SENATE BILL 1135

AN ACT

AMENDING SECTIONS 16-166, 16-246, 16-502, 16-542, 16-547, 16-548, 16-551,
16-583, 16-584, 16-624 AND 45-415, ARIZONA REVISED STATUTES; RELATING TO
EARLY VOTING.

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

Section 1. Section 16-166, Arizona Revised Statutes, is amended to read:

16-166. Verification of registration
A. Except for the mailing of sample ballots, a county recorder who mails an item to any elector shall send the mailing by nonforwardable first class mail marked with the statement required by the postmaster to receive an address correction notification. If the item is returned undelivered, the county recorder shall send a follow-up notice to that elector within three weeks of receipt of the returned notice. The county recorder shall send the follow-up notice to the address that appears in the general county register or to the forwarding address provided by the United States postal service. The follow-up notice shall include an appropriate internet address for revising voter registration information or a registration form and the information prescribed by section 16-131, subsection C and shall state that if the elector does not complete and return a new registration form with current information to the county recorder or make changes to the elector's voter registration information that is maintained online within thirty-five days, the elector's registration status shall be changed from active to inactive.

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

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

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

E. The county recorder on or before May 1 of each year preceding a state primary and general election or more frequently as the recorder deems necessary may use the change of address information supplied by the postal service through its licensees and the information provided by an electronic voter registration information center A CONTRACTED THIRD PARTY
to identify registrants whose addresses may have changed. If it appears from information provided by the postal service or an electronic voter registration information center that a registrant has moved to a different residence address, the county recorder shall send the registrant a notice of the change by forwardable mail and a postage prepaid preaddressed return form or an appropriate internet address for revising voter registration information by which the registrant may verify or correct the registration information. If the registrant fails to revise the information or return the form postmarked not later than thirty-five days after the mailing of the notice, the elector's registration status shall be changed from active to inactive. If the notice sent by the recorder is not returned, the registrant may be required to provide affirmation or confirmation of the registrant's address in order to vote. If the registrant does not vote in an election during the period after the date of the notice from the recorder through the date of the second general election for federal office following the date of that notice, the registrant's name shall be removed from the list of inactive voters. If the registrant has changed residence to a new county, the county recorder shall provide information on how the registrant can continue to be eligible to vote.

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

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

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

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

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

5. Other documents or methods of proof that are established pursuant to the immigration reform and control act of 1986.
6. The applicant's bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number.

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

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

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

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

K. THIS STATE AND ANY CITY, TOWN, COUNTY OR POLITICAL SUBDIVISION OF THIS STATE MAY NOT DO EITHER OF THE FOLLOWING:

1. BE A MEMBER OF ANY MULTISTATE VOTER REGISTRATION OR VOTER REGISTRATION LIST MAINTENANCE ORGANIZATION THAT REQUIRES THAT THIS STATE PROVIDE THE ORGANIZATION WITH INFORMATION DERIVED FROM VOTER REGISTRATION RECORDS THAT IS OTHERWISE REQUIRED TO BE CONFIDENTIAL, INCLUDING THE SOURCE OF REGISTRATION OR DECLINATION TO REGISTER, FULL OR PARTIAL SOCIAL SECURITY NUMBERS OR DRIVER LICENSE NUMBERS OR ANY RECORDS FROM THE DEPARTMENT OF TRANSPORTATION.

2. JOIN OR ENTER INTO ANY AGREEMENT WITH ANY ORGANIZATION THAT IMPOSES ANY DUTY ON THIS STATE, INCLUDING MAILING VOTER REGISTRATION FORMS TO PERSONS WHO ARE NOT REGISTERED TO VOTE, OR ON ANY CITY, TOWN, COUNTY OR POLITICAL SUBDIVISION OF THIS STATE THAT IS NOT EXPRESSLY REQUIRED BY THE LAWS OF THIS STATE.

Sec. 2. Section 16-246, Arizona Revised Statutes, is amended to read:

16-246. Early balloting; satellite locations; additional procedures

A. Within ninety-three days before the presidential preference election and not later than 5:00 p.m. on the eleventh day preceding the election, any elector who is eligible to vote in the presidential preference election may make a verbal or signed, written request for an official early ballot to the county recorder or other officer in charge of elections for the county in which the elector is registered to vote. If the request is verbal, the requesting elector shall provide the date of birth and birthplace or other information that if compared to the voter
registration records for that elector would confirm the identity of the elector.

