

House Engrossed

elections; mailing; curing; canvassing; precincts

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2876

AN ACT

AMENDING SECTIONS 16-411, 16-541, 16-542, 16-550, 16-558.01, 16-642 AND 16-648, ARIZONA REVISED STATUTES; RELATING TO 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 electioneering; wait times

6 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS, THE
7 COUNTY RECORDER AND THE COUNTY OFFICER IN CHARGE OF ELECTIONS MAY NOT USE
8 A VOTING CENTER, AN EARLY VOTING LOCATION OR ANOTHER SIMILAR METHOD OF
9 VOTING, AND ALL VOTING SHALL OCCUR IN INDIVIDUAL PRECINCTS WITH BALLOTS
10 THAT ARE PRINTED BEFORE DELIVERY TO THE POLLING PLACE. The board of
11 supervisors of each county, on or before October 1 of each year preceding
12 the year of a general election, by an order, shall establish a convenient
13 number of election precincts in the county and define the boundaries of
14 the precincts as follows:

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

20 2. If after October 1 of the year preceding the year of a general
21 election the board of supervisors must further adjust precinct boundaries
22 due to the redistricting of election districts as prescribed by law and to
23 comply with this subsection, the board of supervisors shall adjust these
24 precinct boundaries as soon as is practicable.

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

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

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

40 ~~3. On a specific finding of the board that the number of persons~~
41 ~~who are listed as early voters pursuant to section 16-544 and who are not~~
42 ~~expected to have their ballots tabulated at the polling place as~~
43 ~~prescribed in section 16-579.02 is likely to substantially reduce the~~
44 ~~number of voters appearing at one or more specific polling places at that~~
45 ~~election, adjacent precincts may be consolidated by combining polling~~

1 ~~places and precinct boards for that election. The board of supervisors~~
2 ~~shall ensure that a reasonable and adequate number of polling places will~~
3 ~~be designated for that election. Any consolidated polling places shall be~~
4 ~~listed in separate sections of the order or resolution of the board.~~

5 ~~4. On a specific resolution of the board, the board may authorize~~
6 ~~the use of voting centers in place of or in addition to specifically~~
7 ~~designated polling places. A voting center shall allow any voter in that~~
8 ~~county to receive the appropriate ballot for that voter on election day~~
9 ~~after presenting identification as prescribed in section 16-579 and to~~
10 ~~lawfully cast the ballot. Voting centers may be established in~~
11 ~~coordination and consultation with the county recorder, at other county~~
12 ~~offices or at other locations in the county deemed appropriate.~~

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

17 ~~(a) The board shall specify in the resolution the location and the~~
18 ~~hours of operation of the emergency voting centers.~~

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

26 ~~(c) If an emergency voting center established pursuant to this~~
27 ~~section becomes unavailable and there is not sufficient time for the board~~
28 ~~of supervisors to convene to approve an alternate location for that~~
29 ~~emergency voting center, the county recorder or other officer in charge of~~
30 ~~elections may make changes to the approved emergency voting center~~
31 ~~location and shall notify the public and the board of supervisors~~
32 ~~regarding that change as soon as practicable. The alternate emergency~~
33 ~~voting center shall be as close in proximity to the approved emergency~~
34 ~~voting center location as possible.~~

35 C. If the board fails to designate the place for holding the
36 election, or if it cannot be held at or about the place designated, the
37 justice of the peace in the precinct, two days before the election, by an
38 order, copies of which the justice of the peace shall immediately post in
39 three public places in the precinct, shall designate the place within the
40 precinct for holding the election. If there is no justice of the peace in
41 the precinct, or if the justice of the peace fails to do so, the election
42 board of the precinct shall designate and give notice of the place within
43 the precinct of holding the election. For any election in which there are
44 no candidates for elected office appearing on the ballot, the board may

1 consolidate polling places and precinct boards and may consolidate the
2 tabulation of results for that election if all of the following apply:

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

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

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

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

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

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

23 1. Space is not available at the school.

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

25 G. Beginning in 2026, the department of administration shall
26 coordinate with state agencies and counties to provide available and
27 appropriate state-owned facilities for use as a voting location for any
28 city, county or state election when requested by the officer in charge of
29 elections.

30 H. The board shall make available to the public as a public record
31 a list of the polling places for all precincts in which the election is to
32 be held.

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

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

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

17 1. An act of God renders a previously set polling place as
18 unusable.

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

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

29 1. The number of ballots voted in the prior primary and general
30 elections.

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

33 3. The number of registered voters and the number of registered
34 voters who cast an early ballot for the current primary or general
35 election.

