electors and the times it is open. Mailings may be made over a
15 period of days but shall be mailed in order to be delivered to households
16 before the earliest date of mailing to registered voters of any requested
17 early ballots for that election.

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

- 23 1. The date of the election.
- 24 2. The date ballots will be mailed.
- 25 3. The deadline and location for return of the ballots.
- 26 4. The method for obtaining a replacement if a ballot is destroyed,
27 lost, spoiled or not received.
- 28 5. A statement that no polling place will be provided.
- 29 6. The name of the district that is conducting the election.
- 30 7. The qualifications of electors.

31 D. In lieu of publishing the notice described in subsection C OF
32 THIS SECTION, the governing body may, and for a nonresident qualified
33 elector of any special district shall, mail a notice of election to each
34 household containing a qualified elector of the district. The notice
35 shall contain the same information described in subsection C OF THIS
36 SECTION and shall be mailed not later than forty-five days before the
37 election.

38 Sec. 8. Section 16-403, Arizona Revised Statutes, is amended to
39 read:

40 16-403. City or town elections; duties of officers

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

1 Sec. 9. Section 16-411, Arizona Revised Statutes, is amended to
2 read:

3 16-411. Designation of election precincts and polling places;
4 voting centers; electioneering; wait times

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

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

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

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

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

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

34 3. On a specific finding of the board that the number of persons
35 who are listed as early voters pursuant to section 16-544 is likely to
36 substantially reduce the number of voters appearing at one or more
37 specific polling places at that election, adjacent precincts may be
38 consolidated by combining polling places and precinct boards for that
39 election. The board of supervisors shall ensure that a reasonable and
40 adequate number of polling places will be designated for that election.
41 Any consolidated polling places shall be listed in separate sections of
42 the order or resolution of the board.

43 4. On a specific resolution of the board, the board may authorize
44 the use of voting centers in place of or in addition to specifically
45 designated polling places. A voting center shall allow any voter in that

1 county to receive the appropriate ballot for that voter on election day
2 after presenting identification as prescribed in section 16-579 and to
3 lawfully cast the ballot. Voting centers may be established in
4 coordination and consultation with the county recorder, at other county
5 offices or at other locations in the county deemed appropriate.

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

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

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

19 (c) If an emergency voting center established pursuant to this
20 section becomes unavailable and there is not sufficient time for the board
21 of supervisors to convene to approve an alternate location for that
22 emergency voting center, the county recorder or other officer in charge of
23 elections may make changes to the approved emergency voting center
24 location and shall notify the public and the board of supervisors
25 regarding that change as soon as practicable. The alternate emergency
26 voting center shall be as close in proximity to the approved emergency
27 voting center location as possible.

28 C. If the board fails to designate the place for holding the
29 election, or if it cannot be held at or about the place designated, the
30 justice of the peace in the precinct, two days before the election, by an
31 order, copies of which the justice of the peace shall immediately post in
32 three public places in the precinct, shall designate the place within the
33 precinct for holding the election. If there is no justice of the peace in
34 the precinct, or if the justice of the peace fails to do so, the election
35 board of the precinct shall designate and give notice of the place within
36 the precinct of holding the election. For any election in which there are
37 no candidates for elected office appearing on the ballot, the board may
38 consolidate polling places and precinct boards and may consolidate the
39 tabulation of results for that election if all of the following apply:

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

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

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

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

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

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

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

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

21 H. Except in the case of an emergency, any facility that is used as
22 a polling place on election day or that is used as an early voting site
23 during the period of early voting shall allow persons to electioneer and
24 engage in other political activity outside of the seventy-five foot limit
25 prescribed by section 16-515 in public areas and parking lots used by
26 voters. This subsection does not allow the temporary or permanent
27 construction of structures in public areas and parking lots or the
28 blocking or other impairment of access to parking spaces for voters. The
29 county recorder or other officer in charge of elections shall post on its
30 website at least two weeks before election day a list of those polling
31 places in which emergency conditions prevent electioneering and shall
32 specify the reason the emergency designation was granted and the number of
33 attempts that were made to find a polling place before granting an
34 emergency designation. If the polling place is not on the website list of
35 polling places with emergency designations, electioneering and other
36 political activity shall be allowed outside of the seventy-five foot
37 limit. If an emergency arises after the county recorder or other officer
38 in charge of elections' initial website posting, the county recorder or
39 other officer in charge of elections shall update the website as soon as
40 is practicable to include any new polling places, shall highlight the
41 polling place location on the website and shall specify the reason the
42 emergency designation was granted and the number of attempts that were
43 made to find a polling place before granting an emergency designation.

