

REFERENCE TITLE: voting centers; board of supervisors

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2119

Introduced by
Representatives Salman: De Los Santos, Gutierrez, Sandoval, Terech

AN ACT

AMENDING SECTION 16-411, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-414; AMENDING SECTIONS 16-542, 16-558.02 AND 16-584, ARIZONA REVISED STATUTES; RELATING TO THE CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-411, Arizona Revised Statutes, is amended to
3 read:

4 16-411. Designation of election precincts and polling places;
5 voting centers; electioneering; wait times

6 A. The board of supervisors of each county, on or before October 1
7 of each year preceding the year of a general election, by an order, shall
8 establish a convenient number of election precincts in the county and
9 define the boundaries of the precincts as follows:

10 1. The election precinct boundaries shall be established so as to
11 be included within election districts prescribed by law for elected
12 officers of the state and its political subdivisions, including community
13 college district precincts, except those elected officers provided for in
14 titles 30 and 48.

15 2. If after October 1 of the year preceding the year of a general
16 election the board of supervisors must further adjust precinct boundaries
17 due to the redistricting of election districts as prescribed by law and to
18 comply with this subsection, the board of supervisors shall adjust these
19 precinct boundaries as soon as is practicable.

20 B. At least twenty days before a general or primary election, and
21 at least ten days before a special election, the board shall designate one
22 polling place within each precinct where the election shall be held,
23 except that:

24 1. On a specific finding of the board, included in the order or
25 resolution designating polling places pursuant to this subsection, that no
26 suitable polling place is available within a precinct, a polling place for
27 that precinct may be designated within an adjacent precinct.

28 2. Adjacent precincts may be combined if boundaries so established
29 are included in election districts prescribed by law for state elected
30 officials and political subdivisions including community college districts
31 but not including elected officials prescribed by titles 30 and 48. The
32 officer in charge of elections may also split a precinct for
33 administrative purposes. The polling places shall be listed in separate
34 sections of the order or resolution.

35 3. On a specific finding of the board that the number of persons
36 who are listed as early voters pursuant to section 16-544 and who are not
37 expected to have their ballots tabulated at the polling place as
38 prescribed in section 16-579.02 is likely to substantially reduce the
39 number of voters appearing at one or more specific polling places at that
40 election, adjacent precincts may be consolidated by combining polling
41 places and precinct boards for that election. The board of supervisors
42 shall ensure that a reasonable and adequate number of polling places will
43 be designated for that election. Any consolidated polling places shall be
44 listed in separate sections of the order or resolution of the board.

1 4. ONLY on a specific resolution of the board, the board may
2 authorize the COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS TO
3 use ~~of~~ ADDITIONAL TYPES OF VOTING AND TO DETERMINE ADDITIONAL VOTING
4 LOCATIONS AS FOLLOWS:

5 (a) Voting centers in place of or in addition to specifically
6 designated polling places. A voting center ~~shall allow~~ IS A PHYSICAL
7 LOCATION THAT ALLOWS any voter in that county to receive the appropriate
8 ballot for that voter ~~on election day~~ after presenting identification as
9 prescribed in section 16-579 and to lawfully cast the ballot FOR AN
10 ELECTION. Voting centers may be established in coordination and
11 consultation with the county recorder, OR OTHER OFFICER IN CHARGE OF
12 ELECTIONS at other county offices or at other locations in the county
13 deemed appropriate. ON ELECTION DAY, A VOTING CENTER IS DEEMED TO BE A
14 POLLING PLACE AND SECTIONS 13-3102, 16-515 AND 16-579 APPLY. A VOTING
15 CENTER MAY BE USED AS AN EARLY VOTING LOCATION AS PRESCRIBED BY SECTION
16 16-542 AND AS A BALLOT REPLACEMENT LOCATION AS PRESCRIBED BY SECTION
17 16-588.02.