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

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

41 Sec. 2. Section 16-541, Arizona Revised Statutes, is amended to
42 read:

43 16-541. Early voting

44 A. Any election called pursuant to the laws of this state shall
45 provide for early voting **AS PRESCRIBED BY THIS SECTION**, including voting

1 by the use of an accessible vote by United States mail option for persons
2 who are blind or have a visual impairment. ~~Any qualified elector may vote~~
3 ~~by early ballot.~~ NOTWITHSTANDING ANY OTHER LAW, A QUALIFIED ELECTOR MAY
4 VOTE BY EARLY BALLOT ONLY IF:

5 1. THE QUALIFIED ELECTOR IS REGISTERED TO VOTE IN THIS STATE AND IS
6 A STUDENT WHO IS TEMPORARILY ABSENT FROM THIS STATE FOR THE PURPOSE OF
7 ATTENDING SCHOOL. THE STUDENT SHALL PROVIDE DOCUMENTATION TO THE COUNTY
8 RECORDER THAT DEMONSTRATES THE STUDENT IS TEMPORARILY ABSENT FROM THIS
9 STATE TO ATTEND SCHOOL.

10 2. THE QUALIFIED ELECTOR IS REGISTERED TO VOTE IN THIS STATE AND IS
11 REQUIRED TO TEMPORARILY RESIDE OUTSIDE THIS STATE. THE QUALIFIED ELECTOR
12 SHALL PROVIDE DOCUMENTATION TO THE COUNTY RECORDER THAT DEMONSTRATES THAT
13 THE QUALIFIED ELECTOR IS REQUIRED TO TEMPORARILY RESIDE OUTSIDE THIS
14 STATE.

15 3. THE QUALIFIED ELECTOR IS REQUIRED TO TRAVEL ON ELECTION DAY AND
16 PROVIDES DOCUMENTATION TO THE COUNTY RECORDER THAT DEMONSTRATES THAT THE
17 QUALIFIED ELECTOR IS REQUIRED TO TRAVEL.

18 4. THE QUALIFIED ELECTOR IS ELDERLY OR IS A PERSON WITH A
19 DISABILITY.

20 5. THE QUALIFIED ELECTOR IS ELIGIBLE TO VOTE UNDER THE UNIFORMED
21 AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (P.L. 99-410; 100 STAT. 924; 52
22 UNITED STATES CODE SECTION 20310).

23 B. A qualified elector of a special district organized pursuant to
24 title 48 shall be permitted to vote early in any special district mail
25 ballot election as provided in article 8.1 of this chapter.

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

28 16-542. Request for ballot; civil penalties; violation;
29 classification

30 A. Within ninety-three days before any election called pursuant to
31 the laws of this state, an elector may make a verbal or signed request to
32 the county recorder, or other officer in charge of elections for the
33 applicable political subdivision of this state in whose jurisdiction the
34 elector is registered to vote, for an official early ballot. In addition
35 to name and address, the requesting elector shall provide the date of
36 birth and state or country of birth or other information that if compared
37 to the voter registration information on file would confirm the identity
38 of the elector. If the request indicates that the elector needs a primary
39 election ballot and a general election ballot, the county recorder or
40 other officer in charge of elections shall honor the request. For any
41 partisan primary election, if the elector is not registered as a member of
42 a political party that is entitled to continued representation on the
43 ballot pursuant to section 16-804, the elector shall designate the ballot
44 of only one of the political parties that is entitled to continued
45 representation on the ballot and the elector may receive and vote the

1 ballot of only that one political party, which also shall include any
2 nonpartisan offices and ballot questions, or the elector shall designate
3 the ballot for nonpartisan offices and ballot questions only and the
4 elector may receive and vote the ballot that contains only nonpartisan
5 offices and ballot questions. The county recorder or other officer in
6 charge of elections shall process any request for an early ballot for a
7 municipal election pursuant to this subsection. The county recorder may
8 establish on-site early voting locations at the recorder's office, which
9 shall be open and available for use beginning the same day that a county
10 begins to send out the early ballots. The county recorder may also
11 establish any other early voting locations in the county the recorder
12 deems necessary. Any on-site early voting location or other early voting
13 location shall require each elector to present identification as
14 prescribed in section 16-579 before receiving a ballot. Notwithstanding
15 section 16-579, subsection A, paragraph 2, at any on-site early voting
16 location or other early voting location the county recorder or other
17 officer in charge of elections may provide for a qualified elector to
18 update the elector's voter registration information as provided for in the
19 secretary of state's instructions and procedures manual adopted pursuant
20 to section 16-452.

