



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature  
First Regular Session

House: MOE DPA 6-4-0-0

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## [\*\*HCR2040: in-person precinct voting; absentee voters\*\*](#)

**Sponsor: Representative Jones, LD 17**  
**Caucus & COW**

### **Overview**

Prohibits a county Board of Supervisors from establishing an election precinct that contains more than 1,000 registered voters. Limits the option to vote by mail to only qualified electors that meet specified criteria.

### **History**

#### ***Election Precincts and Voting Centers***

Arizona utilizes two forms of voting locations: polling places and voting centers. Polling places are specifically designated locations within election precincts where voters who reside in that precinct must vote. Voting centers are locations within a county where individuals can vote regardless of the person's designated election precinct.

A Board of Supervisors may establish precinct-based polling places, voting centers or any combination of the two. The co-location of precinct-based polling places or voting centers that also serve as polling places for certain precincts is also authorized upon the approval of the Board of Supervisors. Voting locations must be finalized at least 20 days before statewide primary or general elections and 10 days before special elections. In certain circumstances, the Board of Supervisors can establish emergency voting centers ([A.R.S. § 16-411](#)).

#### ***Uniformed and Overseas Citizens Absentee Voting Act***

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) requires states to allow certain groups of citizens to register and vote an early absentee ballot in elections for federal offices. Individuals covered by UOCAVA include United States citizens who are members of the uniformed services and merchant marine, their family members and United States citizens residing outside of the United States ([P.L. 99-410](#)).

#### ***Active Early Voting List***

A qualified elector may request to be added to the Active Early Voting List for the purpose of automatically receiving an early ballot by mail for all elections in which the person is qualified to vote. Voters on the Active Early Voting List may request to be removed at any time ([A.R.S. § 16-544](#)).

### **Provisions**

#### ***Election Precincts***

1. Prohibits, on the date election precinct boundaries are established, a county Board of Supervisors from establishing an election precinct containing more than 1,000 registered voters. (Sec. 5)
2. Specifies the Board of Supervisors may not authorize the use of voting centers in place of or in addition to specifically designated polling places. (Sec. 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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3. Repeals language concerning the use of voting centers and emergency voting centers. (Sec. 5)

***Early and Absentee Voting***

4. Specifies all Arizona elections must provide for absentee voting. (Sec. 10)
5. Designates early ballots that are distributed by mail as absentee ballots. (Sec. 10)
6. Limits the persons who may vote by absentee ballot to individuals who:
  - a) Expect to be absent from their precinct at the time of the election;
  - b) Are physically unable to go to the polls;
  - c) Are visually impaired;
  - d) Have a disability;
  - e) Are 65 years of age or older;
  - f) Reside more than 15 road miles from the individual's designated polling place;
  - g) Cannot attend the polls on election day due to sincerely held religious beliefs; or
  - h) Are covered under UOCAVA. (Sec. 10)
7. Limits voting by mail to only those individuals who are eligible to vote by absentee ballot. (Sec. 11)
8. Adds to the information an elector requesting an official absentee ballot must provide to include one of the specified valid reasons for voting absentee. (Sec. 11)
9. Requires an absentee ballot to be accompanied by a printed affidavit that includes an attestation of the voter that the voter meets the criteria for receiving an absentee ballot. (Sec. 13)
10. Repeals statute allowing the County Recorder to establish early on-site voting locations. (Sec. 11)
11. Repeals statute allowing the County Recorder to use information from an early ballot request form to update voter registration records. (Sec. 11)
12. Repeals the section of statute concerning the preparation of early ballots. (Sec. 12)
13. Repeals the section of statute concerning the Active Early Voting List. (Sec. 12)

***Penal Provisions***

14. States an election officer who knowingly delivers or mails an absentee ballot to a person who has not requested an absentee ballot for that election is guilty of a class 5 felony. (Sec. 11)
15. Specifies a person who knowingly removes an official ballot from an on-site voting location before the closing of the polls is guilty of a class 2 misdemeanor. (Sec. 16)

***Miscellaneous***

16. Revises the criteria the Secretary of State must use to develop a method for reducing voter wait times. (Sec. 5)
17. Requires the Secretary of State to submit the proposition to the voters at the next general election. (Sec. 1)
18. Becomes effective if approved by the voters and on proclamation of the Governor. (Sec. 1 – 17)
19. Contains a conforming Legislation Clause. (Sec. 17)
20. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16)

**Amendments**

*Committee on Municipal Oversight & Elections*

1. Increases, from 65 to 75 years of age or older, the age in which a person may vote by absentee ballot.