18 (b) EARLY VOTING DROP-OFF CENTERS IN ADDITION TO SPECIFICALLY
19 DESIGNATED POLLING PLACES. AN EARLY VOTING DROP-OFF CENTER IS A FACILITY
20 IN WHICH ANY VOTER IN THAT COUNTY MAY DELIVER A VOTED EARLY BALLOT TO A
21 LAWFUL CUSTODIAN OF THE VOTED BALLOT.

22 5. On a specific resolution of the board of supervisors that is
23 limited to a specific election date and that is voted on by a recorded
24 vote, the board may authorize the county recorder or other officer in
25 charge of elections to use emergency voting centers as follows:

26 (a) The board shall specify in the resolution the location and the
27 hours of operation of the emergency voting centers.

28 (b) A qualified elector voting at an emergency voting center shall
29 provide identification as prescribed in section 16-579, except that
30 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
31 at an emergency voting center, the county recorder or other officer in
32 charge of elections may allow a qualified elector to update the elector's
33 voter registration information as provided for in the secretary of state's
34 instructions and procedures manual adopted pursuant to section 16-452.

35 (c) If an emergency voting center established pursuant to this
36 section becomes unavailable and there is not sufficient time for the board
37 of supervisors to convene to approve an alternate location for that
38 emergency voting center, the county recorder or other officer in charge of
39 elections may make changes to the approved emergency voting center
40 location and shall notify the public and the board of supervisors
41 regarding that change as soon as practicable. The alternate emergency
42 voting center shall be as close in proximity to the approved emergency
43 voting center location as possible.

44 C. If the board fails to designate the place for holding the
45 election, or if it cannot be held at or about the place designated, the

1 justice of the peace in the precinct, two days before the election, by an
2 order, copies of which the justice of the peace shall immediately post in
3 three public places in the precinct, shall designate the place within the
4 precinct for holding the election. If there is no justice of the peace in
5 the precinct, or if the justice of the peace fails to do so, the election
6 board of the precinct shall designate and give notice of the place within
7 the precinct of holding the election. For any election in which there are
8 no candidates for elected office appearing on the ballot, the board may
9 consolidate polling places and precinct boards and may consolidate the
10 tabulation of results for that election if all of the following apply:

11 1. All affected voters are notified by mail of the change at least
12 thirty-three days before the election.

13 2. Notice of the change in polling places includes notice of the
14 new voting location, notice of the hours for voting on election day and
15 notice of the telephone number to call for voter assistance.

16 3. All affected voters receive information on early voting that
17 includes the application used to request an early voting ballot.

18 D. The board is not required to designate a polling place for
19 special district mail ballot elections held pursuant to article 8.1 of
20 this chapter, but the board may designate one or more sites for voters to
21 deposit marked ballots until 7:00 p.m. on the day of the election.

22 E. Except as provided in subsection F of this section, a public
23 school shall provide sufficient space for use as a polling place for any
24 city, county or state election when requested by the officer in charge of
25 elections.

26 F. The principal of the school may deny a request to provide space
27 for use as a polling place for any city, county or state election if,
28 within two weeks after a request has been made, the principal provides a
29 written statement indicating a reason the election cannot be held in the
30 school, including any of the following:

31 1. Space is not available at the school.

32 2. The safety or welfare of the children would be jeopardized.

33 G. The board shall make available to the public as a public record
34 a list of the polling places for all precincts in which the election is to
35 be held.

36 H. Except in the case of an emergency, any facility that is used as
37 a polling place on election day or that is used as an early voting site
38 during the period of early voting shall allow persons to electioneer and
39 engage in other political activity outside of the seventy-five foot limit
40 prescribed by section 16-515 in public areas and parking lots used by
41 voters. This subsection does not allow the temporary or permanent
42 construction of structures in public areas and parking lots or the
43 blocking or other impairment of access to parking spaces for voters. The
44 county recorder or other officer in charge of elections shall post on its
45 website at least two weeks before election day a list of those polling

1 places in which emergency conditions prevent electioneering and shall
2 specify the reason the emergency designation was granted and the number of
3 attempts that were made to find a polling place before granting an
4 emergency designation. If the polling place is not on the website list of
5 polling places with emergency designations, electioneering and other
6 political activity shall be allowed outside of the seventy-five foot
7 limit. If an emergency arises after the county recorder or other officer
8 in charge of elections' initial website posting, the county recorder or
9 other officer in charge of elections shall update the website as soon as
10 is practicable to include any new polling places, shall highlight the
11 polling place location on the website and shall specify the reason the
12 emergency designation was granted and the number of attempts that were
13 made to find a polling place before granting an emergency designation.

