

House Engrossed

early voting; tabulation; ballot deadlines

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2703

AN ACT

AMENDING SECTIONS 16-411, 16-449, 16-542, 16-544, 16-547, 16-548, 16-551, 16-552, 16-579.01 AND 16-579.02, ARIZONA REVISED STATUTES; RELATING TO THE 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 voting centers; electioneering; wait times

6 A. The board of supervisors of each county, on or before October 1
7 of each year preceding the year of a general election, by an order, shall
8 establish a convenient number of election precincts in the county and
9 define the boundaries of the precincts as follows:

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

15 2. If after October 1 of the year preceding the year of a general
16 election the board of supervisors must further adjust precinct boundaries
17 due to the redistricting of election districts as prescribed by law and to
18 comply with this subsection, the board of supervisors shall adjust these
19 precinct boundaries as soon as is practicable.

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

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

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

35 3. On a specific finding of the board that the number of persons
36 who are listed as early voters pursuant to section 16-544 and who are not
37 expected to have their ballots tabulated at the polling place as
38 prescribed in section 16-579.02 is likely to substantially reduce the
39 number of voters appearing at one or more specific polling places at that
40 election, adjacent precincts may be consolidated by combining polling
41 places and precinct boards for that election. The board of supervisors
42 shall ensure that a reasonable and adequate number of polling places will
43 be designated for that election. Any consolidated polling places shall be
44 listed in separate sections of the order or resolution of the board.

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

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

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

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

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

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

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

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

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

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

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

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

21 ~~1. Space is not available at the school.~~

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

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

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

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

1 political activity shall be allowed outside of the seventy-five foot
2 limit. If an emergency arises after the county recorder or other officer
3 in charge of elections' initial website posting, the county recorder or
4 other officer in charge of elections shall update the website as soon as
5 is practicable to include any new polling places, shall highlight the
6 polling place location on the website and shall specify the reason the
7 emergency designation was granted and the number of attempts that were
8 made to find a polling place before granting an emergency designation.

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

15 1. An act of God renders a previously set polling place as
16 unusable.

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

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

27 1. The number of ballots voted in the prior primary and general
28 elections.

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

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

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

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

39 Sec. 2. Section 16-449, Arizona Revised Statutes, is amended to
40 read:

41 16-449. Required test of equipment and programs; notice;
42 procedures manual

43 A. Within the period of time before the election day prescribed by
44 the secretary of state in the instructions and procedures manual adopted
45 pursuant to section 16-452, the board of supervisors or other ~~election~~

1 officer in charge OF ELECTIONS, or for an election involving state or
2 federal candidates, the secretary of state, shall ~~have~~ TEST the automatic
3 tabulating equipment and programs ~~tested~~ to ascertain that the equipment
4 and programs will correctly count the votes cast for all offices and on
5 all measures. Public notice of the time and place of the test shall be
6 given at least forty-eight hours ~~prior thereto~~ BEFORE THE TEST by
7 publication once in one or more daily or weekly newspapers published in
8 the town, city or village using such equipment, if a newspaper is
9 published ~~therein~~ IN THE TOWN, CITY OR VILLAGE, otherwise in a newspaper
10 of general circulation ~~therein~~. The test shall be observed by at least
11 two election inspectors, who shall not be of the same political party, and
12 shall be open to representatives of the political parties, candidates, the
13 press and the public. The test shall be conducted by processing a
14 preaudited group of ballots so marked as to record a predetermined number
15 of valid votes for each candidate and on each measure and shall include
16 for each office one or more ballots that have votes in excess of the
17 number allowed by law in order to test the ability of the automatic
18 tabulating equipment and programs to reject such votes. If any error is
19 detected, the cause ~~therefor~~ FOR THE ERROR shall be ascertained and
20 corrected and an errorless count shall be made before the automatic
21 tabulating equipment and programs are approved. A copy of a revised
22 program shall be filed with the secretary of state within forty-eight
23 hours after the revision is made. If the error was created by automatic
24 tabulating equipment malfunction, a report shall be filed with the
25 secretary of state within forty-eight hours after the correction is made,
26 stating the cause and the corrective action taken. The test shall be
27 repeated immediately before the start of the official count of the ballots
28 in the same manner as set forth above. After the completion of the count,
29 the programs used and the ballots shall be sealed, retained and disposed
30 of as provided for paper ballots.

31 B. Electronic ballot tabulating systems shall be tested for logic
32 and accuracy within seven days before their use for early balloting
33 pursuant to the instructions and procedures manual for electronic voting
34 systems that is adopted by the secretary of state as prescribed by section
35 16-452. The instructions and procedures manual shall include procedures
36 for the handling of ballots, the electronic scanning of ballots and any
37 other matters necessary to ensure the maximum degree of correctness,
38 impartiality and uniformity in the administration of an electronic ballot
39 tabulating system.

40 C. Notwithstanding subsections A and B of this section, if a county
41 uses accessible voting equipment to mark ballots and that accessible
42 voting equipment does not independently tabulate or tally votes, the
43 secretary of state in cooperation with the county officer in charge of
44 elections may designate a single date to test the logic and accuracy of

1 both the accessible voting equipment and electronic ballot tabulating
2 systems.

3 D. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, FOR ANY COUNTY THAT
4 PROVIDES FOR ON-SITE TABULATION PURSUANT TO SECTIONS 16-579.01 AND
5 16-579.02, THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS
6 SHALL TEST THE ELECTRONIC BALLOT TABULATING EQUIPMENT TO BE UTILIZED
7 PURSUANT TO SECTION 16-579.01 FOR LOGIC AND ACCURACY WITHIN FIFTY DAYS
8 BEFORE ELECTION DAY. THIS DOES NOT IMPACT THE DEADLINES FOR PERFORMING
9 LOGIC AND ACCURACY TESTING ON OTHER EQUIPMENT.