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

7 1. An act of God renders a previously set polling place as
8 unusable.

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

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

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

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

23 3. The number of registered voters and the number of registered
24 voters who cast an early ballot for the current primary or general
25 election.

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

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

30 16-412. Effective date of new precincts

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

34 B. IF NEW PRECINCT BOUNDARIES ARE ESTABLISHED AS PROVIDED IN
35 SECTION 16-411, the county recorder shall ~~then~~ transfer all the voters who
36 reside in a new precinct as the result of this adoption by January 2 of
37 the year of the next general election. The county recorder shall mail the
38 notice of the precinct change to each household containing a registered
39 voter, unless a sample ballot containing the precinct name or number is
40 mailed ~~prior to~~ BEFORE the primary election. For the purpose of
41 conducting any election called pursuant to the laws of this state,
42 precincts adopted ON OR BEFORE OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF
43 A GENERAL ELECTION under the provisions of section 16-411 ~~shall~~ become
44 effective ~~no~~ NOT later than January 2 of the year of the next general
45 election.

1 C. IF REDISTRICTING REQUIRES ADJUSTMENT OF PRECINCT BOUNDARIES
2 AFTER OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF A GENERAL ELECTION, THE
3 COUNTY RECORDER SHALL TRANSFER TO THE NEW PRECINCT WITHIN SIXTY DAYS AFTER
4 ADOPTION OF THE NEW PRECINCT BOUNDARIES ALL VOTERS WHO RESIDE IN A NEW
5 PRECINCT AS THE RESULT OF THE ADJUSTMENT OF PRECINCT BOUNDARIES. THE
6 COUNTY RECORDER SHALL MAIL THE NOTICE OF THE PRECINCT CHANGE TO EACH
7 HOUSEHOLD CONTAINING A REGISTERED VOTER UNLESS A SAMPLE BALLOT CONTAINING
8 THE PRECINCT NAME OR NUMBER IS MAILED BEFORE THE PRIMARY ELECTION. FOR
9 THE PURPOSE OF CONDUCTING ANY ELECTION CALLED PURSUANT TO THE LAWS OF THIS
10 STATE, PRECINCTS ADOPTED AFTER OCTOBER 1 OF THE YEAR PRECEDING THE YEAR OF
11 A GENERAL ELECTION BECOME EFFECTIVE NOT LATER THAN THE FIRST DATE FOR
12 FILING OF NOMINATION PETITIONS IN THE YEAR OF THE NEXT GENERAL ELECTION.

13 Sec. 11. Section 16-544, Arizona Revised Statutes, is amended to
14 read:

15 16-544. Active early voting list; civil penalty; violation;
16 classification; definition

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

22 B. In order to be included on the active early voting list, the
23 voter shall make a written request specifically requesting that the
24 voter's name be added to the active early voting list for all elections in
25 which the applicant is eligible to vote. An early voter request form
26 shall conform to requirements prescribed in the instructions and
27 procedures manual issued pursuant to section 16-452. The application
28 shall allow for the voter to provide the voter's name, residence address,
29 mailing address in the voter's county of residence, date of birth and
30 signature and shall state that the voter is attesting that the voter is a
31 registered voter who is eligible to vote in the county of residence. The
32 voter shall not list a mailing address that is outside of this state for
33 the purpose of the active early voting list unless the voter is an absent
34 uniformed services voter or overseas voter as defined in the uniformed and
35 overseas citizens absentee voting act ~~of 1986~~ (P.L. 99-410; 52 United
36 States Code section 20310). In lieu of the application, the applicant may
37 submit a written request that contains the required information.

