



ARIZONA STATE SENATE

Fifty-Fifth Legislature, Second Regular Session

AMENDED FACT SHEET FOR S.C.R. 1012

legislature; ninety house districts
(NOW: voter identification; affidavit; procedure)

Purpose

Subject to voter approval, statutorily requires an early voter to provide the voter's date of birth and number from a prescribed early voter identification when returning an early ballot. Removes the authorization for a person to provide two different forms of identification without a photograph in order to receive a ballot at a polling place. Prohibits the Arizona Department of Transportation (ADOT) from charging a fee when issuing a nonoperating identification license to a person who attests that the license was applied for in order to comply with voter registration or voting requirements. Applies the voter identification requirements to elections beginning no later than the 2024 primary election.

Background

An early ballot must be accompanied by an envelope bearing the name, official title and address of the county recorder or other officer in charge of elections on one side and contain a printed affidavit on the other side. The affidavit must declare under penalty of perjury that the person voted the enclosed ballot and signed the affidavit, unless the person assisted another voter pursuant to statutory requirements. Additionally, the county recorder or other officer in charge of elections must supply printed instructions to early voters that direct them to sign the affidavit, mark the ballot and return both in the enclosed self-addressed envelope ([A.R.S. § 16-547](#)). An early voter must mark and fold the ballot in a manner to ensure the voter's vote is concealed and mail the voted early ballot to the county recorder or other officer in charge of elections. In order to be counted, the ballot must be received or deposited at a polling place in the county by 7:00 p.m. on election day ([A.R.S. § 16-548](#)).

In order to receive a ballot at a polling place, an elector must present: 1) a valid form of identification bearing the photograph, name and correct address of the elector as listed in the precinct register; 2) two different items containing the name and address of the elector as listed in the precinct register; or 3) a valid form of identification with the photograph, name and address of the elector that does not match the address in the precinct register along with an item containing the name and address of the elector as listed in the precinct register ([A.R.S. § 16-579](#)).

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

Provisions

1. Requires an early ballot affidavit to:
 - a) be able to be concealed when delivered or mailed to a county recorder or other officer in charge of elections; and
 - b) require a voter to provide the voter's early voter identification number, date of birth and signature.
2. Defines *early voter identification* as:
 - a) a voter's Arizona driver license number;
 - b) a voter's Arizona non-operating identification license number;
 - c) the last four digits of the voter's social security number; or
 - d) a voter's unique identifying number assigned by the Secretary of State (SOS).
3. Requires the early ballot affidavit statement to include a space for a person who assists a voter with marking the voter's ballot to include the person's telephone number and relationship to the voter.
4. Requires the printed early voter instructions and early voter instructions statement provided by a county recorder or officer in charge of elections to direct a voter to provide the voter's date of birth and provide the voter's early voter identification number for return in the early ballot envelope.
5. Requires a completed early ballot affidavit including voter's date of birth and early voter information number to be received by a county recorder or other officer in charge of elections in order for the early ballot to be counted and valid.
6. Requires a county recorder or other officer in charge of elections, on receipt of an envelope containing an early ballot, to confirm the elector's early voter identification and date of birth.
7. Requires a county recorder or other officer in charge of elections, if an elector's early voter identification or date of birth cannot be confirmed upon receipt of an early ballot envelope, to make reasonable efforts to contact the voter to allow the voter to correct or confirm the information up until the:
 - a) fifth business day after a primary, general or special election including a federal office; or
 - b) third business day after any other election.
8. Requires a tribal enrollment card or other form of tribal identification to be issued by a tribal government in order to be valid identification for the purposes of obtaining a ballot at a voting location.
9. Removes a state or local government issued identification other than an Arizona driver license, Arizona nonoperating identification license, tribal enrollment card or other form of tribal identification, from the list of permissible forms of photo identification that may be accepted at a polling location in order for an elector to receive a ballot.

10. Removes the authorization for a person to provide two different items that contain the name and address of an elector, but do not contain a photograph of the elector from the list of permissible forms of photo identification that may be accepted at a polling place in order for an elector to receive a ballot.
11. Prohibits ADOT from charging a fee to issue a nonoperating identification license if a person attests on the submitted application that the person has applied for the license in order to comply with legal requirements relating to registering to vote or voting.
12. Asserts that any qualified elector in the state has standing to file a:
 - a) special action to require any official to enforce the prescribed voter identification requirements if the official has a legal enforcement duty and refuses or threatens to refuse enforcement; or
 - b) declaratory judgement action to determine the proper construction of prescribed voter identification requirements.
13. Entitles any person who files and prevails in a special action or declaratory judgement action to an award of reasonable attorney fees and costs.
14. Applies the voter identification requirements to elections beginning no later than the 2024 primary election.
15. Defines *completed affidavit*.
16. Contains a findings and declaration of purpose clause.
17. Contains a severability clause.
18. Designates this legislation as the *Arizona for Voter ID Act*.
19. Makes technical and conforming changes.
20. Requires the SOS to submit the proposition to the voters at the next general election.
21. Becomes effective if approved by the voters and on proclamation of the Governor.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Amendments Adopted by Committee of the Whole

1. Requires an early ballot affidavit to require a voter to provide the number on, rather than a copy of, the voter's:
 - a) Arizona driver license number;
 - b) nonoperating identification license number;
 - c) last four social security number digits; or
 - d) or unique identifying number assigned by the Secretary of State.
2. Makes conforming changes.

FACT SHEET – Amended

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Amendments Adopted by the Senate Sitting as in Committee of the Whole

- Applies the voter identification requirements to elections beginning no later than the 2024 primary election.

Senate Action

GOV 2/17/22 DPA/SE 4-3-0

Prepared by Senate Research

February 24, 2022

MH/slp