14 I. For the purposes of this section, a county recorder or other
15 officer in charge of elections shall designate a polling place as an
16 emergency polling place and thus prohibit persons from electioneering and
17 engaging in other political activity outside of the seventy-five foot
18 limit prescribed by section 16-515 but inside the property of the facility
19 that is hosting the polling place if any of the following occurs:

20 1. An act of God renders a previously set polling place as
21 unusable.

22 2. A county recorder or other officer in charge of elections has
23 exhausted all options and there are no suitable facilities in a precinct
24 that are willing to be a polling place unless a facility can be given an
25 emergency designation.

26 J. The secretary of state shall provide through the instructions
27 and procedures manual adopted pursuant to section 16-452 the maximum
28 allowable wait time for any election that is subject to section 16-204 and
29 provide for a method to reduce voter wait time at the polls in the primary
30 and general elections. The method shall consider at least all of the
31 following for primary and general elections in each precinct:

32 1. The number of ballots voted in the prior primary and general
33 elections.

34 2. The number of registered voters who voted early in the prior
35 primary and general elections.

36 3. The number of registered voters and the number of registered
37 voters who cast an early ballot for the current primary or general
38 election.

39 4. The number of registered voters whose early ballots were
40 tabulated on-site as prescribed in section 16-579.02 in the prior primary
41 and general elections.

42 5. The number of election board members and clerks and the number
43 of rosters that will reduce voter wait time at the polls.

1 Sec. 2. Title 16, chapter 4, article 2, Arizona Revised Statutes,
2 is amended by adding section 16-414, to read:

3 16-414. Appointment of voting center election boards;
4 qualifications

5 A. WHEN AN ELECTION IS ORDERED AND VOTING CENTERS ARE USED, THE
6 BOARD OF SUPERVISORS SHALL APPOINT A VOTING CENTER ELECTION BOARD FOR EACH
7 VOTING CENTER CONSISTING OF AT LEAST ONE INSPECTOR, ONE MARSHAL AND AS
8 MANY JUDGES OR CLERKS AS DEEMED NECESSARY. VOTING CENTER ELECTION BOARD
9 WORKERS MAY BE HIRED TO WORK SHIFTS AS LONG AS THERE ARE ALWAYS SUFFICIENT
10 WORKERS PRESENT TO ASSIST VOTERS. INSPECTORS, MARSHALS, JUDGES AND CLERKS
11 SHALL BE QUALIFIED ELECTORS OF THE COUNTY, AND DIFFERENT POLITICAL PARTIES
12 MUST BE REPRESENTED WITHIN EACH VOTING CENTER ELECTION BOARD. AN EQUAL
13 NUMBER OF INSPECTORS IN THE VARIOUS VOTING CENTERS IN THE COUNTY SHALL BE
14 MEMBERS OF THE TWO LARGEST POLITICAL PARTIES.

15 B. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS MAY
16 APPOINT A PERSON WHO IS NOT ELIGIBLE TO VOTE TO A VOTING CENTER ELECTION
17 BOARD TO SERVE AS A CLERK OF ELECTIONS ONLY IF ALL OF THE FOLLOWING APPLY:

18 1. THE PERSON IS A MINOR WHO WILL BE AT LEAST SIXTEEN YEARS OF AGE
19 AT THE TIME OF THE ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE
20 VOTING CENTER ELECTION BOARD.