38 C. On receipt of a request to be included on the active early
39 voting list, the county recorder or other officer in charge of elections
40 shall compare the signature on the request form with the voter's signature
41 on the voter's registration form and, if the request is from the voter,
42 shall mark the voter's registration file as an active early ballot
43 request.

1 D. Not less than ninety days before any polling place election
2 scheduled in March or August, the county recorder or other officer in
3 charge of elections shall mail to all voters who are eligible for the
4 election and who are included on the active early voting list an election
5 notice by nonforwardable mail that is marked with the statement required
6 by the postmaster to receive an address correction notification. If an
7 election is not formally called by a jurisdiction by the one hundred
8 ~~twentieth~~ EIGHTIETH day before the election, the recorder or other officer
9 in charge of elections is not required to send the election notice. The
10 notice shall include the dates of the elections that are the subject of
11 the notice, the dates that the voter's ballot is expected to be mailed and
12 the address where the ballot will be mailed. If the upcoming election is
13 a partisan open primary election and the voter is not registered as a
14 member of one of the political parties that is recognized for purposes of
15 that primary, the notice shall include information on the procedure for
16 the voter to designate a political party ballot. The notice shall be
17 delivered with return postage prepaid and shall also include a means for
18 the voter to do any of the following:

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

21 2. Update the voter's residence address in the voter's county of
22 residence.

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

25 E. If the notice that is mailed to the voter is returned
26 undeliverable by the postal service, the county recorder or other officer
27 in charge of elections shall take the necessary steps to contact the voter
28 at the voter's new residence address in order to update that voter's
29 address or to move the voter to inactive status as prescribed in section
30 16-166, subsection A. If a voter is moved to inactive status, the voter
31 shall be removed from the active early voting list. If the voter is
32 removed from the active early voting list, the voter shall only be added
33 to the active early voting list again if the voter submits a new request
34 pursuant to this section.

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

43 G. If a voter who is on the active early voting list is not
44 registered as a member of a recognized political party and fails to notify
45 the county recorder of the voter's choice for political party ballot

1 within forty-five days before a partisan open primary election, the
2 following apply:

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

6 2. To receive an early ballot for the primary election, the voter
7 shall submit the voter's choice for political party ballot to the county
8 recorder.

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

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

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

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

21 4. The voter fails to vote an early ballot in all elections for two
22 consecutive election cycles. For the purposes of this paragraph,
23 "election" means any regular primary or regular general election for which
24 there was a federal race on the ballot or for which a city or town
25 candidate primary or first election or city or town candidate second,
26 general or runoff election was on the ballot. This paragraph does not
27 apply to:

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

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

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

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

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

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

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

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

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

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

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

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

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

29 N. A candidate, political committee or other organization may
30 distribute active early voting list request forms to voters. If the
31 active early voting list request forms include a printed address for
32 return, that address shall be the political subdivision that will conduct
33 the election. Failure to use the political subdivision as the return
34 addressee is punishable by a civil penalty of up to three times the cost
35 of the production and distribution of the active early voting list
36 request.

37 O. All original and completed active early voting list request
38 forms that are received by a candidate, political committee or other
39 organization shall be submitted within six business days after receipt by
40 a candidate or political committee or eleven days before the election day,
41 whichever is earlier, to the political subdivision that will conduct the
42 election. Any person, political committee or other organization that
43 fails to submit a completed active early voting list request form within
44 the prescribed time is subject to a civil penalty of up to \$25 per day for
45 each completed form withheld from submittal. Any person who knowingly

1 fails to submit a completed active early voting list request form before
2 the submission deadline for the election immediately following the
3 completion of the form is guilty of a class 6 felony.

4 P. For the purposes of this section, "election cycle" means the
5 two-year period beginning on January 1 in the year after a statewide
6 general election or, for cities and towns, the two-year period beginning
7 on the first day of the calendar quarter after the calendar quarter in
8 which the city's or town's second, runoff or general election is scheduled
9 and ending on the last day of the calendar quarter in which the city's or
10 town's immediately following second, runoff or general election is
11 scheduled, however that election is designated by the city or town.

