

House Engrossed Senate Bill  
early ballot envelope; notice

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1095

AN ACT

AMENDING SECTION 16-547, ARIZONA REVISED STATUTES; RELATING TO EARLY  
VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-547, Arizona Revised Statutes, is amended to  
3 read:

4 16-547. Ballot affidavit; form

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

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

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

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

27 Name of voter assistant: \_\_\_\_\_

28 Address of voter assistant: \_\_\_\_\_

29 B. IN ADDITION TO THE INFORMATION AND AFFIDAVIT DESCRIBED BY  
30 SUBSECTION A OF THIS SECTION, THE ENVELOPE ACCOMPANYING THE EARLY BALLOT  
31 SHALL STATE SUBSTANTIALLY THE FOLLOWING:

32 DROPPING OFF AN EARLY BALLOT AFTER THE FRIDAY BEFORE THE  
33 ELECTION MAY RESULT IN DELAYED RESULTS AS EACH BALLOT REQUIRES  
34 VERIFICATION.

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

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

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

4           ~~D~~. E. The county recorder or other officer in charge of elections  
5 shall supply printed instructions to early voters that direct them to sign  
6 the affidavit, mark the ballot and return both in the enclosed  
7 self-addressed envelope that complies with section 16-545. The  
8 instructions shall include the following statement:

9           In order to be valid and counted, the ballot and  
10          affidavit must be delivered to the office of the county  
11          recorder or other officer in charge of elections or may be  
12          deposited at any polling place in the county ~~no~~ NOT later than  
13          7:00 p.m. on election day. The ballot will not be counted  
14          without the voter's signature on the envelope.

15          (WARNING – It is a felony to offer or receive any compensation  
16          for a ballot.)