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

12 16-542. Request for ballot; civil penalties; violation;
13 classification

14 A. Within ninety-three days before any election called pursuant to
15 the laws of this state, an elector may make a verbal or signed request to
16 the county recorder, or other officer in charge of elections for the
17 applicable political subdivision of this state in whose jurisdiction the
18 elector is registered to vote, for an official early ballot. In addition
19 to name and address, the requesting elector shall provide the date of
20 birth and state or country of birth or other information that if compared
21 to the voter registration information on file would confirm the identity
22 of the elector. If the request indicates that the elector needs a primary
23 election ballot and a general election ballot, the county recorder or
24 other officer in charge of elections shall honor the request. For any
25 partisan primary election, if the elector is not registered as a member of
26 a political party that is entitled to continued representation on the
27 ballot pursuant to section 16-804, the elector shall designate the ballot
28 of only one of the political parties that is entitled to continued
29 representation on the ballot and the elector may receive and vote the
30 ballot of only that one political party, which also shall include any
31 nonpartisan offices and ballot questions, or the elector shall designate
32 the ballot for nonpartisan offices and ballot questions only and the
33 elector may receive and vote the ballot that contains only nonpartisan
34 offices and ballot questions. The county recorder or other officer in
35 charge of elections shall process any request for an early ballot for a
36 municipal election pursuant to this subsection. The county recorder may
37 establish on-site early voting locations at the recorder's office, which
38 shall be open and available for use beginning the same day that a county
39 begins to send out the early ballots. The county recorder may also
40 establish any other early voting locations in the county the recorder
41 deems necessary. Any on-site early voting location or other early voting
42 location shall require each elector to present identification as
43 prescribed in section 16-579 before receiving a ballot. Notwithstanding
44 section 16-579, subsection A, paragraph 2, at any on-site early voting
45 location or other early voting location the county recorder or other

1 officer in charge of elections may provide for a qualified elector to
2 update the elector's voter registration information as provided for in the
3 secretary of state's instructions and procedures manual adopted pursuant
4 to section 16-452.

5 B. Notwithstanding subsection A of this section, a request for an
6 official early ballot from an absent uniformed services voter or overseas
7 voter as defined in the uniformed and overseas citizens absentee voting
8 act (P.L. 99-410; 52 United States Code section 20310) or a voter whose
9 information is protected pursuant to section 16-153 that is received by
10 the county recorder or other officer in charge of elections more than
11 ninety-three days before the election is valid. If requested by the
12 absent uniformed services or overseas voter, or a voter whose information
13 is protected pursuant to section 16-153, the county recorder or other
14 officer in charge of elections shall provide to the requesting voter early
15 ballot materials through the next regularly scheduled general election for
16 federal office immediately following receipt of the request unless a
17 different period of time, which does not exceed the next two regularly
18 scheduled general elections for federal office, is designated by the
19 voter.

20 C. The county recorder or other officer in charge of elections
21 shall mail the early ballot and the envelope for its return postage
22 prepaid to the address provided by the requesting elector within five days
23 after receipt of the official early ballots from the officer charged by
24 law with the duty of preparing ballots pursuant to section 16-545, except
25 that early ballot distribution shall not begin more than twenty-seven days
26 before the election. If an early ballot request is received on or before
27 the thirty-first day before the election, the early ballot shall be
28 distributed not earlier than the twenty-seventh day before the election
29 and not later than the twenty-fourth day before the election.

30 D. Only the elector may be in possession of that elector's unvoted
31 early ballot. If a complete and correct request is made by the elector
32 within twenty-seven days before the election, the mailing must be made
33 within forty-eight hours after receipt of the request. Saturdays, Sundays
34 and other legal holidays are excluded from the computation of the
35 forty-eight-hour period prescribed by this subsection. If a complete and
36 correct request is made by an absent uniformed services voter or an
37 overseas voter before the election, the regular early ballot shall be
38 transmitted by mail, by fax or by other electronic format approved by the
39 secretary of state within twenty-four hours after the early ballots are
40 delivered pursuant to section 16-545, subsection B, excluding Sundays.

41 E. In order to be complete and correct and to receive an early
42 ballot by mail, an elector's request that an early ballot be mailed to the
43 elector's residence or temporary address must include all of the
44 information prescribed by subsection A of this section and must be
45 received by the county recorder or other officer in charge of elections

1 not later than 5:00 p.m. on the eleventh day preceding the election. An
2 elector who appears personally not later than 7:00 p.m. on the ~~Friday~~
3 ~~MONDAY~~ preceding the election at an on-site early voting location ~~OR OTHER~~
4 ~~EARLY VOTING LOCATION~~ that is established by the county recorder or other
5 officer in charge of elections shall be given a ballot after presenting
6 identification as prescribed in section 16-579 and shall be allowed to
7 vote at the on-site location. Notwithstanding section 16-579, subsection
8 A, paragraph 2, at any on-site early voting location the county recorder
9 or other officer in charge of elections may provide for a qualified
10 elector to update the elector's voter registration information as provided
11 for in the secretary of state's instructions and procedures manual adopted
12 pursuant to section 16-452. If an elector's request to receive an early
13 ballot is not complete and correct but complies with all other
14 requirements of this section, the county recorder or other officer in
15 charge of elections shall attempt to notify the elector of the deficiency
16 of the request.

17 F. Unless an elector specifies that the address to which an early
18 ballot is to be sent is a temporary address, the recorder may use the
19 information from an early ballot request form to update voter registration
20 records.

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

26 ~~H. As a result of experiencing an emergency between 7:00 p.m. on~~
27 ~~the Friday preceding the election and 5:00 p.m. on the Monday preceding~~
28 ~~the election, qualified electors may request to vote in the manner~~
29 ~~prescribed by the board of supervisors of their respective county. Before~~
30 ~~voting pursuant to this subsection, an elector who experiences an~~
31 ~~emergency shall provide identification as prescribed in section 16-579 and~~
32 ~~shall sign a statement under penalty of perjury that states that the~~
33 ~~person is experiencing or experienced an emergency after 7:00 p.m. on the~~
34 ~~Friday immediately preceding the election and before 5:00 p.m. on the~~
35 ~~Monday immediately preceding the election that would prevent the person~~
36 ~~from voting at the polls. Signed statements received pursuant to this~~
37 ~~subsection are not subject to inspection pursuant to title 39, chapter 1,~~
38 ~~article 2. For the purposes of this subsection, "emergency" means any~~
39 ~~unforeseen circumstances that would prevent the elector from voting at the~~
40 ~~polls.~~

41 ~~I. Notwithstanding section 16-579, subsection A, paragraph 2, for~~
42 ~~any voting pursuant to subsection H of this section, the county recorder~~
43 ~~or other officer in charge of elections may allow a qualified elector to~~
44 ~~update the elector's voter registration information as provided for in the~~

1 ~~secretary of state's instructions and procedures manual adopted pursuant~~
2 ~~to section 16-452.~~

3 ~~H.~~ H. A candidate, political committee or other organization may
4 distribute early ballot request forms to voters. If the early ballot
5 request forms include a printed address for return, the addressee shall be
6 the political subdivision that will conduct the election. Failure to use
7 the political subdivision as the return addressee is punishable by a civil
8 penalty of up to three times the cost of the production and distribution
9 of the request.