12 Sec. 12. Section 16-579, Arizona Revised Statutes, is amended to
13 read:

14 16-579. Procedure for obtaining ballot by elector

15 A. Every qualified elector, before receiving a ballot, shall
16 announce the elector's name and place of residence in a clear, audible
17 tone of voice to the election official in charge of the signature roster
18 or present the elector's name and residence in writing. The election
19 official in charge of the signature roster shall comply with the following
20 and the qualified elector shall be allowed within the voting area:

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

22 (a) A valid form of identification that bears the photograph, name
23 and address of the elector that reasonably appear to be the same as the
24 name and address in the precinct register, including an Arizona driver
25 license, an Arizona nonoperating identification license, a tribal
26 enrollment card or other form of tribal identification or a United States
27 federal, state or local government issued identification. Identification
28 is deemed valid unless it can be determined on its face that it has
29 expired.

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

41 (c) A valid form of identification that bears the photograph, name
42 and address of the elector except that if the address on the
43 identification does not reasonably appear to be the same as the address in
44 the precinct register or the identification is a valid United States
45 military identification card or a valid United States passport and does

1 not bear an address, the identification must be accompanied by one of the
2 items listed in subdivision (b) of this paragraph.

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

8 3. IF THE VOTER SURRENDERS THE EARLY BALLOT TO THE PRECINCT
9 INSPECTOR AND THE VOTER IS NOT OTHERWISE REQUIRED TO BE ISSUED A
10 PROVISIONAL BALLOT, THE VOTER SHALL BE ISSUED A STANDARD BALLOT AFTER
11 PRESENTING IDENTIFICATION PURSUANT TO THIS SUBSECTION. THE PRECINCT
12 INSPECTOR SHALL RETAIN THE SURRENDERED EARLY BALLOT, UNOPENED IN ITS
13 AFFIDAVIT ENVELOPE.

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

21 1. IF THE ELECTRONIC POLL BOOK OR OTHER SYSTEM INDICATES THAT THE
22 VOTER'S EARLY BALLOT HAS NOT BEEN RETURNED OR ACCEPTED BY THE COUNTY
23 RECORDER AND THE VOTER IS NOT OTHERWISE REQUIRED TO BE ISSUED A
24 PROVISIONAL BALLOT, THE VOTER MAY BE ISSUED A STANDARD BALLOT AFTER
25 PRESENTING IDENTIFICATION PURSUANT TO SUBSECTION A OF THIS SECTION.

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

30 C. Each qualified elector's name shall be numbered consecutively by
31 the clerks and in the order of applications for ballots. The judge shall
32 give the qualified elector only one ballot and a ballot privacy folder,
33 and the elector's name shall be immediately checked on the precinct
34 register. Notwithstanding any provision of this ~~paragraph~~ SUBSECTION, ~~no~~
35 ~~voter~~ AN ELECTOR shall NOT be required to accept or use a ballot privacy
36 folder.

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

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

9 F. A person offering to vote at a special district election for
10 which no special district register has been supplied shall sign an
11 affidavit stating the person's address and that the person resides within
12 the district boundaries or proposed district boundaries and swearing that
13 the person is a qualified elector and has not already voted at the
14 election being held.

15 Sec. 13. Section 41-166, Arizona Revised Statutes, is amended to
16 read:

17 41-166. Address use by state or local government entities

18 A. The program participant, and not the secretary of state, is
19 responsible for requesting that a state or local government entity use the
20 program participant's substitute address as the program participant's
21 residential, work or school address for all purposes for which the state
22 or local government entity requires or requests the residential, work or
23 school address.

24 B. Except as otherwise provided in this section or unless the
25 secretary of state grants a state or local government entity's request for
26 disclosure pursuant to section 41-167, if a program participant submits a
27 current and valid address confidentiality program authorization card to
28 the state or local government entity, the state or local government entity
29 shall accept the substitute address designation on the card as the program
30 participant's address for use as the program participant's residential,
31 work or school address when creating a new public record. The substitute
32 address given to the state or local government entity is considered the
33 last known address for the program participant used by the state or local
34 government entity until the time that the state or local government entity
35 receives notification pursuant to section 41-164. The state or local
36 government entity may make a photocopy of the card for the records of the
37 state or local government entity and shall immediately return the card to
38 the program participant.