B. Absent uniformed services voters or overseas voters who are otherwise eligible to vote in the election may vote as prescribed by sections 16-543 and 16-543.02.

C. The county recorder or other officer in charge of elections may establish on-site early voting locations at the office of the county recorder or at other locations in the county deemed necessary or appropriate by the recorder. Early voting shall begin within the time limits prescribed in section 16-542 unless otherwise prescribed by this section.

D. The county recorder or other officer in charge of elections shall send by nonforwardable mail that is marked with the statement required by the postmaster to receive an address correction notification any early ballots that are requested pursuant to subsections A and B of this section and shall include a preaddressed envelope for the elector to return the completed ballot.

E. The county recorder or other officer in charge of elections shall provide to each election board an appropriate alphabetized list of voters who have requested and have been sent an early ballot. Any person who is on that list of voters and who was sent an early ballot shall not vote at the polling place for that election precinct except as prescribed by section 16-579, subsection B.

F. The county recorder or other officer in charge of elections may provide for any of the following in the same manner prescribed by law for other elections:

1. Special election boards.

2. Emergency balloting for persons who experience an emergency after 5:00 p.m. on the Friday preceding the presidential preference election and before 5:00 p.m. on the Monday immediately preceding the presidential preference election. Before receiving a ballot pursuant to this paragraph, a person who experiences an emergency shall provide identification as prescribed in section 16-579 and shall sign a statement under penalty of perjury that states that the person is experiencing or experienced an emergency after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this subsection PARAGRAPH are not subject to inspection pursuant to title 39, chapter 1, article 2.

G. Notwithstanding section 16-579, subsection A, paragraph 2, for emergency balloting pursuant to subsection F, paragraph 2 of this section, the county recorder or other officer in charge of elections may allow a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452.
Sections 16-550, 16-551 and 16-552 govern the use of early balloting for the presidential preference election.

Sec. 3. Section 16-502, Arizona Revised Statutes, is amended to read:

16-502. Form and contents of ballot

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

1. Put a mark according to the instructions next to the name of each candidate for each office for whom USE A BLACK OR BLUE PEN TO FILL IN THE OVAL NEXT TO YOUR CHOICE FOR EACH CONTEST FOR WHICH you wish to vote.

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

2. TO VOTE FOR AN OFFICIAL WRITE-IN CANDIDATE, WRITE THE NAME IN THE BLANK SPACE PROVIDED FOR THAT CONTEST AND FILL IN THE OVAL NEXT TO THE WRITTEN NAME.

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

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

G. In each column at the right or left of the name of each candidate and on the same line there shall be a place for the voter to put a mark. Below the name of the last named candidate for each office there shall be as many blank lines as there are offices of the same title to be filled, with a place for the voter to put a mark. On the blank line the voter may write the name of any person for whom the voter desires to vote whose name is not printed, and next to the name so written the voter shall designate his 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.

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

Section Two
Nonpartisan Ballot

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

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

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

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

1. The number of the measure in reverse type and at least twelve point TWELVE-POINT type.
2. The designation of the measure as prescribed by section 19-125, subsection C or as a question, proposition or charter amendment, followed by the words "relating to..." and inserting the subject.

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

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

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

Sec. 4. Section 16-542, Arizona Revised Statutes, is amended to read:

