

House Engrossed
ballot drop boxes; prohibition

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

HOUSE BILL 2238

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-546; RELATING TO EARLY VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 16, chapter 4, article 8, Arizona Revised
3 Statutes, is amended by adding section 16-546, to read:

4 16-546. Ballot drop boxes; vehicles; prohibition

5 A. NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR OTHER
6 OFFICER IN CHARGE OF ELECTIONS MAY NOT USE AN UNMONITORED DROP BOX FOR
7 RECEIPT OF VOTED BALLOTS. THIS SUBSECTION DOES NOT APPLY TO A BALLOT DROP
8 BOX THAT IS LOCATED AS FOLLOWS:

9 1. INSIDE A POLLING PLACE, VOTING CENTER OR OTHER LOCATION AT WHICH
10 PERSONS ARE VOTING AND ELECTION STAFF IS PRESENT AND MONITORING THE BALLOT
11 DROP BOX TO ENSURE COMPLIANCE WITH APPLICABLE LAWS.

12 2. INSIDE AN OFFICE OR OTHER FACILITY THAT IS USED BY THE COUNTY
13 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS AND AT WHICH ELECTION
14 STAFF IS PRESENT AND MONITORING THE BALLOT DROP BOX.

15 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, FOR A LOCATION
16 WHERE IT IS NOT PRACTICABLE FOR ELECTION STAFF TO BE PRESENT, THE COUNTY
17 SHALL PROVIDE AND MAINTAIN VIDEO SURVEILLANCE TWENTY-FOUR HOURS EACH
18 DAY. THE VIDEO RECORDINGS OF THE SURVEILLANCE SHALL BE RETAINED BY THE
19 COUNTY FOR FOUR YEARS.

20 C. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO POST OFFICE
21 BOXES, PRIVATELY OWNED MAILBOXES OR CLUSTER BOX UNITS THAT ARE INTENDED
22 FOR THE RECEIPT AND DELIVERY OF UNITED STATES MAIL.

23 D. EXCEPT AS REQUIRED TO COMPLY WITH SECTION 16-581, TITLE 41,
24 CHAPTER 9, ARTICLE 5, THE AMERICANS WITH DISABILITIES ACT OF 1990
25 (P.L. 101-336) OR OTHER FEDERAL LAW, THE COUNTY RECORDER OR OTHER OFFICER
26 IN CHARGE OF ELECTIONS MAY NOT PROVIDE FOR OR ALLOW A VOTER TO RECEIVE A
27 BALLOT AND VOTE FROM A VEHICLE OR OTHER CONVEYANCE.