39 C. Except as otherwise provided in this section or by order of the
40 court, if a program participant submits a current and valid address
41 confidentiality program authorization card to the court, the court shall
42 accept the substitute address designation on the card as the program
43 participant's address for use as the program participant's residential,
44 work or school address. The substitute address given to the court is
45 considered the last known address for the program participant used by the

1 court until the time that the court receives notification pursuant to
2 section 41-164. The court may make a photocopy of the card for the court
3 file and shall return the card to the program participant.

4 ~~D. The secretary of state shall send notice to the appropriate~~
5 ~~county election official and recorder~~ When a person WITH AN EXISTING VOTER
6 REGISTRATION RECORD becomes a program participant, THE SECRETARY OF STATE
7 SHALL SECURE THE PARTICIPANT'S VOTER REGISTRATION RECORD AND NOTIFY THE
8 APPROPRIATE COUNTY RECORDER OF THE PARTICIPANT'S SECURED STATUS, CURRENT
9 RESIDENCE ADDRESS AND SUBSTITUTE ADDRESS FOR THE COUNTY RECORDER TO REVISE
10 THE PARTICIPANT'S VOTER REGISTRATION RECORD so that the participant's
11 address can be kept confidential in the same manner as prescribed by
12 section 16-153. ~~Before sending the notice, the secretary of state shall~~
13 ~~check the statewide database to determine whether the participant's~~
14 ~~address is already protected as prescribed by section 16-153. If~~ A
15 program participant ~~would like to~~ WHO IS NOT ALREADY REGISTERED TO VOTE
16 MAY register to vote, USING THE SUBSTITUTE ADDRESS AND MUST PROVIDE THE
17 ELECTION OFFICIAL WITH THE PARTICIPANT'S ACTUAL RESIDENCE ADDRESS FOR
18 PRECINCT DESIGNATION PURPOSES. IF THE PARTICIPANT REGISTERS TO VOTE other
19 than online or at a driver license examination facility, the participant
20 shall present a completed VOTER REGISTRATION form with the participant's
21 substitute address and address confidentiality program card to the
22 appropriate election official. ~~The program participant shall provide the~~
23 ~~election official with the participant's actual physical address for~~
24 ~~precinct purposes.~~

25 E. A designated election official shall use the actual address of a
26 program participant for precinct designation and all official
27 election-related purposes and shall keep the program participant's actual
28 address confidential from the public. The election official shall use the
29 substitute address for all correspondence and mailings placed in the
30 United States mail. The substitute address shall not be used as an ACTUAL
31 RESIDENCE address for voter registration.

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

35 ~~G. This section applies only to a program participant who submits a~~
36 ~~current and valid address confidentiality program authorization card when~~
37 ~~registering to vote.~~

38 ~~H.~~ G. A program participant who completes an application to
39 register to vote at a driver license examination facility while receiving
40 a driver license or an identification card is required to have the program
41 participant's actual address on the driver license or identification card.
42 A program participant whose driver license has the substitute address may
43 register to vote, if otherwise eligible, pursuant to subsection E of this
44 section.

1 ~~F.~~ H. The substitute address shall not be used for purposes of
2 listing, appraising or assessing property taxes and collecting property
3 taxes. If a program participant would like to keep records maintained by
4 the county assessor and county treasurer confidential, the program
5 participant shall comply with section 11-484.

6 ~~G.~~ I. If a program participant is required by law to swear or
7 affirm to the program participant's address, the program participant may
8 use the participant's substitute address.

9 ~~H.~~ J. The substitute address shall not be used for purposes of
10 assessing any taxes or fees on a motor vehicle or for titling or
11 registering a motor vehicle. Notwithstanding any law to the contrary, any
12 record that includes a program participant's actual address pursuant to
13 this subsection shall be confidential and not available for inspection by
14 anyone other than the program participant.