10 ~~I.~~ I. All original and completed early ballot request forms that
11 are received by a candidate, political committee or other organization
12 shall be submitted within six business days after receipt by a candidate,
13 political committee or other organization or eleven days before the
14 election day, whichever is earlier, to the political subdivision that will
15 conduct the election. Any person, political committee or other
16 organization that fails to submit a completed early ballot request form
17 within the prescribed time is subject to a civil penalty of up to \$25 per
18 day for each completed form withheld from submittal. Any person who
19 knowingly fails to submit a completed early ballot request form before the
20 submission deadline for the election immediately following the completion
21 of the form is guilty of a class 6 felony.

22 ~~J.~~ J. Except for a voter who is on the active early voting list
23 prescribed by section 16-544, a voter who requests a onetime early ballot
24 pursuant to this section or for an election conducted pursuant to section
25 16-409 or article 8.1 of this chapter, a county recorder, city or town
26 clerk or other election officer may not deliver or mail an early ballot to
27 a person who has not requested an early ballot for that election. An
28 election officer who knowingly violates this subsection is guilty of a
29 class 5 felony.

30 Sec. 4. Section 16-544, Arizona Revised Statutes, is amended to
31 read:

32 16-544. Active early voting list; civil penalty; violation;
33 classification; definition

34 A. Any voter may request to be included on a list of voters to
35 receive an early ballot by mail for any election for which the county
36 voter registration roll is used to prepare the election register. The
37 county recorder of each county shall maintain the active early voting list
38 as part of the voter registration roll.

39 B. In order to be included on the active early voting list, the
40 **EARLY MAIL** voter shall make a written request specifically requesting that
41 the **EARLY MAIL** voter's name be added to the active early voting list for
42 all elections in which the applicant is eligible to vote. **A COUNTY WITH A**
43 **POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR MORE SHALL REQUIRE THE**
44 **EARLY MAIL VOTER, THROUGH AN AFFIRMATIVE ACT ON THE PART OF THE EARLY MAIL**
45 **VOTER, TO CONFIRM THE EARLY MAIL VOTER'S ADDRESS PURSUANT TO THIS SECTION**

1 EACH ELECTION CYCLE BEFORE RECEIVING AN EARLY BALLOT BY MAIL REGARDLESS OF
2 WHETHER THE EARLY MAIL VOTER IS ON THE ACTIVE EARLY VOTING LIST. A COUNTY
3 WITH A POPULATION OF FEWER THAN FIVE HUNDRED THOUSAND PERSONS SHALL
4 REQUIRE AN EARLY MAIL VOTER, THROUGH AN AFFIRMATIVE ACT ON THE PART OF THE
5 EARLY MAIL VOTER, TO CONFIRM THE EARLY MAIL VOTER'S ADDRESS PURSUANT TO
6 THIS SECTION DURING THE FOUR-YEAR PERIOD THAT CONSTITUTES TWO CONSECUTIVE
7 ELECTION CYCLES BEFORE RECEIVING AN EARLY BALLOT BY MAIL REGARDLESS OF
8 WHETHER THE EARLY MAIL VOTER IS ON THE ACTIVE EARLY VOTING LIST. An early
9 MAIL voter request form shall conform to requirements prescribed in the
10 instructions and procedures manual issued pursuant to section 16-452. The
11 application shall allow for the EARLY MAIL voter to provide the EARLY MAIL
12 voter's name, residence address, mailing address in the EARLY MAIL voter's
13 county of residence, date of birth and signature and shall state that the
14 EARLY MAIL voter is attesting that the voter is a registered voter who is
15 eligible to vote in the county of residence. The EARLY MAIL voter shall
16 not list a mailing address that is outside of this state for the purpose
17 of the active early voting list unless the EARLY MAIL voter is an absent
18 uniformed services voter or overseas voter as defined in the uniformed and
19 overseas citizens absentee voting act (P.L. 99-410; 52 United States Code
20 section 20310). In lieu of the application, the applicant may submit a
21 written request that contains the required information. THE COUNTY
22 RECORDER SHALL ALLOW THE EARLY MAIL VOTER TO PERFORM AN AFFIRMATIVE ACT TO
23 CONFIRM THE EARLY MAIL VOTER'S ADDRESS BY ANY ONE OR MORE OF THE FOLLOWING
24 METHODS:

25 1. MAILING THE EARLY MAIL VOTER A NOTICE TO CONFIRM OR UPDATE THE
26 EARLY MAIL VOTER'S ADDRESS.

27 2. CALLING THE EARLY MAIL VOTER OR NOTIFYING THE EARLY MAIL VOTER TO
28 CALL THE COUNTY RECORDER TO CONFIRM OR UPDATE THE EARLY MAIL VOTER'S
29 ADDRESS.

30 3. ALLOWING THE EARLY MAIL VOTER TO CONFIRM OR UPDATE THE EARLY MAIL
31 VOTER'S ADDRESS BY WAY OF A COUNTY WEBSITE PORTAL. A COUNTY WEBSITE PORTAL
32 FOR THIS PURPOSE SHALL PROMPT THE EARLY MAIL VOTER TO CONFIRM OR UPDATE
33 THE EARLY MAIL VOTER'S ADDRESS EACH TIME THE EARLY MAIL VOTER LOGS IN IF
34 THE VOTER'S ADDRESS HAS NOT YET BEEN CONFIRMED FOR THAT ELECTION CYCLE.

35 C. A NOTICE SENT TO A VOTER TO CONFIRM THE VOTER'S ADDRESS PURSUANT
36 TO SUBSECTION B, PARAGRAPH 1 OF THIS SECTION SHALL BE IN THE FOLLOWING
37 FORM AND INCLUDE CHECK BOXES:

38 _____[CHECK BOX] I AFFIRM THAT I HAVE NOT MOVED AND MY
39 ADDRESS IS THE SAME AS THE ADDRESS INDICATED ON THE FRONT OF
40 THE ENVELOPE.

41 _____[CHECK BOX] MY ADDRESS HAS CHANGED AND I WOULD
42 LIKE TO UPDATE MY ADDRESS: _____

43 D. ADDRESS CONFIRMATION RECEIVED AFTER THE LAST DAY TO REQUEST AN
44 EARLY BALLOT WILL BE PROCESSED FOR THE NEXT UPCOMING ELECTION FOR WHICH
45 THE EARLY MAIL VOTER IS ELIGIBLE IN THE CURRENT ELECTION CYCLE.