16-542. Request for ballot; civil penalties; violation; classification

A. Within ninety-three days before any election called pursuant to the laws of this state, an elector may make a verbal or signed request to the county recorder, or other officer in charge of elections for the applicable political subdivision of this state in whose jurisdiction the elector is registered to vote, for an official early ballot. In addition to name and address, the requesting elector shall provide the date of birth and state or country of birth or other information that if compared to the voter registration information on file would confirm the identity of the elector. If the request indicates that the elector needs a primary election ballot and a general election ballot, the county recorder or other officer in charge of elections shall honor the request. For any partisan primary election, if the elector is not registered as a member of a political party that is entitled to continued representation on the ballot pursuant to section 16-804, the elector shall designate the ballot of only one of the political parties that is entitled to continued representation on the ballot and the elector may receive and vote the ballot of only that one political party, which also shall include any nonpartisan offices and ballot questions, or the elector shall designate the ballot for nonpartisan offices and ballot questions only and the elector may receive and vote the ballot that contains only nonpartisan offices and ballot questions. The county recorder or other officer in charge of elections shall process any request for an early ballot for a municipal election pursuant to this subsection. The county recorder may establish on-site early voting locations at the recorder's office, which shall be open and available for use beginning the same day that a county begins to send out the early ballots. The county recorder may also establish any other early voting locations in the county the recorder deems necessary. Any on-site early voting location or other early voting
location shall require each elector to present identification as prescribed in section 16-579 before receiving a ballot. Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site early voting location or other early voting location the county recorder or other officer in charge of elections may provide for a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452.

B. Notwithstanding subsection A of this section, a request for an official early ballot from an absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter whose information is protected pursuant to section 16-153 that is received by the county recorder or other officer in charge of elections more than ninety-three days before the election is valid. If requested by the absent uniformed services or overseas voter, or a voter whose information is protected pursuant to section 16-153, the county recorder or other officer in charge of elections shall provide to the requesting voter early ballot materials through the next regularly scheduled general election for federal office immediately following receipt of the request unless a different period of time, which does not exceed the next two regularly scheduled general elections for federal office, is designated by the voter.

C. The county recorder or other officer in charge of elections shall mail the early ballot and the envelope for its return postage prepaid to the address provided by the requesting elector within five days after receipt of the official early ballots from the officer charged by law with the duty of preparing ballots pursuant to section 16-545, except that early ballot distribution shall not begin more than twenty-seven days before the election. If an early ballot request is received on or before the thirty-first day before the election, the early ballot shall be distributed not earlier than the twenty-seventh day before the election and not later than the twenty-fourth day before the election.

D. Only the elector may be in possession of that elector's unvoted early ballot. If a complete and correct request is made by the elector within twenty-seven days before the election, the mailing must be made within forty-eight hours after receipt of the request. Saturdays, Sundays and other legal holidays are excluded from the computation of the forty-eight-hour period prescribed by this subsection. If a complete and correct request is made by an absent uniformed services voter or an overseas voter before the election, the regular early ballot shall be transmitted by mail, by fax or by other electronic format approved by the secretary of state within twenty-four hours after the early ballots are delivered pursuant to section 16-545, subsection B, excluding Sundays.
E. In order to be complete and correct and to receive an early ballot by mail, an elector's request that an early ballot be mailed to the elector's residence or temporary address must include all of the information prescribed by subsection A of this section and must be received by the county recorder or other officer in charge of elections no later than 5:00 p.m. on the eleventh day preceding the election. An elector who appears personally no later than 5:00 p.m. on the Friday preceding the election at an on-site early voting location that is established by the county recorder or other officer in charge of elections shall be given a ballot after presenting identification as prescribed in section 16-579 and shall be permitted to vote at the on-site location. Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site early voting location the county recorder or other officer in charge of elections may provide for a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452. If an elector's request to receive an early ballot is not complete and correct but complies with all other requirements of this section, the county recorder or other officer in charge of elections shall attempt to notify the elector of the deficiency of the request.

F. Unless an elector specifies that the address to which an early ballot is to be sent is a temporary address, the recorder may use the information from an early ballot request form to update voter registration records.

G. The county recorder or other officer in charge of early balloting shall provide an alphabetized list of all voters in the precinct who have requested and have been sent an early ballot to the election board of the precinct in which the voter is registered not later than the day before the election.

H. G. As a result of experiencing an emergency between 5:00 p.m. on the Friday preceding the election and 5:00 p.m. on the Monday preceding the election, qualified electors may request to vote in the manner prescribed by the board of supervisors of their respective county. Before voting pursuant to this subsection, an elector who experiences an emergency shall provide identification as prescribed in section 16-579 and shall sign a statement under penalty of perjury that states that the person is experiencing or experienced an emergency after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this subsection are not subject to inspection pursuant to title 39, chapter 1, article 2. For the purposes of this subsection, "emergency" means any unforeseen circumstances that would prevent the elector from voting at the polls.
I. Notwithstanding section 16-579, subsection A, paragraph 2, for any voting pursuant to subsection H-G of this section, the county recorder or other officer in charge of elections may allow a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452.