21 2. THE PERSON IS A CITIZEN OF THE UNITED STATES AT THE TIME OF THE
22 ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE VOTING CENTER ELECTION
23 BOARD.

24 3. THE PERSON IS SUPERVISED BY AN ADULT WHO HAS BEEN TRAINED AS A
25 VOTING CENTER ELECTION BOARD WORKER.

26 4. THE PERSON HAS RECEIVED TRAINING PROVIDED BY THE OFFICER IN
27 CHARGE OF ELECTIONS.

28 5. THE PERSON'S PARENT OR GUARDIAN HAS PROVIDED WRITTEN PERMISSION
29 FOR THE PERSON TO SERVE.

30 C. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT BE REQUIRED TO
31 REDUCE ITS AVERAGE DAILY MEMBERSHIP, AS DEFINED IN SECTION 15-901, FOR ANY
32 PUPIL WHO IS ABSENT FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF
33 THE PUPIL'S SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO
34 SUBSECTION B OF THIS SECTION.

35 D. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT COUNT ANY PUPIL'S
36 ABSENCE FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF THE PUPIL'S
37 SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO SUBSECTION B OF THIS
38 SECTION AGAINST ANY MANDATORY ATTENDANCE REQUIREMENTS FOR THE PUPIL.

39 E. THIS SECTION DOES NOT PREVENT THE BOARD OF SUPERVISORS OR
40 OFFICER IN CHARGE OF ELECTIONS FROM REFUSING TO REAPPOINT FOR CAUSE, OR
41 FROM REMOVING FOR CAUSE, A VOTING CENTER ELECTION BOARD MEMBER.

1 Sec. 3. Section 16-542, Arizona Revised Statutes, is amended to
2 read:

3 16-542. Request for ballot; civil penalties; violation;
4 classification

5 A. Within ninety-three days before any election called pursuant to
6 the laws of this state, an elector may make a verbal or signed request to
7 the county recorder, or other officer in charge of elections for the
8 applicable political subdivision of this state in whose jurisdiction the
9 elector is registered to vote, for an official early ballot. In addition
10 to name and address, the requesting elector shall provide the date of
11 birth and state or country of birth or other information that if compared
12 to the voter registration information on file would confirm the identity
13 of the elector. If the request indicates that the elector needs a primary
14 election ballot and a general election ballot, the county recorder or
15 other officer in charge of elections shall honor the request. For any
16 partisan primary election, if the elector is not registered as a member of
17 a political party that is entitled to continued representation on the
18 ballot pursuant to section 16-804, the elector shall designate the ballot
19 of only one of the political parties that is entitled to continued
20 representation on the ballot and the elector may receive and vote the
21 ballot of only that one political party, which also shall include any
22 nonpartisan offices and ballot questions, or the elector shall designate
23 the ballot for nonpartisan offices and ballot questions only and the
24 elector may receive and vote the ballot that contains only nonpartisan
25 offices and ballot questions. The county recorder or other officer in
26 charge of elections shall process any request for an early ballot for a
27 municipal election pursuant to this subsection. The county recorder may
28 establish on-site early voting locations at the recorder's office, which
29 shall be open and available for use beginning the same day that a county
30 begins to send out the early ballots. **ON A SPECIFIC RESOLUTION OF THE
31 BOARD OF SUPERVISORS, THE BOARD MAY AUTHORIZE the county recorder ~~may~~ OR
32 OTHER OFFICER IN CHARGE OF ELECTIONS TO also establish any other early
33 voting locations in the county ~~the recorder deems~~ DEEMED necessary. A
34 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY MAKE CHANGES
35 TO THE APPROVED EARLY VOTING LOCATIONS AND SHALL NOTIFY THE PUBLIC AND THE
36 BOARD OF SUPERVISORS REGARDING THESE CHANGES AS SOON AS IS PRACTICABLE.
37 NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR OTHER OFFICER IN
38 CHARGE OF ELECTIONS WHO ESTABLISHES EARLY VOTING LOCATIONS MAY CONTINUE TO
39 OPERATE THOSE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD
40 IMMEDIATELY PRECEDING ELECTION DAY, EXCEPT THAT ON-SITE EARLY VOTING SHALL
41 END AS NEEDED TO ENSURE THAT PRECINCT REGISTERS AND OTHER ELECTION
42 MATERIALS ARE REVISED FOR USE ON ELECTION DAY TO INDICATE WHICH VOTERS
43 HAVE REQUESTED AN EARLY BALLOT, WHICH VOTERS HAVE ALREADY VOTED AND WHICH
44 VOTERS ARE ON THE INACTIVE VOTER LIST. Any on-site early voting location
45 or other early voting location shall require each elector to present**