1 ~~E~~. E. On receipt of a request to be included on the active early
2 voting list, the county recorder or other officer in charge of elections
3 shall compare the signature on the request form with the voter's signature
4 on the voter's registration form and, if the request is from the voter,
5 shall mark the voter's registration file as an active early ballot
6 request.

7 ~~F~~. F. Not less than ninety days before any polling place election
8 scheduled in March or August, the county recorder or other officer in
9 charge of elections shall mail to all voters who are eligible for the
10 election and who are included on the active early voting list an election
11 notice by nonforwardable mail that is marked with the statement required
12 by the postmaster to receive an address correction notification. If an
13 election is not formally called by a jurisdiction by the one hundred
14 eightieth day before the election, the recorder or other officer in charge
15 of elections is not required to send the election notice. The notice
16 shall include the dates of the elections that are the subject of the
17 notice, the dates that the voter's ballot is expected to be mailed and the
18 address where the ballot will be mailed. If the upcoming election is a
19 partisan open primary election and the voter is not registered as a member
20 of one of the political parties that is recognized for purposes of that
21 primary, the notice shall include information on the procedure for the
22 voter to designate a political party ballot. The notice shall be
23 delivered with return postage prepaid and shall also include a means for
24 the voter to do any of the following:

25 1. Change the mailing address for the voter's ballot to another
26 location in the voter's county of residence.

27 2. Update the voter's residence address in the voter's county of
28 residence.

29 3. Request that the voter not be sent a ballot for the upcoming
30 election or elections indicated on the notice.

31 ~~G~~. G. If the notice that is mailed to the voter is returned
32 undeliverable by the postal service, the county recorder or other officer
33 in charge of elections shall take the necessary steps to contact the voter
34 at the voter's new residence address in order to update that voter's
35 address or to move the voter to inactive status as prescribed in section
36 16-166, subsection A. If a voter is moved to inactive status, the voter
37 shall be removed from the active early voting list. If the voter is
38 removed from the active early voting list, the voter shall only be added
39 to the active early voting list again if the voter submits a new request
40 pursuant to this section.

41 ~~H~~. H. Not later than the first day of early voting, the county
42 recorder or other officer in charge of elections shall mail an early
43 ballot to all eligible voters included on the active early voting list in
44 the same manner prescribed in section 16-542, subsection C. If the voter
45 has not returned the notice or otherwise notified the election officer

1 within forty-five days before the election that the voter does not wish to
2 receive an early ballot by mail for the election or elections indicated,
3 the ballot shall automatically be scheduled for mailing.

4 ~~I.~~ I. If a voter who is on the active early voting list is not
5 registered as a member of a recognized political party and fails to notify
6 the county recorder of the voter's choice for political party ballot
7 within forty-five days before a partisan open primary election, the
8 following apply:

9 1. The voter shall not automatically be sent a ballot for that
10 partisan open primary election only and the voter's name shall remain on
11 the active early voting list for future elections.

12 2. To receive an early ballot for the primary election, the voter
13 shall submit the voter's choice for political party ballot to the county
14 recorder.

15 ~~H.~~ J. After a voter has requested to be included on the active
16 early voting list, the voter shall be sent an early ballot by mail
17 automatically for any election at which a voter at that residence address
18 is eligible to vote until any of the following occurs:

19 1. The voter requests in writing to be removed from the active
20 early voting list.

21 2. The voter's registration or eligibility for registration is
22 moved to inactive status or canceled as otherwise provided by law.

23 3. The notice sent by the county recorder or other officer in
24 charge of elections is returned undeliverable and the county recorder or
25 officer in charge of elections is unable to contact the voter to determine
26 the voter's continued desire to remain on the list.

27 4. The voter fails to vote an early ballot in all elections for two
28 consecutive election cycles. For the purposes of this paragraph,
29 "election" means any regular primary or regular general election for which
30 there was a federal race on the ballot or for which a city or town
31 candidate primary or first election or city or town candidate second,
32 general or runoff election was on the ballot. This paragraph does not
33 apply to:

34 (a) A special taxing district that is authorized pursuant to
35 section 16-191 to conduct its own elections.

36 (b) A special district mail ballot election that is conducted
37 pursuant to article 8.1 of this chapter.

38 ~~I.~~ K. A voter may make a written request at any time to be removed
39 from the active early voting list. The request shall include the voter's
40 name, residence address, date of birth and signature. On receipt of a
41 completed request to remove a voter from the active early voting list, the
42 county recorder or other officer in charge of elections shall remove the
43 voter's name from the list as soon as practicable.

44 ~~J.~~ L. An absent uniformed services voter or overseas voter as
45 defined in the uniformed and overseas citizens absentee voting act

1 (P.L. 99-410; 52 United States Code section 20310) is eligible to be
2 placed on the active early voting list pursuant to this section.

3 ~~K~~ M. A voter's failure to vote an early ballot once received does
4 not constitute grounds to remove the voter from the active early voting
5 list, except that a county recorder shall remove a voter from the active
6 early voting list if both of the following apply:

7 1. The county recorder or other officer in charge of elections
8 complies with subsection ~~M~~ O of this section.

9 2. The voter fails to vote using an early ballot in all of the
10 following elections for two consecutive election cycles:

11 (a) A regular primary and regular general election for which there
12 was a federal race on the ballot.

13 (b) A city or town candidate primary or first election and a city
14 or town candidate second, general or runoff election.

15 ~~L~~ N. On or before January 15 of each odd-numbered year, the
16 county recorder or other officer in charge of elections shall send a
17 notice to each voter who is on the active early voting list and who did
18 not vote an early ballot in all elections for two consecutive election
19 cycles as prescribed by subsection ~~K~~ M of this section. If the voter has
20 provided the voter's telephone or mobile phone number or email address to
21 the county recorder, the county recorder may additionally provide the
22 notice to the voter by telephone call, text message or email. The notice
23 shall inform the voter that if the voter wishes to remain on the active
24 early voting list, the voter shall do both of the following with the
25 notice received:

26 1. Confirm in writing the voter's desire to remain on the active
27 early voting list.

28 2. Return the completed notice to the county recorder or other
29 officer in charge of elections within ninety days after the notice is sent
30 to the voter. The notice shall be signed by the voter and shall contain
31 the voter's address and date of birth.

32 ~~M~~ O. If a voter receives a notice as prescribed by subsection
33 ~~L~~ N of this section and the voter fails to respond within the ninety-day
34 period, the county recorder or other officer in charge of elections shall
35 remove the voter's name from the active early voting list.