J. A candidate, political committee or other organization may distribute early ballot request forms to voters. If the early ballot request forms include a printed address for return, the addressee shall be the political subdivision that will conduct the election. Failure to use the political subdivision as the return addressee is punishable by a civil penalty of up to three times the cost of the production and distribution of the request.

K. All original and completed early ballot request forms that are received by a candidate, political committee or other organization shall be submitted within six business days after receipt by a candidate, political committee or other organization or eleven days before the election day, whichever is earlier, to the political subdivision that will conduct the election. Any person, political committee or other organization that fails to submit a completed early ballot request form within the prescribed time is subject to a civil penalty of up to $25 per day for each completed form withheld from submittal. Any person who knowingly fails to submit a completed early ballot request form before the submission deadline for the election immediately following the completion of the form is guilty of a class 6 felony.

L. Except for a voter who is on the active early voting list prescribed by section 16-544, a voter who requests a onetime early ballot pursuant to this section 16-542 or for an election conducted pursuant to section 16-409 or article 8.1 of this chapter, a county recorder, city or town clerk or other election officer may not deliver or mail an early ballot to a person who has not requested an early ballot for that election. An election officer who knowingly violates this subsection is guilty of a class 5 felony.

Sec. 5. Section 16-547, Arizona Revised Statutes, is amended to read:

16-547. Ballot affidavit; form

A. The early ballot shall be accompanied by an envelope bearing on the front the name, official title and post office address of the recorder or other officer in charge of elections and on the other side a printed affidavit in substantially the following form:

I declare the following under penalty of perjury: I am a registered voter in __________ county Arizona, I have not voted and will not vote in this election in any other county or state. I understand that knowingly voting more than once in any election is a class 5 felony and I voted the enclosed
ballot and signed this affidavit personally unless noted below.

If the voter was assisted by another person in marking the ballot, complete the following:

I declare the following under penalty of perjury: At the registered voter's request I assisted the voter identified in this affidavit with marking the voter's ballot. I marked the ballot as directly instructed by the voter. I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation and I understand that there is no power of attorney for voting and that the voter must be able to make the voter's selection even if they cannot physically mark the ballot.

Name of voter assistant: _____________________________
Address of voter assistant: __________________________

B. The face of each envelope in which a ballot is sent to a federal postcard applicant or in which a ballot is returned by the applicant to the recorder or other officer in charge of elections shall be in the form prescribed in accordance with the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 52 United States Code section 20301). Otherwise, the envelopes shall be the same as those used to send ballots to, or receive ballots from, other early voters.

C. The officer charged by law with the duty of preparing ballots at any election shall ensure that the early ballot is sent in an envelope that states substantially the following:

If the addressee does not reside at this address, mark the unopened envelope "return to sender" and deposit it in the United States mail.

D. The county recorder or other officer in charge of elections shall 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 that complies with section 16-545. The instructions shall include the following statement:

In order to be valid and counted, the ballot and affidavit must be delivered to the office of the county recorder or other officer in charge of elections or may be deposited AT ANY POLLING PLACE IN THE COUNTY NOT LATER THAN 7:00 P.M. OR EXCHANGED FOR A REGULAR BALLOT ON ELECTION DAY at any polling place in the county NOT later than 7:00 p.m. on election day. The EARLY ballot will not be counted without the voter's signature on the envelope.

(WARNING — It is a felony to offer or receive any compensation for a ballot.)
Sec. 6. Section 16-548, Arizona Revised Statutes, is amended to read:

16-548. Preparation and transmission of ballot

A. The early voter shall make and sign the affidavit and shall then mark his THE ballot in such a manner that his THE EARLY VOTER'S vote cannot be seen. The early voter shall fold the ballot, if a paper ballot, so as to conceal the vote and deposit the voted ballot in the envelope provided for that purpose, which shall be securely sealed and, together with the affidavit, delivered or mailed to the county recorder or other officer in charge of elections of the political subdivision in which the elector is registered or deposited by the voter or the voter's agent at any polling place OR VOTING CENTER in the county OR EXCHANGED BY THE VOTER FOR A REGULAR BALLOT AT THE VOTER'S POLLING PLACE OR A VOTING CENTER IN THE COUNTY. In order to be counted and valid, the ballot must be received by the county recorder or other officer in charge of elections or deposited at any polling place OR VOTING CENTER in the county NOT later than 7:00 p.m. on election day OR EXCHANGED BY THE VOTER FOR A REGULAR BALLOT AT THE VOTER'S POLLING PLACE OR AT A VOTING CENTER IN THE COUNTY NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