21 B. Notwithstanding subsection A of this section, a request for an
22 official early ballot from an absent uniformed services voter or overseas
23 voter as defined in the uniformed and overseas citizens absentee voting
24 act (P.L. 99-410; 52 United States Code section 20310) or a voter whose
25 information is protected pursuant to section 16-153 that is received by
26 the county recorder or other officer in charge of elections more than
27 ninety-three days before the election is valid. If requested by the
28 absent uniformed services or overseas voter, or a voter whose information
29 is protected pursuant to section 16-153, the county recorder or other
30 officer in charge of elections shall provide to the requesting voter early
31 ballot materials through the next regularly scheduled general election for
32 federal office immediately following receipt of the request unless a
33 different period of time, which does not exceed the next two regularly
34 scheduled general elections for federal office, is designated by the
35 voter.

36 C. The county recorder or other officer in charge of elections
37 shall mail the early ballot and the envelope for its return postage
38 prepaid to the address provided by the requesting elector within five days
39 after receipt of the official early ballots from the officer charged by
40 law with the duty of preparing ballots pursuant to section 16-545, except
41 that early ballot distribution shall not begin more than ~~twenty-seven~~
42 THIRTY-FOUR days before the election. If an early ballot request is
43 received on or before the ~~thirty-first~~ THIRTY-EIGHTH day before the
44 election, the early ballot shall be distributed not earlier than the

1 ~~twenty-seventh~~ THIRTY-FOURTH day before the election and not later than
2 the ~~twenty-fourth~~ THIRTY-FIRST day before the election.

3 D. Only the elector may be in possession of that elector's unvoted
4 early ballot. If a complete and correct request is made by the elector
5 within ~~twenty-seven~~ THIRTY-FOUR days before the election, the mailing must
6 be made within forty-eight hours after receipt of the request. Saturdays,
7 Sundays and other legal holidays are excluded from the computation of the
8 forty-eight-hour period prescribed by this subsection. If a complete and
9 correct request is made by an absent uniformed services voter or an
10 overseas voter before the election, the regular early ballot shall be
11 transmitted by mail, by fax or by other electronic format approved by the
12 secretary of state within twenty-four hours after the early ballots are
13 delivered pursuant to section 16-545, subsection B, excluding Sundays.

14 E. In order to be complete and correct and to receive an early
15 ballot by mail, an elector's request that an early ballot be mailed to the
16 elector's residence or temporary address must include all of the
17 information prescribed by subsection A of this section and must be
18 received by the county recorder or other officer in charge of elections
19 not later than 5:00 p.m. on the eleventh day preceding the election. An
20 elector who appears personally not later than 7:00 p.m. on the Friday
21 preceding the election at an on-site early voting location that is
22 established by the county recorder or other officer in charge of elections
23 shall be given a ballot after presenting identification as prescribed in
24 section 16-579 and shall be allowed to vote at the on-site location.
25 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
26 early voting location the county recorder or other officer in charge of
27 elections may provide for a qualified elector to update the elector's
28 voter registration information as provided for in the secretary of state's
29 instructions and procedures manual adopted pursuant to section 16-452. If
30 an elector's request to receive an early ballot is not complete and
31 correct but complies with all other requirements of this section, the
32 county recorder or other officer in charge of elections shall attempt to
33 notify the elector of the deficiency of the request.

34 F. Unless an elector specifies that the address to which an early
35 ballot is to be sent is a temporary address, the recorder may use the
36 information from an early ballot request form to update voter registration
37 records.

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

43 H. As a result of experiencing an emergency between 7:00 p.m. on
44 the Friday preceding the election and 5:00 p.m. on the Monday preceding
45 the election, qualified electors may request to vote in the manner

1 prescribed by the board of supervisors of their respective county. Before
2 voting pursuant to this subsection, an elector who experiences an
3 emergency shall provide identification as prescribed in section 16-579 and
4 shall sign a statement under penalty of perjury that states that the
5 person is experiencing or experienced an emergency after 7:00 p.m. on the
6 Friday immediately preceding the election and before 5:00 p.m. on the
7 Monday immediately preceding the election that would prevent the person
8 from voting at the polls. Signed statements received pursuant to this
9 subsection are not subject to inspection pursuant to title 39, chapter 1,
10 article 2. For the purposes of this subsection, "emergency" means any
11 unforeseen circumstances that would prevent the elector from voting at the
12 polls.