36 ~~N~~ P. A candidate, political committee or other organization may
37 distribute active early voting list request forms to voters. If the
38 active early voting list request forms include a printed address for
39 return, that address shall be the political subdivision that will conduct
40 the election. Failure to use the political subdivision as the return
41 addressee is punishable by a civil penalty of up to three times the cost
42 of the production and distribution of the active early voting list
43 request.

44 ~~O~~ Q. All original and completed active early voting list request
45 forms that are received by a candidate, political committee or other

1 organization shall be submitted within six business days after receipt by
2 a candidate or political committee or eleven days before the election day,
3 whichever is earlier, to the political subdivision that will conduct the
4 election. Any person, political committee or other organization that
5 fails to submit a completed active early voting list request form within
6 the prescribed time is subject to a civil penalty of up to \$25 per day for
7 each completed form withheld from submittal. Any person who knowingly
8 fails to submit a completed active early voting list request form before
9 the submission deadline for the election immediately following the
10 completion of the form is guilty of a class 6 felony.

11 ~~P~~. R. A person who receives an early ballot at an address at which
12 another person formerly resided, without voting the ballot or signing the
13 envelope, shall write "not at this address" on the envelope and place the
14 mail piece in a United States postal service collection box or other mail
15 receptacle. On receipt the county recorder or other officer in charge of
16 elections shall proceed in the manner prescribed in subsection ~~F~~ G of
17 this section.

18 ~~R~~. S. When the county recorder receives confirmation from another
19 county that a person registered has registered to vote in that other
20 county, the county recorder shall remove that person from the active early
21 voting list.

22 ~~R~~. T. If the county recorder receives credible information that a
23 person has registered to vote in a different county, the county recorder
24 shall confirm the person's voter registration with that other county and,
25 on confirmation, shall remove that person from the county's active early
26 voting list pursuant to subsection ~~R~~ S of this section.

27 ~~S~~. U. For the purposes of this section, "election cycle" means the
28 two-year period beginning on January 1 in the year after a statewide
29 general election or, for cities and towns, the two-year period beginning
30 on the first day of the calendar quarter after the calendar quarter in
31 which the city's or town's second, runoff or general election is scheduled
32 and ending on the last day of the calendar quarter in which the city's or
33 town's immediately following second, runoff or general election is
34 scheduled, however that election is designated by the city or town.

35 Sec. 5. Section 16-547, Arizona Revised Statutes, is amended to
36 read:

37 16-547. Mail affidavit; form

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

42 I declare the following under penalty of perjury: I am
43 a registered voter in _____ county Arizona, I have not
44 voted and will not vote in this election in any other county
45 or state, I understand that knowingly voting more than once in

1 any election is a class 5 felony and I voted the enclosed
2 ballot and signed this MAIL affidavit personally unless noted
3 below.

4 If the voter was assisted by another person in marking
5 the ballot, complete the following:

6 I declare the following under penalty of perjury: At
7 the registered voter's request I assisted the voter identified
8 in this MAIL affidavit with marking the voter's ballot, I
9 marked the ballot as directly instructed by the voter, I
10 provided the assistance because the voter was physically
11 unable to mark the ballot solely due to illness, injury or
12 physical limitation and I understand that there is no power of
13 attorney for voting and that the voter must be able to make
14 the voter's selection even if the voter cannot physically mark
15 the ballot.

16 Name of voter assistant: _____

17 Address of voter assistant: _____

18 B. The face of each envelope in which a ballot is sent to a federal
19 postcard applicant or in which a ballot is returned by the applicant to
20 the recorder or other officer in charge of elections shall be in the form
21 prescribed in accordance with the uniformed and overseas citizens absentee
22 voting act (P.L. 99-410; 52 United States Code section 20301). Otherwise,
23 the envelopes shall be the same as those used to send ballots to, or
24 receive ballots from, other early voters.

25 C. The officer charged by law with the duty of preparing ballots at
26 any election shall ensure that the early ballot is sent in an envelope
27 that states substantially the following:

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

31 D. The county recorder or other officer in charge of elections
32 shall supply printed instructions to early voters that direct them to sign
33 the MAIL affidavit, mark the ballot and return both in the enclosed
34 self-addressed envelope that complies with section 16-545, and:

35 1. Through 2025, the instructions shall include the following
36 statement:

37 In order to be valid and counted, the ballot and mail
38 affidavit must be delivered to the office of the county
39 recorder or other officer in charge of elections or may be
40 deposited at any polling place in the county not later than
41 7:00 p.m. on election day. The ballot will not be counted
42 without the voter's signature on the envelope.

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

1 2. Beginning in 2026, the instructions FOR A COUNTY THAT PROVIDES
2 ON-SITE TABULATION OF BALLOTS PURSUANT TO SECTION 16-579.01 OR 16-579.02
3 shall include the following statement:

4 In order to be valid and counted, the mail affidavit
5 that contains the mail ballot must have the voter's signature
6 on the envelope and must be returned to the office of the
7 county recorder by any one of the following methods:

8 (a) ~~Delivering~~ MAILING it to the office of the county
9 recorder or other officer in charge of elections WHERE IT MUST
10 BE RECEIVED not later than 7:00 p.m. on election day.

11 (b) ~~Depositing it at any polling place in the county~~
12 ~~not later than 7:00 p.m. on election day.~~ HAND DELIVERING IT
13 TO THE OFFICE OF THE COUNTY RECORDER OR OFFICER IN CHARGE OF
14 ELECTIONS BY NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

15 (c) ~~Bringing the ballot to any polling place in the~~
16 ~~county not later than 7:00 p.m. on election day and choosing~~
17 ~~to present valid identification that complies with section~~
18 ~~16-579, subsection A, paragraph 1, Arizona Revised Statutes.~~

19 (c) DEPOSITING IT AT ANY VOTING LOCATION IN THE COUNTY
20 BY 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY.

21 (d) AFTER 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY,
22 BRINGING THE BALLOT TO ANY VOTING LOCATION IN THE COUNTY THAT
23 OFFERS ON-SITE TABULATION AND SUBMITTING IT TO THE ELECTION
24 OFFICIALS FOR SEPARATION FROM THE ENVELOPE AND PROCESSING AS
25 REQUIRED BY THE COUNTY.