1 identification as prescribed in section 16-579 before receiving a ballot.
2 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
3 early voting location or other early voting location the county recorder
4 or other officer in charge of elections may provide for a qualified
5 elector to update the elector's voter registration information as provided
6 for in the secretary of state's instructions and procedures manual adopted
7 pursuant to section 16-452.

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

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

33 D. Only the elector may be in possession of that elector's unvoted
34 early ballot. If a complete and correct request is made by the elector
35 within twenty-seven days before the election, the mailing must be made
36 within forty-eight hours after receipt of the request. Saturdays, Sundays
37 and other legal holidays are excluded from the computation of the
38 forty-eight hour period prescribed by this subsection. If a complete and
39 correct request is made by an absent uniformed services voter or an
40 overseas voter before the election, the regular early ballot shall be
41 transmitted by mail, by fax or by other electronic format approved by the
42 secretary of state within twenty-four hours after the early ballots are
43 delivered pursuant to section 16-545, subsection B, excluding Sundays.

1 E. In order to be complete and correct and to receive an early
 2 ballot by mail, an elector's request that an early ballot be mailed to the
 3 elector's residence or temporary address must include all of the
 4 information prescribed by subsection A of this section and must be
 5 received by the county recorder or other officer in charge of elections ~~no~~
 6 ~~NOT~~ later than 5:00 p.m. on the eleventh day preceding the election. An
 7 elector who appears personally ~~no~~ ~~NOT~~ later than 5:00 p.m. on the Friday
 8 preceding the election at an on-site early voting location that is
 9 established by the county recorder or other officer in charge of elections
 10 shall be given a ballot after presenting identification as prescribed in
 11 section 16-579 and shall be ~~permitted~~ ~~ALLOWED~~ to vote at the on-site
 12 location. ~~IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS~~
 13 ~~IS ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTIONS MATERIALS IN A~~
 14 ~~TIMELY MANNER FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF~~
 15 ~~THIS SECTION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS~~
 16 ~~MAY OPERATE THE ON-SITE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD~~
 17 ~~IMMEDIATELY PRECEDING ELECTION DAY.~~ Notwithstanding section 16-579,
 18 subsection A, paragraph 2, at any on-site early voting location the county
 19 recorder or other officer in charge of elections may provide for a
 20 qualified elector to update the elector's voter registration information
 21 as provided for in the secretary of state's instructions and procedures
 22 manual adopted pursuant to section 16-452. If an elector's request to
 23 receive an early ballot is not complete and correct but complies with all
 24 other requirements of this section, the county recorder or other officer
 25 in charge of elections shall attempt to notify the elector of the
 26 deficiency of the request.

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

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

36 H. As a result of experiencing an emergency between 5:00 p.m. on
 37 the Friday preceding the election and 5:00 p.m. on the Monday preceding
 38 the election ~~AND IF EARLY VOTING FOR THAT ELECTION HAS ENDED IN THAT~~
 39 ~~COUNTY~~, qualified electors may request to vote in the manner prescribed by
 40 the board of supervisors of their respective county. Before voting
 41 pursuant to this subsection, an elector who experiences an emergency shall
 42 provide identification as prescribed in section 16-579 and shall sign a
 43 statement under penalty of perjury that states that the person is
 44 experiencing or experienced an emergency after 5:00 p.m. on the Friday
 45 immediately preceding the election and before 5:00 p.m. on the Monday

1 immediately preceding the election that would prevent the person from
2 voting at the polls. Signed statements received pursuant to this
3 subsection are not subject to inspection pursuant to title 39, chapter 1,
4 article 2. For the purposes of this subsection, "emergency" means any
5 unforeseen circumstances that would prevent the elector from voting at the
6 polls.