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

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

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

38 L. Except for a voter who is on the active early voting list
39 prescribed by section 16-544, a voter who requests a onetime early ballot
40 pursuant to this section or for an election conducted pursuant to section
41 16-409 or article 8.1 of this chapter, a county recorder, city or town
42 clerk or other election officer may not deliver or mail an early ballot to
43 a person who has not requested an early ballot for that election. An
44 election officer who knowingly violates this subsection is guilty of a
45 class 5 felony.

1 Sec. 4. Section 16-550, Arizona Revised Statutes, is amended to
2 read:

3 16-550. Receipt of voter's ballot; cure period; tracking
4 system

5 A. Except for early ballots tabulated as prescribed in section
6 16-579.02 or, beginning in 2026, received at a voting location after a
7 voter's identification is confirmed as prescribed by section 16-579,
8 subsection A, paragraph 4, on receipt of the envelope containing the early
9 ballot and the mail ballot affidavit, the county recorder or other officer
10 in charge of elections shall compare the signature on the envelope with
11 the signature of the elector on the elector's registration record as
12 prescribed by section 16-550.01. If the signature is inconsistent with
13 the elector's signature on the elector's registration record, the county
14 recorder or other officer in charge of elections shall make reasonable
15 efforts to contact the voter, advise the voter of the inconsistent
16 signature and allow the voter to correct or the county to confirm the
17 inconsistent signature. The county recorder or other officer in charge of
18 elections shall allow signatures to be corrected not later than the ~~fifth~~
19 **SECOND** business day after ~~a primary, general or special election that~~
20 ~~includes a federal office or the third business day after any other AN~~
21 election. If the election is a primary, general or special election that
22 includes a federal office, in addition to the office's regular business
23 hours, the county recorder's and city or town clerks' offices shall be
24 open during regular business hours to allow for curing signatures during
25 the Friday and weekend before and the Friday and weekend after the
26 election. If the signature is missing, the county recorder or other
27 officer in charge of elections shall make reasonable efforts to contact
28 the elector, advise the elector of the missing signature and allow the
29 elector to add the elector's signature not later than 7:00 p.m. on
30 election day. If satisfied that the signatures correspond, the recorder
31 or other officer in charge of elections shall hold the envelope containing
32 the early ballot and the completed mail affidavit unopened in accordance
33 with the rules of the secretary of state. Signatures that cannot be
34 verified pursuant to section 16-550.01 or cured pursuant to this section
35 shall be rejected. Beginning with the first missing or mismatched
36 signature that is identified after the period of early voting begins
37 through the Monday immediately preceding the election, the county recorder
38 or other officer in charge of elections shall submit daily to the
39 political parties that are qualified for continued representation on the
40 state ballot an updated list of all voters whose signatures are missing or
41 inconsistent with the voter's signature on the voter's registration
42 record. Beginning on the Wednesday immediately following the election
43 through the end of the signature cure period after a primary, general or
44 special election that includes a federal office, or the third business day
45 after the election for any other election, the county recorder or other

1 officer in charge of elections shall submit daily to the political parties
2 that are qualified for continued representation on the state ballot an
3 updated list of all voters whose signatures are inconsistent with the
4 voter's signature on the voter's registration record and all voters who
5 voted with a conditional provisional ballot. This list of voters whose
6 signatures require curing shall include for those voters all voter
7 information that is provided to the political parties that are qualified
8 for continued representation on the state ballot as prescribed by section
9 16-168.

10 B. The recorder or other officer in charge of elections shall
11 thereafter safely keep the mail ballot affidavits and early ballots in the
12 recorder's or other officer's office and may deliver them for tallying
13 pursuant to section 16-551.

14 C. Processing and tabulation of individual ballots may begin
15 immediately after the envelope and completed mail ballot affidavit are
16 processed pursuant to this section and delivered to the early election
17 board and shall continue without delay until completed. Until election
18 day, the early election board and the county recorder or other officer in
19 charge of elections shall:

20 1. Not access an aggregated complete results file of early voting
21 and vote by mail ballots that were processed and tabulated by the end of
22 the early voting period.

23 2. Not produce for internal or external use an aggregated results
24 report or associated files of complete results.

25 3. Only produce a partial results report or associated files if it
26 is part of the internal preparation for the hand count pursuant to section
27 16-602 or for the logic and accuracy testing required pursuant to section
28 16-449.

29 4. Not publicly release complete or partial results, whether for
30 internal or external use, until all precincts have reported or one hour
31 after the closing of the polls on election day, whichever is earlier.

32 D. The county recorder or other officer in charge of elections
33 shall post on its website within forty-eight hours after all ballot
34 tabulation is complete all system log files and other similar files from
35 the election management system that verify compliance with subsection C of
36 this section.

