

Senate Engrossed

~~ballot drop boxes; prohibition~~
(now: ballot drop boxes; requirements; appropriation)

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

SENATE BILL 1170

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-546; MAKING AN APPROPRIATION; 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. Title 16, chapter 4, article 8, Arizona Revised
3 Statutes, is amended by adding section 16-546, to read:

4 16-546. Ballot drop boxes; vehicles; prohibition

5 A. NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR OTHER
6 OFFICER IN CHARGE OF ELECTIONS MAY USE AN UNMONITORED DROP BOX FOR RECEIPT
7 OF VOTED BALLOTS IF THE BALLOT DROP BOX IS LOCATED EITHER:

8 1. INSIDE A POLLING PLACE, VOTING CENTER OR OTHER LOCATION AT WHICH
9 PERSONS ARE VOTING AND ELECTION STAFF IS PRESENT AND MONITORING THE BALLOT
10 DROP BOX TO ENSURE COMPLIANCE WITH APPLICABLE LAWS.

11 2. INSIDE A COUNTY OFFICE OR OTHER FACILITY THAT IS USED BY THE
12 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS AND AT WHICH
13 ELECTION STAFF IS PRESENT AND MONITORING THE BALLOT DROP BOX.

14 B. A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY
15 USE AN OUTDOOR BALLOT DROP BOX FOR RECEIPT OF VOTED BALLOTS IF ALL OF THE
16 FOLLOWING APPLY:

17 1. TWO OR MORE ELECTION WORKERS WITH EQUAL REPRESENTATION OF THE
18 TWO LARGEST POLITICAL PARTIES IN THIS STATE MONITOR THE OUTDOOR BALLOT
19 DROP BOX FROM 8:00 A.M. UNTIL 5:00 P.M.

20 2. THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS
21 OPERATES A VIDEO RECORDING SYSTEM FOR THE BALLOT DROP BOX THAT INCLUDES
22 NIGHT VISION FILTERS AND MOTION ACTIVATED MARKERS IN THE RECORDINGS, THAT
23 IS MONITORED LIVE BY AN ELECTION WORKER FROM 5:00 P.M. UNTIL 8:00 A.M.,
24 THAT IS EQUIPPED WITH A PUBLICLY AVAILABLE LIVE FEED AND THAT PROVIDES FOR
25 STORED VIDEO RECORDINGS FOR AT LEAST TWENTY-FOUR MONTHS.

26 C. EXCEPT AS REQUIRED TO COMPLY WITH SECTION 16-581, TITLE 41,
27 CHAPTER 9, ARTICLE 5 OR THE AMERICANS WITH DISABILITIES ACT OF 1990
28 (P.L. 101-336) OR OTHER FEDERAL LAW, THE COUNTY RECORDER OR OTHER OFFICER
29 IN CHARGE OF ELECTIONS MAY NOT PROVIDE FOR OR ALLOW A VOTER TO RECEIVE A
30 BALLOT AND VOTE FROM A VEHICLE OR OTHER CONVEYANCE.

31 Sec. 2. Appropriation; state treasurer; county ballot drop
32 boxes; exemption

33 A. The sum of \$1,000,000 is appropriated from the state general
34 fund in fiscal year 2023-2024 to the state treasurer for disbursement to
35 counties for reimbursement of the following costs:

36 1. Relocating ballot drop boxes from facilities at which video
37 recording is otherwise prohibited by law.

38 2. Providing for personnel to monitor the overnight video feed of
39 ballot drop boxes.

40 3. Developing or acquiring appropriate infrastructure for live
41 video and recording of ballot drop boxes in rural areas.

42 B. The state treasurer shall disburse monies to counties on
43 submittal of a verified claim pursuant to this act. A county is not
44 eligible for reimbursement of county costs until after the county has used
45 all monies received under section 603 of the American rescue plan act of

1 2021 (P.L. 117-2) and is not eligible for reimbursement of any costs
2 initially paid by use of a county's federal monies.

3 C. The appropriation made in subsection A of this section is exempt
4 from the provisions of section 35-190, Arizona Revised Statutes, relating
5 to lapsing of appropriations, except that any amounts that remain
6 unexpended and unencumbered on June 30, 2025 revert to the state general
7 fund.