

REFERENCE TITLE: early ballots; election day tabulation

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

SB 1105

Introduced by
Senators Carroll: Gowan

AN ACT

AMENDING SECTIONS 16-579.01 AND 16-579.02, ARIZONA REVISED STATUTES;
RELATING TO POLLING PLACE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-579.01, Arizona Revised Statutes, is amended
3 to read:

4 16-579.01. Early ballots; on-site tabulation

5 A. Every county recorder or other officer in charge of elections
6 ~~may~~ SHALL provide for a qualified elector who appears at that elector's
7 designated polling location or at a voting center on election day with the
8 elector's voted early ballot to have the elector's voted early ballot
9 tabulated as prescribed in section 16-579.02.

10 B. The county recorder or other officer in charge of elections
11 shall do all of the following ~~if~~ FOR the on-site tabulation of early
12 ballots ~~is allowed~~:

13 1. Designate an area within a precinct or voting center for
14 processing electors with their voted early ballots that is physically
15 separate from the area for voters who are voting pursuant to section
16 16-579.

17 2. Provide adequate poll workers, election officials and equipment
18 necessary to conduct voting pursuant to this section and section
19 16-579.02.

20 3. Categorize and tally separately in the official canvass and
21 other reports electors whose voted early ballots are tabulated at the
22 precinct or voting center. The tally shall be reported by precinct in the
23 official canvass and other voting reports.

24 4. Reconcile for that polling place or voting center the number of
25 electors who appear on the signature roster or ~~e-pollbook~~ ELECTRONIC
26 POLLBOOK with the number of completed early ballot affidavits and the
27 voted early ballots tabulated on-site.

28 Sec. 2. Section 16-579.02, Arizona Revised Statutes, is amended to
29 read:

30 16-579.02. Election day early ballot on-site tabulation
31 procedure; fund

32 A. A qualified elector who appears at a voting center or at the
33 elector's designated polling place ~~that allows for the on-site tabulation~~
34 ~~of early ballots~~ with the elector's voted early ballot shall present
35 identification as prescribed in section 16-579, subsection A, paragraph 1
36 and proceed as follows:

37 1. If the elector does not present identification that complies
38 with section 16-579, subsection A, paragraph 1, the elector shall either
39 deposit the elector's voted early ballot in its affidavit envelope in an
40 official drop box or proceed to the area designated for election day
41 voting to surrender the early ballot to the election board for retention
42 and not for tabulating. The elector shall then be allowed to vote a
43 provisional ballot as prescribed in section 16-584. An election official
44 may not allow for the on-site tabulation of an early ballot if the elector

1 does not present identification that complies with section 16-579,
2 subsection A, paragraph 1.

3 2. If the elector presents sufficient identification to comply with
4 section 16-579, subsection A, paragraph 1, the elector shall present the
5 elector's early ballot affidavit to the election official in charge of the
6 signature roster, and the election official shall confirm that the name
7 and address on the completed affidavit reasonably appear to be the same as
8 the name and address on the precinct register.

9 3. If the elector's affidavit is not complete, the election
10 official in charge of the signature roster shall allow the elector to
11 complete the affidavit. The election official may not allow for the
12 on-site tabulation of an early ballot until the elector presents a
13 completed early ballot affidavit.

14 B. If the elector's affidavit is complete, the elector's name shall
15 be numbered consecutively by the clerk and in the order of application for
16 early ballot tabulation.

17 C. For precincts in which a paper signature roster is used, each
18 qualified elector shall sign the elector's name in the signature roster as
19 prescribed in section 16-579, subsection D before proceeding to the
20 tabulating equipment.

21 D. For precincts in which an electronic pollbook is used, each
22 qualified elector shall sign the elector's name as prescribed in section
23 16-579, subsection E before proceeding to the tabulating equipment.

24 E. After signing the signature roster or electronic pollbook, the
25 elector shall proceed to the tabulating equipment and, while under the
26 observation of an election official, remove the early ballot from the
27 completed affidavit envelope, deposit the empty completed affidavit
28 envelope in the secured and labeled drop box and insert the early ballot
29 into a tabulating machine. An early ballot that has been separated from
30 the elector's completed affidavit envelope may not be removed from the
31 on-site early ballot tabulation area.

32 F. The drop box prescribed in subsection E of this section shall be
33 clearly labeled to indicate that the completed affidavits are from ballots
34 tabulated pursuant to this section and shall be secured in a manner
35 substantially similar to other ballot boxes at that location.

36 G. Any qualified elector who lawfully brings to a polling place or
37 voting center another elector's voted early ballot that is sealed in its
38 affidavit envelope shall deposit the other elector's voted early ballot in
39 the appropriate ballot drop box before entering the on-site early ballot
40 tabulation area for purposes of tabulating the elector's own early ballot.
41 The county recorder or other officer in charge of elections shall ensure
42 that a voter is not in possession of another voter's ballot within the
43 on-site early ballot tabulation area.