7 I. Notwithstanding section 16-579, subsection A, paragraph 2, for
8 any voting pursuant to subsection H of this section, the county recorder
9 or other officer in charge of elections may allow a qualified elector to
10 update the elector's voter registration information as provided for in the
11 secretary of state's instructions and procedures manual adopted pursuant
12 to section 16-452.

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

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

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

40 Sec. 4. Section 16-558.02, Arizona Revised Statutes, is amended to
41 read:

42 16-558.02. Replacement ballots

43 A. The county recorder or other officer in charge of elections
44 shall determine ~~a central location~~ **ONE OR MORE LOCATIONS** in the ~~district~~
45 **APPROPRIATE JURISDICTION** and shall provide for a ballot replacement center

1 that is as near to ~~that~~ EACH location as is practicable for electors to
2 obtain a replacement ballot. ~~The~~ EACH location shall be open from
3 6:00 a.m. until 7:00 p.m. ~~of~~ ON the day of the election. An elector may
4 obtain a replacement ballot until 7:00 p.m. on the day of the election on
5 presenting a signed, sworn statement that the ORIGINAL ballot was ~~lost,~~
6 ~~spoiled, destroyed or~~ not received CAST.

7 B. The recorder or other officer in charge of elections shall keep
8 a record of each replacement ballot provided pursuant to this section.

9 C. If an elector to whom a replacement ballot is issued votes more
10 than once, only the first ballot received shall be counted.

11 Sec. 5. Section 16-584, Arizona Revised Statutes, is amended to
12 read:

13 16-584. Qualified elector not on precinct register;
14 recorder's certificate; verified ballot; procedure

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

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

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

39 D. On completion of the ballot, the VOTER OR THE election official
40 shall place the ballot in a provisional ballot envelope and shall deposit
41 the envelope in the ballot box. Within ten calendar days after a general
42 election that includes an election for a federal office and within five
43 business days after any other election or ~~no~~ NOT later than the time at
44 which challenged early voting ballots are resolved, the signature shall be
45 compared to the precinct signature roster of the former precinct where the

1 voter was registered. If the voter's name is not signed on the roster and
 2 if there is no indication that the voter voted an early ballot, the
 3 provisional ballot envelope shall be opened and the ballot shall be
 4 counted. If there is information showing the person did vote, the
 5 provisional ballot shall remain unopened and shall not be counted. When
 6 provisional ballots are confirmed for counting, the county recorder shall
 7 use the information supplied on the provisional ballot envelope to correct
 8 the address record of the voter.

9 E. When a voter is allowed to vote a provisional ballot, the
 10 elector's name shall be entered on a separate signature roster page at the
 11 end of the signature roster. Voters' names shall be numbered
 12 consecutively beginning with the number V-1. The elector shall sign in
 13 the space provided. The ballot shall be placed in a separate envelope,
 14 the outside of which shall contain the precinct name or number, a sworn or
 15 attested statement of the elector that the elector resides in the
 16 precinct, is eligible to vote in the election and has not previously voted
 17 in the election, the signature of the elector and the voter registration
 18 number of the elector, if available. The ballot shall be verified for
 19 proper registration of the elector by the county recorder before being
 20 counted. The verification shall be made by the county recorder within ten
 21 calendar days after a general election that includes an election for a
 22 federal office and within five business days following any other election.
 23 Verified ballots shall be counted by depositing the ballot in the ballot
 24 box and showing on the records of the election that the elector has
 25 voted. If registration is not verified the ballot shall remain unopened
 26 and shall be retained in the same manner as voted ballots.

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