B. If the early voter is an overseas citizen, a qualified elector absent from the United States or in the United States service, a spouse or dependent residing with the early voter or a qualified elector of a special district mail ballot election as provided in article 8.1 of this chapter, the early voter may subscribe to the affidavit before and obtain the signature and military identification number or passport number, if available, of any person who is a United States citizen eighteen years of age or older.

Sec. 7. Section 16-551, Arizona Revised Statutes, is amended to read:

16-551. Early election board; violation; classification

A. The board of supervisors or the governing body of the political subdivision shall appoint one or more early election boards to serve at places to be designated by the board of supervisors or the governing body to canvass and tally early election ballots. Members of early election boards shall be selected in accordance with the provisions for selecting members of regular election boards as provided in section 16-531.

B. If an electronic voting system is in use for early voting, the early election board shall consist of at least one inspector and two judges who shall perform the processing requirements in accordance with the rules issued by the secretary of state. The inspector and judges shall be appointed in the same manner by party as provided in section 16-531.

C. All early ballots received by the county recorder or other officer in charge of elections before 7:00 p.m. on election day and the original affidavit of the voter shall be delivered to the early election
boards for processing as provided in the rules of the secretary of state. The office of the county recorder or other officer in charge of elections shall remain open until 7:00 p.m. on election day for the purpose of receiving early ballots. Partial or complete tallies of the early election board shall not be released or divulged before all precincts have reported or one hour after the closing of the polls on election day, whichever occurs first. Any person who unlawfully releases information regarding vote tallies or who possesses a tally sheet or summary without authorization from the recorder or officer in charge of elections is guilty of a class 6 felony.

D. If practicable, the county recorder or other officer in charge of elections shall count the number of early ballots that are returned OR SPOILED AND EXCHANGED FOR A REGULAR BALLOT at voting locations on election day and shall post on its website those totals with the last unofficial results that are released on election night pursuant to section 16-622. Beginning with the day following the election, the county recorder or other officer in charge of elections shall enter into the county's ballot tracking system, if established, early ballots that were returned at the voting location TO THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS on election day.

E. The necessary printed blanks for poll lists, tally lists, lists of voters, ballots, oaths and returns, together with envelopes in which to enclose the returns, shall be furnished by the board of supervisors or the governing body of the political subdivision to the early election board for each election precinct at the expense of the county or the political subdivision.

Sec. 8. Section 16-583, Arizona Revised Statutes, is amended to read:

16-583. Inactive electors; procedures
A. On or before election day, the county recorder shall provide to each precinct ELECTION BOARD the names of INACTIVE electors on the inactive voter list. If a person whose name is not on the precinct register appears at a polling place, an election official shall determine whether the person is on the inactive voter list. If the A person WHO APPEARS AT A POLLING PLACE is LISTED on the PRECINCT REGISTER OR ELECTRONIC POLLBOOK AS inactive voter list, the registrant, on affirmation by the registrant before an election official at the polling place that the registrant continues to reside at the address indicated on the inactive voter list PRECINCT REGISTER OR ELECTRONIC POLLBOOK, shall be permitted ALLOWED to vote at that PRECINCT polling place. The elector's name shall be entered on a separate signature roster page at the end of the signature roster, and voters' names shall be numbered consecutively. If the registrant indicates that the registrant lives at a new residence, the election official shall EITHER direct the registrant to the PRECINCT
polling place for the new address OR ALLOW THE REGISTRANT TO CAST A VOTE
PURSUANT TO SECTION 16-584, SUBSECTION C AT A VOTING CENTER.

B. Following the election, the county recorder shall remove from
inactive status all electors who voted pursuant to subsection A OF THIS
SECTION, shall place the electors' names back on the general register and
shall return the electors' status to active.