37 E. The county recorder shall send a list of all voters who were
38 issued early ballots to the election board of the precinct in which the
39 voter is registered.

40 F. For a county that uses early ballots, the county recorder or
41 other officer in charge of elections shall provide an early ballot
42 tracking system that indicates whether the voter's early ballot has been
43 received and whether the early ballot has been verified and sent to be
44 tabulated or rejected. The county recorder or other officer in charge of

1 elections shall provide voters with access to the early ballot tracking
2 system on the county's website.

3 G. This section does not apply to:

4 1. A special taxing district that is authorized pursuant to section
5 16-191 to conduct its own elections.

6 2. A special district mail ballot election that is conducted
7 pursuant to article 8.1 of this chapter.

8 Sec. 5. Section 16-558.01, Arizona Revised Statutes, is amended to
9 read:

10 16-558.01. Mailing of ballots

11 Not more than ~~twenty-seven~~ THIRTY-FOUR days before the election and
12 not fewer than fifteen days before the election, the county recorder or
13 other officer in charge of elections for the special district shall send
14 by nonforwardable mail all official ballots with printed instructions and
15 a return envelope bearing a printed ballot affidavit as described in
16 section 16-547 to each qualified elector entitled to vote in the
17 election. The envelope in which the ballot is mailed shall be clearly
18 marked with the statement required by the postmaster to receive an address
19 correction and notification. The district governing board shall determine
20 whether the voter or the district governing board will pay for the postage
21 for the return of electors' marked ballots. An elector who votes in a
22 special district mail ballot election shall return the elector's marked
23 ballot to the recorder or other officer in charge of the election or to a
24 designated depository site as provided in section 16-411 ~~no~~ NOT later than
25 7:00 p.m. on the day of the election.

26 Sec. 6. Section 16-642, Arizona Revised Statutes, is amended to
27 read:

28 16-642. Canvass of election; postponements

29 A. The governing body holding an election shall meet and canvass
30 the election as follows:

31 1. The governing board of a county shall meet and canvass ~~as~~
32 ~~follows:~~

33 ~~(a) For the primary election, not later than the second Monday~~
34 ~~after the election.~~

35 ~~(b) For the general election, not later than the third Thursday~~
36 ~~after the election~~ THE ELECTION NOT LESS THAN SIX DAYS NOR MORE THAN
37 TWELVE DAYS FOLLOWING THE ELECTION.

38 2. The secretary of state shall canvass ~~as follows:~~

39 ~~(a) For the primary election, not later than the third Thursday~~
40 ~~after the election.~~

41 ~~(b) For the general election,~~ THE ELECTION not later than the ~~third~~
42 ~~Monday~~ FOURTEENTH CALENDAR DAY after the election.

43 3. The governing body of a city, town or special district shall
44 meet and canvass the election not less than six days and not more than
45 twenty days following the election.

1 B. The governing body of a special district as defined in title 48
2 shall present to the board of supervisors a certified copy of the official
3 canvass of the election at the next regularly scheduled meeting of the
4 board of supervisors. For purposes of contesting a special district
5 election as described in section 16-673, the canvass is not complete until
6 the presentation to the board of supervisors is made.

7 C. If, at the time of the meeting of the governing body, the
8 returns from any polling place in the election district where the polls
9 were opened and an election held are found to be missing, the canvass
10 shall be postponed from day to day until all the returns are received or
11 until six postponements have been had. The subsection does not apply to
12 the county board of supervisors' canvass of the primary and general
13 election.

14 Sec. 7. Section 16-648, Arizona Revised Statutes, is amended to
15 read:

16 16-648. Canvass for state offices, amendments and measures

17 A. On the ~~third Monday~~ FOURTEENTH CALENDAR DAY following a general
18 election, the secretary of state, in the presence of the governor and the
19 attorney general, shall canvass all offices for which the nominees filed
20 nominating petitions and papers with the secretary of state pursuant to
21 section 16-311, subsection E.

22 B. The secretary of state, in the presence of the governor and the
23 chief justice of the supreme court, shall canvass all proposed
24 constitutional amendments and initiated or referred measures, as shown by
25 the electronic or certified copies of the official canvass received from
26 the several counties, and forthwith certify the result to the governor.

27 Sec. 8. Conforming legislation

28 The legislative council staff shall prepare proposed legislation
29 conforming the Arizona Revised Statutes to the provisions of this act for
30 consideration in the fifty-seventh legislature, first regular session.

31 Sec. 9. Short title

32 This act may be cited as the "Free, Fair and Transparent Elections
33 Act".