26 3. BEGINNING IN 2026, THE INSTRUCTIONS FOR A COUNTY
27 THAT DOES NOT PROVIDE ON-SITE TABULATION OF BALLOTS PURSUANT
28 TO SECTION 16-579.01 OR 16-579.02 SHALL INCLUDE THE FOLLOWING
29 STATEMENT:

30 IN ORDER TO BE VALID AND COUNTED, THE MAIL
31 AFFIDAVIT THAT CONTAINS THE MAIL BALLOT MUST HAVE
32 THE VOTER'S SIGNATURE ON THE ENVELOPE AND MUST BE
33 RETURNED TO THE OFFICE OF THE COUNTY RECORDER BY
34 ANY ONE OF THE FOLLOWING METHODS:

35 (a) MAILING IT TO THE OFFICE OF THE COUNTY RECORDER OR
36 OTHER OFFICER IN CHARGE OF ELECTIONS, WHICH MUST BE RECEIVED
37 NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

38 (b) HAND DELIVERING IT TO THE OFFICE OF THE COUNTY
39 RECORDER OR OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN
40 7:00 P.M. ON ELECTION DAY.

41 (c) DEPOSITING IT AT ANY VOTING LOCATION IN THE COUNTY
42 NOT LATER THAN 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY.

43 (d) AFTER 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY,
44 BRINGING THE BALLOT TO ANY POLLING PLACE IN THE COUNTY BUT NOT
45 LATER THAN 7:00 P.M. ON ELECTION DAY BY PRESENTING

1 IDENTIFICATION THAT COMPLIES WITH SECTION 16-579, SUBSECTION
2 A, PARAGRAPH 1, ARIZONA REVISED STATUTES.

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

5 E. The printed instructions prescribed by subsection D of this
6 section shall also include the following information regarding section
7 16-1005, subsections H and I in substantially the following form:

8 A person may only handle or return their own ballot or
9 the ballot of family members, household members or persons for
10 whom they are a caregiver. It is unlawful under section
11 16-1005, ARIZONA REVISED STATUTES, to handle or return the
12 ballot of any other person.

13 Sec. 6. Section 16-548, Arizona Revised Statutes, is amended to
14 read:

15 16-548. Preparation and transmission of ballot

16 A. The early voter shall make and sign the affidavit and shall then
17 mark ~~his~~ THE ballot in such a manner that ~~his~~ THE EARLY VOTER'S vote
18 cannot be seen. The early voter shall fold the ballot, if a paper ballot,
19 so as to conceal the vote and deposit the voted ballot in the envelope
20 provided for that purpose, which shall be securely sealed and, together
21 with the affidavit, ~~delivered or~~ RETURN THE VOTED BALLOT BY ONE OF THE
22 FOLLOWING METHODS:

23 1. ~~mailed~~ MAIL THE VOTED BALLOT to the county recorder or other
24 officer in charge of elections of the political subdivision in which the
25 ~~elector~~ VOTER is registered ~~or deposited by the voter or the voter's agent~~
26 ~~at any polling place in the county~~. In order to be counted and valid, the
27 ballot must be received by the county recorder or other officer in charge
28 of elections ~~or deposited at any polling place in the county no~~ NOT later
29 than 7:00 p.m. on election day.

30 2. HAND DELIVER THE VOTED BALLOT TO THE OFFICE OF THE COUNTY
31 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS OF THE POLITICAL
32 SUBDIVISION IN WHICH THE VOTER IS REGISTERED. IN ORDER TO BE COUNTED AND
33 VALID, THE BALLOT MUST BE RECEIVED BY THE COUNTY RECORDER OR OTHER OFFICER
34 IN CHARGE OF ELECTIONS NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

35 3. DEPOSIT THE VOTED BALLOT AT ANY VOTING LOCATION IN THE COUNTY.
36 IN ORDER TO BE COUNTED AND VALID, THE BALLOT MUST BE RECEIVED AT THE
37 VOTING LOCATION NOT LATER THAN 7:00 P.M. ON THE FRIDAY BEFORE ELECTION
38 DAY.

39 B. A PERSON WHO APPEARS PERSONALLY AT AN EARLY VOTING LOCATION
40 ESTABLISHED PURSUANT TO SECTION 16-542 DURING THE PERIOD OF EARLY VOTING,
41 INCLUDING ON THE SATURDAY, SUNDAY AND MONDAY BEFORE ELECTION DAY, SHALL
42 PRESENT IDENTIFICATION AS PRESCRIBED BY SECTION 16-579, SIGN THE EARLY
43 VOTER AFFIDAVIT, MARK THE BALLOT IN A MANNER THAT THE EARLY VOTER'S VOTE
44 CANNOT BE SEEN AND RETURN THE VOTED BALLOT TO THE ELECTION OFFICIAL AT THE
45 EARLY VOTING LOCATION. FOR A COUNTY THAT PROVIDES FOR ON-SITE TABULATION

1 OF BALLOTS PURSUANT TO SECTION 16-579.01 DURING THE SATURDAY, SUNDAY OR
2 MONDAY IMMEDIATELY PRECEDING ELECTION DAY, THE FOLLOWING APPLY:

3 1. THE EARLY VOTER SHALL APPEAR PERSONALLY AT THE ON-SITE
4 TABULATION LOCATION AND SUBMIT THE VOTER'S EARLY BALLOT AND AFFIDAVIT.

5 2. THE ELECTION OFFICIAL SHALL ALLOW THE EARLY VOTER TO TABULATE
6 THE EARLY BALLOT ON-SITE AS PRESCRIBED BY SECTIONS 16-579.01 AND
7 16-579.02.

8 C. FOR EARLY BALLOTS THAT ARE CAST IN PERSON PURSUANT TO SUBSECTION
9 B OF THIS SECTION, THE OFFICER IN CHARGE OF ELECTIONS SHALL ENSURE THAT
10 CHAIN OF CUSTODY PROCEDURES FOR THESE EARLY BALLOTS ARE IDENTICAL TO THOSE
11 PRESCRIBED FOR IN-PERSON ELECTION DAY VOTING.

12 ~~B.~~ D. If the early voter is an overseas citizen, a qualified
13 elector absent from the United States or in the United States service, a
14 spouse or dependent residing with the early voter or a qualified elector
15 of a special district mail ballot election as provided in article 8.1 of
16 this chapter, the early voter may subscribe to the affidavit before and
17 obtain the signature and military identification number or passport
18 number, if available, of any person who is a United States citizen
19 eighteen years of age or older.

20 Sec. 7. Section 16-551, Arizona Revised Statutes, is amended to
21 read:

22 16-551. Early election board; violation; classification

23 A. The board of supervisors or the governing body of the political
24 subdivision shall appoint one or more early election boards to serve at
25 places to be designated by the board of supervisors or the governing body
26 to canvass and tally early election ballots. Members of early election
27 boards shall be selected in accordance with the provisions for selecting
28 members of regular election boards as provided in section 16-531.