Sec. 9. Section 16-584, Arizona Revised Statutes, is amended to
read:

16-584. Qualified elector not on precinct register or
electronic pollbook; recorder's certificate;
verified ballot; procedure

A. A qualified elector whose name is not on the precinct register
OR ELECTRONIC POLLBOOK and who presents a certificate from the county
recorder showing that the elector is entitled by law to vote in the
precinct shall be entered on the signature roster on the blank following
the last printed name and shall be given the next consecutive register
number, and the qualified elector shall sign in the space provided.

B. A qualified elector whose name is not on the precinct register
OR ELECTRONIC POLLBOOK, on presentation of identification verifying the
identity of the elector that includes the voter's given name and surname
and the complete residence address that is verified by the election board
to be in the precinct or on signing an affirmation that states that the
elector is a registered voter in that jurisdiction and is eligible to vote
in that jurisdiction, shall be allowed to vote a provisional ballot.

C. If a voter has moved to a new address within the county and has
not notified the county recorder of the change of address before the date
of an election, the voter shall be permitted ALLOWED to correct the voting
records for purposes of voting in future elections at the appropriate
polling place for the voter's new address. The voter shall be permitted
ALLOWED to vote a provisional ballot. The voter shall present a form of
identification that includes the voter's given name and surname and the
voter's complete residence address. The residence address must be within
the precinct in which the voter is attempting to vote, and the voter shall
affirm in writing that the voter is registered in that jurisdiction and is
eligible to vote in that jurisdiction.

D. On completion of the ballot, the election official shall place
the ballot in a provisional ballot envelope and shall deposit the envelope
in the ballot box. Within ten calendar days after a general election that
includes an election for a federal office and within five business days
after any other election or NOT later than the time at which challenged
early voting ballots are resolved, the signature shall be compared to the
precinct signature roster of the former precinct where the voter was
registered. If the voter's name is not signed on the roster and if there
is no indication that the voter voted an early ballot, the provisional
ballot envelope shall be opened and the ballot shall be counted. If there
is information showing the person did vote, the provisional ballot shall remain unopened and shall not be counted. When provisional ballots are confirmed for counting, the county recorder shall use the information supplied on the provisional ballot envelope to correct the address record of the voter.

E. When a voter is allowed to vote a provisional ballot, the elector's name shall be entered on a separate signature roster page at the end of the signature roster. Voters' names shall be numbered consecutively beginning with the number V-1 OR NOTED IN THE ELECTRONIC POLLBOOK. The elector shall sign in the space provided. The ballot shall be placed in a separate envelope, the outside of which shall contain the precinct name or number, a sworn or attested statement of the elector that the elector resides in the precinct, is eligible to vote in the election and has not previously voted in the election, the signature of the elector and the voter registration number of the elector, if available. The ballot shall be verified for proper registration of the elector by the county recorder before being counted. The verification shall be made by the county recorder within ten calendar days after a general election that includes an election for a federal office and within five business days following any other election. Verified ballots shall be counted by depositing the ballot in the ballot box THE OFFICER IN CHARGE OF ELECTIONS and showing SHOWN on the records of the election that the elector has voted. If registration is not verified, the ballot shall remain unopened and shall be retained in the same manner as voted ballots AS PRESCRIBED BY SECTION 16-624, SUBSECTION B.

F. For any person who votes a provisional ballot, the county recorder or other officer in charge of elections shall provide for a method of notifying the provisional ballot voter at no cost to the voter whether the voter's ballot was verified and counted and, if not counted, the reason for not counting the ballot. The notification may be in the form of notice by mail to the voter, establishment of a toll-free TOLL-FREE telephone number, internet access or other similar method to allow the voter to have access to this information. The method of notification shall provide reasonable restrictions that are designed to limit transmittal of the information only to the voter.

