

REFERENCE TITLE: early ballot envelope; notice

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

SB 1095

Introduced by
Senators Carroll; Gowan; Representative Livingston

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 FAILURE TO MAIL AN EARLY BALLOT OR DEPOSIT AN EARLY
33 BALLOT IN A BALLOT DROP BOX BY THE FRIDAY BEFORE THE ELECTION
34 WILL RESULT IN DELAYED ELECTION RESULTS.

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.)