



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1141

early ballot drop off; identification

Purpose

Requires an election board to require a voter or voter's agent who delivers a voted early ballot to a polling place, voting center or emergency voting center (voting location) to provide identification that contains the voter's or voter's agent's name and attest to prescribed requirements in writing.

Background

Any election called pursuant to Arizona law must provide for any qualified elector to vote by early ballot ([A.R.S. § 16-541](#)). An early ballot must be accompanied by an envelope containing a printed affidavit and an early voter must make and sign the affidavit. An early voter must mark the ballot, fold the ballot to conceal the vote and deposit the voted ballot into the envelope provided. In order to be counted and valid, an early ballot must be delivered with the affidavit by 7:00 p.m. on election day (A.R.S. §§ [16-547](#) and [16-548](#)).

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

A person who knowingly collects voted early ballots from another person, except for a family member, household member and caregiver, is guilty of a class 6 felony. A *family member* is a person who is related to the voter by blood, marriage, adoption or legal guardianship. A *household member* is a person who resides at the same residence as the voter. A *caregiver* is a person who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living facility, assisted living home, residential care institution, adult day health care facility or adult foster care home ([A.R.S. § 16-1005](#)).

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

Provisions

1. Requires, for a voter who delivers the voter's own early ballot to a voting location, the election board to require a form of the voter's identification where the voter's name reasonably appears to be the same as the ballot affidavit.

2. Requires, for a voter's agent who delivers another person's voted early ballot to a voting location, the election board to require:
 - a) a form of the voter's identification that contains the voter's agent's name; and
 - b) the voter's agent to attest in writing that the voter's agent is the voter's family member, household member or caregiver.
3. Classifies, as a class 5 felony, a person who knowingly violates identification and attestation requirements relating to early ballot drop-off.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

- Subjects the identification requirements for a voter or voter's agent who delivers a voter early ballot to a voting location to the identification requirements for a voter obtaining a ballot at a voting location as prescribed by statute.

Senate Action

ELEC 2/6/23 DP 5-3-0

Prepared by Senate Research

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AN/slp