Sec. 10. Section 16-624, Arizona Revised Statutes, is amended to read:

16-624. Disposition of official returns and ballots
A. After the canvass has been completed, the officer in charge of elections shall deposit the package or envelope containing the TABULATED ballots in a secure facility managed by the county treasurer, who shall keep it unopened and unaltered for twenty-four months for elections for a federal office or for six months for all other elections, at which time THE COUNTY TREASURER shall destroy it without opening or examining the contents.
B. Irregular ballots shall be preserved for six months after the
1 election and the packages containing them may be opened and the contents
2 examined only upon an order of court. At the expiration of such time, the
3 ballots may be disposed of in the discretion of the officer or board
4 having charge of them.
5
6 B. AFTER THE CANVASS IS COMPLETED, THE COUNTY RECORDER SHALL
7 DEPOSIT ALL REJECTED PROVISIONAL AND EARLY BALLOTS IN A SECURE FACILITY
8 THAT IS MANAGED BY THE COUNTY TREASURER AS PRESCRIBED BY SUBSECTION A OF
9 THIS SECTION.
10
11 C. The officer in charge of elections shall produce the other
12 packages or envelopes before the COUNTY board of supervisors when it is in
13 session for the purpose of canvassing the returns.
14
15 D. If a recount is ordered or a contest begun within six months, the COURT MAY ORDER THE county treasurer may be ordered by the court to
16 deliver to it the COURT THE packages or envelopes containing the ballots, and thereupon AT WHICH TIME they shall be in the custody and control of
17 the court.
18
19 Sec. 11. Section 45-415, Arizona Revised Statutes, is amended to
20 read:
21
22 45-415. Local initiation for active management area; procedures
23
24 A. A groundwater basin that is not included within an initial
25 active management area may be designated an active management area on
26 petition by ten percent of the registered voters residing within the
27 boundaries of the proposed active management area, as of the most recent
28 report compiled by the county recorder in compliance with section 16-168,
29 subsection G, and a subsequent election held pursuant to the general
30 election laws of this state. The form of the petition shall be the same
31 as for initiative petitions, and the applicant for the petition shall
32 comply with section 19-111.
33
34 B. On application for a petition number with the clerk of the board
35 of supervisors or county election officer, the director shall transmit a
36 map of the groundwater basin to the county recorder of each county in
37 which the proposed active management area is located. The map shall be on
38 a scale adequate to show with substantial accuracy where the boundaries of
39 the groundwater basin cross the boundaries of county voting
40 precincts. The director shall also transmit to the county recorder all
41 other factual data concerning the boundaries of the groundwater basin that
42 may aid the county recorder in the determination of which registered
43 voters of the county are residents of the groundwater basin.
44
45 C. Any registered voter of a county whose residency in the
46 groundwater basin is in question shall be allowed to vote. The ballot
47 shall be placed in a separate envelope, the outside of which shall contain
48 the precinct name and number, the signature of the voter, the residence
49 address of the voter and the voter registration number of the voter, if
available. The voter receipt card shall be attached to the envelope. The
county recorder shall verify the ballot for proper residency of the voter
before counting. Such verification shall be made within five business
days following the election, and the voter receipt card shall be returned
to the voter. Verified ballots shall be counted using the procedure
outlined for counting early ballots. If residency in the groundwater
basin is not verified, the ballot shall remain unopened and shall be
destroyed CREATED, VALIDATED AND COUNTED IN ACCORDANCE WITH TITLE 16,
CHAPTER 4, ARTICLE 8.

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

E. If a groundwater basin is located in two or more counties, the
following procedures apply:
1. The petition shall be filed with the clerk of the board of
supervisors or county election officer of the county in which the
plurality of the registered voters in the groundwater basin resides.
2. The number of registered voters required to sign the petition
shall be ten percent of the registered voters residing within the
boundaries of the proposed active management area, as of the most recent
report compiled by the county recorder in compliance with section 16-168,
subsection G, within the county in which the plurality of the registered
voters in the groundwater basin resides.
3. The election shall be called by the board of supervisors of the
county in which the petition is filed, and the board shall immediately
notify the board of supervisors of any other county included in the
groundwater basin of the date of the election. The election shall be held
not less than sixty days or more than ninety days from the date of the
call. The board of supervisors so notified shall then call the election
in that county for the same date and follow the procedures for conducting
the general elections in this state.
4. All election expenses incurred pursuant to this subsection are
the responsibilities of the counties involved on a proportional basis
considering the number of registered voters of each county that are
residents of the groundwater basin.

F. The ballot shall be worded, "should the (insert name of basin)
groundwater basin be designated an active management area?" followed by
the words "yes" and "no".