15 ~~I.~~ K. The substitute address shall not be used on any document
16 related to real property recorded with a recorder. If a program
17 participant would like to keep real property records confidential, the
18 program participant shall comply with section 11-483.

19 ~~J.~~ L. A public school shall accept the substitute address as the
20 address of record and shall verify student enrollment eligibility through
21 the secretary of state. The secretary of state shall facilitate the
22 transfer of student records from one school to another.

23 ~~K.~~ M. Except as otherwise provided in this section, a program
24 participant's actual address and telephone number maintained by a state or
25 local government entity or disclosed by the secretary of state is not a
26 public record that is subject to inspection. This subsection shall not
27 apply to the following:

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

30 2. A program participant who voluntarily requests that a state or
31 local government entity use the participant's actual address or
32 voluntarily gives the actual address to the state or local government
33 entity.

34 ~~L.~~ N. For any public record created within ninety days before the
35 date that a program participant applied to be certified in the program, a
36 state or local government entity shall redact the actual address from a
37 public record or change the actual address to the substitute address in
38 the public record, if a program participant who presents a current and
39 valid program authorization card requests the entity that maintains the
40 public record to use the substitute address instead of the actual address
41 on the public record.

1 Sec. 14. Section 45-415, Arizona Revised Statutes, is amended to
2 read:

3 45-415. Local initiation for active management area;
4 procedures

5 A. A groundwater basin ~~which~~ THAT is not included within an initial
6 active management area may be designated an active management area ~~upon~~ ON
7 petition by ten ~~per cent~~ PERCENT of the registered voters residing within
8 the boundaries of the proposed active management area, as of the most
9 recent report compiled by the county recorder in compliance with section
10 16-168, subsection G, and a subsequent election held pursuant to the
11 general election laws of this state. The form of the petition shall be
12 the same as for initiative petitions, and the applicant for ~~such~~ THE
13 petition shall comply with ~~the provisions of~~ section 19-111.

14 B. ~~Upon~~ ON application for a petition number with the clerk of the
15 board of supervisors or county election officer, the director shall
16 transmit a map of the groundwater basin to the county recorder of each
17 county in which the proposed active management area is located. The map
18 shall be on a scale adequate to show with substantial accuracy where the
19 boundaries of the groundwater basin cross the boundaries of county voting
20 precincts. The director shall also transmit to the county recorder all
21 other factual data concerning the boundaries of the groundwater basin that
22 may aid the county recorder in the determination of which registered
23 voters of the county are residents of the groundwater basin.

24 C. Any registered voter of a county whose residency in the
25 groundwater basin is in question shall be allowed to vote. The ballot
26 shall be placed in a separate envelope, the outside of which shall contain
27 the precinct name and number, the signature of the voter, the residence
28 address of the voter, ~~and~~ the voter registration number of the voter, if
29 available. The voter receipt card shall be attached to the envelope. The
30 county recorder shall verify the ballot for proper residency of the voter
31 before counting. Such verification shall be made within five business
32 days following the election, and the voter receipt card shall be returned
33 to the voter. Verified ballots shall be counted using the procedure
34 outlined for counting early ballots. If residency in the groundwater
35 basin is not verified, the ballot shall remain unopened and shall be
36 destroyed.

37 D. Except as provided in subsection E of this section, all election
38 expenses incurred pursuant to this section are the responsibility of the
39 county involved.

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

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

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

7 3. The election shall be called by the board of supervisors of the
8 county in which the petition is filed, and the board shall immediately
9 notify the board of supervisors of any other county included in the
10 groundwater basin of the date of the election. The election shall be held
11 not less than sixty days or more than ninety days from the date of the
12 call. The board of supervisors so notified shall then call the election
13 in that county for the same date and follow the procedures for conducting
14 the general elections in this state.

15 4. All election expenses incurred pursuant to this subsection are
16 the responsibilities of the counties involved on a proportional basis
17 considering the number of registered voters of each county that are
18 residents of the groundwater basin.

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