29 B. If an electronic voting system is in use for early voting, the
30 early election board shall consist of at least one inspector and two
31 judges who shall perform the processing requirements in accordance with
32 the rules issued by the secretary of state. The inspector and judges
33 shall be appointed in the same manner by party as provided in section
34 16-531.

35 C. All early ballots received by the county recorder or other
36 officer in charge of elections before 7:00 p.m. on election day and the
37 original mail ~~ballot~~ affidavit of the voter shall be delivered to the
38 early election boards for processing as provided in the rules of the
39 secretary of state. Beginning in 2026, all early ballots that are
40 delivered by a voter to a voting location without presenting
41 identification that complies with section 16-579, subsection A,
42 paragraph 1 must be signature verified. The office of the county recorder
43 or other officer in charge of elections shall remain open until 7:00 p.m.
44 on election day for the purpose of receiving early ballots. Partial or
45 complete tallies of the early election board shall not be released or

1 divulged before all precincts have reported or one hour after the closing
2 of the polls on election day, whichever occurs first. Any person who
3 unlawfully releases information regarding vote tallies or who possesses a
4 tally sheet or summary without authorization from the recorder or officer
5 in charge of elections is guilty of a class 6 felony.

6 D. EXCEPT IN COUNTIES THAT TABULATE EARLY BALLOTS ON-SITE PURSUANT
7 TO SECTIONS 16-579.01 AND 16-579.02, the county recorder or other officer
8 in charge of elections shall count the number of early ballots that are
9 returned at voting locations on election day and shall post on its website
10 those totals with the last unofficial results that are released on
11 election night pursuant to section 16-622. Beginning with the day
12 following the election, the county recorder or other officer in charge of
13 elections shall enter into the county's ballot tracking system, if
14 established, early ballots that were returned at the voting location on
15 election day.

16 E. The necessary printed blanks for poll lists, tally lists, lists
17 of voters, ballots, oaths and returns, together with envelopes in which to
18 enclose the returns, shall be furnished by the board of supervisors or the
19 governing body of the political subdivision to the early election board
20 for each election precinct at the expense of the county or the political
21 subdivision.

22 Sec. 8. Section 16-552, Arizona Revised Statutes, is amended to
23 read:

24 16-552. Early ballots; processing; challenges

25 A. In a jurisdiction that uses optical scan ballots, the officer in
26 charge of elections may use the procedure prescribed by this section or
27 may request approval from the secretary of state for a different method
28 for processing early ballots. The request shall be made in writing at
29 least ninety days before the election for which the procedure is intended
30 to be used. After the election official has confirmed with the secretary
31 of state that all election equipment passes the logic and accuracy test,
32 the election official may begin to count early ballots. No early ballot
33 results may be released except as prescribed by section 16-551.

34 B. EXCEPT FOR A PERSON WHO VOTES PERSONALLY AT AN EARLY VOTING
35 LOCATION DURING THE PERIOD OF EARLY VOTING AS PRESCRIBED BY SECTION
36 16-548, SUBSECTION B, the early election board shall check the voter's
37 mail ~~ballot~~ affidavit on the envelope containing the early ballot. If it
38 is found to be sufficient, the vote shall be allowed. If the mail ~~ballot~~
39 affidavit is insufficient, the vote shall not be allowed. Beginning in
40 2026, for an early ballot that is received and verified as prescribed by
41 section 16-579, subsection A, paragraph 4, additional signature
42 verification is not required.

43 C. The county chairman of each political party represented on the
44 ballot, by written appointment addressed to the early election board, may
45 designate party representatives and alternates to act as early ballot

1 challengers for the party. No party may have more than the number of such
2 representatives or alternates that were mutually agreed on by each
3 political party to be present at one time. If such agreement cannot be
4 reached, the number of representatives shall be limited to one for each
5 political party.

6 D. An early ballot may be challenged on any grounds set forth in
7 section 16-591. All challenges shall be made in writing with a brief
8 statement of the grounds before the early ballot is placed in the ballot
9 box. A record of all challenges and resulting proceedings shall be kept
10 in substantially the same manner as provided in section 16-594. If an
11 early ballot is challenged, it shall be set aside and retained in the
12 possession of the early election board or other officer in charge of early
13 ballot processing until a time that the early election board sets for
14 determination of the challenge, subject to the procedure in subsection E
15 of this section, at which time the early election board shall hear the
16 grounds for the challenge and shall decide what disposition shall be made
17 of the early ballot by majority vote. If the early ballot is not allowed,
18 it shall be handled pursuant to subsection G of this section.

19 E. Within twenty-four hours of receipt of a challenge, the early
20 election board or other officer in charge of early ballot processing shall
21 mail, by first class mail, a notice of the challenge including a copy of
22 the written challenge, and also including the time and place at which the
23 voter may appear to defend the challenge, to the voter at the mailing
24 address shown on the request for an early ballot or, if none was provided,
25 to the mailing address shown on the registration rolls. Notice shall also
26 be mailed to the challenger at the address listed on the written challenge
27 and provided to the county chairman of each political party represented on
28 the ballot. The board shall meet to determine the challenge at the time
29 specified by the notice but, in any event, not earlier than ninety-six
30 hours after the notice is mailed, or forty-eight hours if the notifying
31 party chooses to deliver the notice by overnight or hand delivery, and not
32 later than 5:00 p.m. on the Monday following the election. The board
33 shall provide the voter with an informal opportunity to make, or to
34 submit, brief statements regarding the challenge. The board may decline
35 to permit comments, either in person or in writing, by anyone other than
36 the voter, the challenger and the party representatives. The burden of
37 proof is on the challenger to show why the voter should not be permitted
38 to vote. The fact that the voter fails to appear shall not be deemed to
39 be an admission of the validity of the challenge. The early election
40 board or other officer in charge of early ballot processing is not
41 required to provide the notices described in this subsection if the
42 written challenge fails to set forth at least one of the grounds listed in
43 section 16-591 as a basis for the challenge. In that event, the challenge
44 will be summarily rejected at the meeting of the board. Except for

1 election contests pursuant to section 16-672, the board's decision is
2 final and may not be appealed.

3 F. If the vote is allowed, the board shall open the envelope
4 containing the ballot in such a manner that the mail ~~ballot~~ affidavit
5 thereon is not destroyed, take out the ballot without unfolding it or
6 permitting it to be opened or examined and show by the records of the
7 election that the elector has voted.

