SENATE BILL 1105

AN ACT

AMENDING SECTIONS 16-579.01 AND 16-579.02, ARIZONA REVISED STATUTES; RELATING TO POLLING PLACE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 16-579.01, Arizona Revised Statutes, is amended to read:

16-579.01. Early ballots; on-site tabulation

A. Every county recorder or other COUNTY officer in charge of elections may SHALL provide for a qualified elector who appears at that elector's designated polling location or at a voting center on election day with the elector's voted early ballot to have the elector's voted early ballot tabulated as prescribed in section 16-579.02.

B. The county recorder or other COUNTY officer in charge of elections shall do all of the following FOR the on-site tabulation of early ballots:

1. Designate an area within a precinct or voting center for processing electors with their voted early ballots that is physically separate from the area for voters who are voting pursuant to section 16-579.

2. Provide adequate poll workers, election officials and equipment necessary to conduct voting pursuant to this section and section 16-579.02.

3. Categorize and tally separately in the official canvass and other reports electors whose voted early ballots are tabulated at the precinct or voting center. The tally shall be reported by precinct in the official canvass and other voting reports.

4. Reconcile for that polling place or voting center the number of electors who appear on the signature roster or e-pollbook ELECTRONIC POLLBOOK with the number of completed early ballot affidavits and the voted early ballots tabulated on-site.

C. THIS SECTION DOES NOT APPLY TO A COUNTY THAT TABULATES ELECTION DAY BALLOTS AT A CENTRAL LOCATION AND THAT DOES NOT OTHERWISE TABULATE ELECTION DAY BALLOTS ON-SITE AT A POLLING LOCATION OR VOTING CENTER.

Sec. 2. Section 16-579.02, Arizona Revised Statutes, is amended to read:

16-579.02. Election day early ballot on-site tabulation procedure; fund

A. A qualified elector who appears at a COUNTY voting center or at the elector's designated polling place that allows PROVIDES for the on-site tabulation of early ballots PURSUANT TO SECTION 16-579.01 with the elector's voted early ballot shall present identification as prescribed in section 16-579, subsection A, paragraph 1 and proceed as follows:

1. If the elector does not present identification that complies with section 16-579, subsection A, paragraph 1, the elector shall either deposit the elector's voted early ballot in its affidavit envelope in an official drop box or proceed to the area designated for election day voting to surrender the early ballot to the election board for retention and not for tabulating. The elector shall then be allowed to vote a
provisional ballot as prescribed in section 16-584. An election official may not allow for the on-site tabulation of an early ballot if the elector does not present identification that complies with section 16-579, subsection A, paragraph 1.

2. If the elector presents sufficient identification to comply with section 16-579, subsection A, paragraph 1, the elector shall present the elector's early ballot affidavit to the election official in charge of the signature roster, and the election official shall confirm that the name and address on the completed affidavit reasonably appear to be the same as the name and address on the precinct register.

3. If the elector's affidavit is not complete, the election official in charge of the signature roster shall allow the elector to complete the affidavit. The election official may not allow for the on-site tabulation of an early ballot until the elector presents a completed early ballot affidavit.

B. If the elector's affidavit is complete, the elector's name shall be numbered consecutively by the clerk and in the order of application for early ballot tabulation.

C. For precincts in which a paper signature roster is used, each qualified elector shall sign the elector's name in the signature roster as prescribed in section 16-579, subsection D before proceeding to the tabulating equipment.

D. For precincts in which an electronic pollbook is used, each qualified elector shall sign the elector's name as prescribed in section 16-579, subsection E before proceeding to the tabulating equipment.

E. After signing the signature roster or electronic pollbook, the elector shall proceed to the tabulating equipment and, while under the observation of an election official, remove the early ballot from the completed affidavit envelope, deposit the empty completed affidavit envelope in the secured and labeled drop box and insert the early ballot into a tabulating machine. An early ballot that has been separated from the elector's completed affidavit envelope may not be removed from the on-site early ballot tabulation area.

F. The drop box prescribed in subsection E of this section shall be clearly labeled to indicate that the completed affidavits are from ballots tabulated pursuant to this section and shall be secured in a manner substantially similar to other ballot boxes at that location.

G. Any qualified elector who lawfully brings to a COUNTY polling place or voting center another elector's voted early ballot that is sealed in its affidavit envelope shall deposit the other elector's voted early ballot in the appropriate ballot drop box before entering the on-site early ballot tabulation area for purposes of tabulating the elector's own early ballot. The county recorder or other COUNTY officer in charge of elections shall ensure that a voter is not in possession of another voter's ballot within the on-site early ballot tabulation area.