8 G. If the vote is not allowed, the mail ~~ballot~~ affidavit envelope
9 containing the early ballot shall not be opened and the board shall mark
10 across the face of such envelope the grounds for rejection. The mail
11 ~~ballot~~ affidavit envelope and its contents shall then be deposited with
12 the opened mail ~~ballot~~ affidavit envelopes and shall be preserved with
13 official returns. If the voter does not enter an appearance, the board
14 shall send the voter a notice stating whether the early ballot was
15 disallowed and, if disallowed, providing the grounds for the
16 determination. The notice shall be mailed by first class mail to the
17 voter's mailing address as shown on the registration rolls within three
18 days after the board's determination.

19 H. Party representatives and alternates may be appointed as
20 provided in subsection C of this section to be present and to challenge
21 the verification of questioned ballots pursuant to section 16-584 on any
22 grounds allowed by this section. Questioned ballots that are challenged
23 shall be presented to the early election board for decision under the
24 provisions of this section.

25 Sec. 9. Section 16-579.01, Arizona Revised Statutes, is amended to
26 read:

27 16-579.01. Early ballots; on-site tabulation

28 A. Every county recorder or other officer in charge of elections
29 may provide for a qualified elector who appears at that elector's
30 designated polling location or at a voting center **AT ANY TIME DURING THE**
31 **PERIOD OF EARLY VOTING AND** on election day with the elector's voted early
32 ballot to have the elector's voted early ballot tabulated as prescribed in
33 section 16-579.02.

34 B. The county recorder or other officer in charge of elections
35 shall do all of the following if the on-site tabulation of early ballots
36 is allowed:

37 1. Designate an area within a precinct or voting center for
38 processing electors with their voted early ballots that is physically
39 separate from the area for voters who are voting pursuant to section
40 16-579.

41 2. Provide adequate poll workers, election officials and equipment
42 necessary to conduct voting pursuant to this section and section
43 16-579.02.

44 3. Categorize and tally separately in the official canvass and
45 other reports electors whose voted early ballots are tabulated at the

1 precinct or voting center. The tally shall be reported by precinct in the
2 official canvass and other voting reports.

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

7 Sec. 10. Section 16-579.02, Arizona Revised Statutes, is amended to
8 read:

9 16-579.02. Election day early ballot on-site tabulation
10 procedure; fund

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

16 1. If the elector does not present identification that complies
17 with section 16-579, subsection A, paragraph 1, the elector shall ~~either~~
18 ~~deposit the elector's voted early ballot in its affidavit envelope in an~~
19 ~~official drop box or~~ proceed to the area designated for election day
20 voting to surrender the early ballot to the election board for retention
21 and not for tabulating. The elector shall then be allowed to vote a
22 provisional ballot as prescribed in section 16-584. An election official
23 may not allow for the on-site tabulation of an early ballot if the elector
24 does not present identification that complies with section 16-579,
25 subsection A, paragraph 1.

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

32 3. If the elector's affidavit is not complete, the election
33 official in charge of the signature roster shall allow the elector to
34 complete the affidavit. The election official may not allow for the
35 on-site tabulation of an early ballot until the elector presents a
36 completed early ballot affidavit.

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

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

1 D. For precincts in which an electronic pollbook is used, each
2 qualified elector shall sign the elector's name as prescribed in section
3 16-579, subsection E before proceeding to the tabulating equipment.

4 E. After signing the signature roster or electronic pollbook, the
5 elector shall proceed to the tabulating equipment and while under the
6 observation of an election official, remove the early ballot from the
7 completed affidavit envelope, deposit the empty completed affidavit
8 envelope in the secured and labeled drop box and insert the early ballot
9 into a tabulating machine. An early ballot that has been separated from
10 the elector's completed affidavit envelope may not be removed from the
11 on-site early ballot tabulation area.

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

16 G. Any qualified elector who lawfully brings to a polling place or
17 voting center another elector's voted early ballot that is sealed in its
18 affidavit envelope shall deposit the other elector's voted early ballot in
19 the appropriate ballot drop box before entering the on-site early ballot
20 tabulation area for purposes of tabulating the elector's own early ballot.
21 The county recorder or other officer in charge of elections shall ensure
22 that a voter is not in possession of another voter's ballot within the
23 on-site early ballot tabulation area.

24 Sec. 11. Severability

25 If a provision of this act or its application to any person or
26 circumstance is held invalid, the invalidity does not affect other
27 provisions or applications of the act that can be given effect without the
28 invalid provision or application, and to this end the provisions of this
29 act are severable.

30 Sec. 12. Legislative findings

31 The legislature finds that:

32 1. Arizona takes far longer than most other states to report its
33 final vote tabulations for elections.

34 2. The most significant causal factor in Arizona's delayed vote
35 count is matching signatures to the signatures in the voter file for
36 envelopes for early ballots that are returned on or shortly before
37 election day, sometimes called "late early ballots".

38 3. Another cause of administrative delays in Arizona elections is
39 the recent surge in emergency voting during the weekend before election
40 day. Originally intended to accommodate voters with bona fide last-minute
41 emergencies that would otherwise interfere with voting, emergency voting
42 has recently shifted to an unauthorized expansion of the early voting
43 period without any meaningful confirmation that voters are, in fact,
44 burdened by a last-minute emergency that would otherwise prevent them from
45 voting. This recent expansion of emergency voting diverts scarce

1 resources from elections officials' offices at the very end of the
2 election cycle, when time and manpower are most precious, that otherwise
3 could be used to fully process early ballots, ensure smooth operations on
4 election day and facilitate the prompt reporting of election results.

5 4. Arizona's delayed results are sometimes perceived as evidence of
6 election worker incompetence or inefficiency or as an opportunity for
7 unscrupulous participants to affect the ballot tabulation process
8 improperly. In this way, Arizona's delay in reporting final numbers
9 reduces public confidence in Arizona's voting system.

10 5. By decentralizing and streamlining the process for confirming
11 voter identity associated with late early ballots and eliminating
12 emergency voting during the days immediately before election day, Arizona
13 can substantially reduce administrative burdens, speed up the ballot
14 tabulation process and increase confidence in the electoral system.

15 6. By enlarging the overall early voting period and maintaining
16 other voting rights and processes such as in-person early voting,
17 in-person election day voting, early voting by mail through the Friday
18 before election day, special election boards, accessible voting systems
19 and translations for protected language groups, the proposed changes in
20 Arizona election administration processes will not have a substantial net
21 effect on either access to or the ease of voting in Arizona.