

PROPOSED  
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.C.R. 1027  
(Reference to Senate engrossed resolution)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The resolution as proposed to be amended is reprinted as follows:

2 1. Under the power of the referendum, as vested in the Legislature,  
3 the following measure, relating to elections, is enacted to become valid  
4 as a law if approved by the voters and on proclamation of the Governor:

5 AN ACT

6 AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED  
7 STATUTES, BY ADDING SECTIONS 16-407.04 AND 16-407.05; AMENDING  
8 SECTIONS 16-411, 16-449, 16-542, 16-544, 16-547, 16-548, 16-  
9 551, 16-552, 16-579.01 AND 16-579.02, ARIZONA REVISED  
10 STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1.2, ARIZONA  
11 REVISED STATUTES, BY ADDING SECTION 16-919; AMENDING TITLE 16,  
12 CHAPTER 6, ARTICLE 1.3, ARIZONA REVISED STATUTES, BY ADDING  
13 SECTION 16-923; RELATING TO ELECTIONS.

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

15 Section 1. Title 16, chapter 4, article 1, Arizona  
16 Revised Statutes, is amended by adding sections 16-407.04 and  
17 16-407.05, to read:

18 16-407.04. Donations from a foreign national; election  
19 administration; certification; quarterly  
20 reports; records; violation;  
21 classification; definitions

22 A. A GOVERNMENT ENTITY IN THIS STATE MAY NOT USE MONIES  
23 OR IN-KIND GOODS OR SERVICES THAT ARE DONATED, DIRECTLY OR  
24 INDIRECTLY, BY A FOREIGN NATIONAL [FOR ELECTION  
25 ADMINISTRATION].

26 B. A PERSON OR VENDOR THAT PROVIDES SERVICES TO A  
27 GOVERNMENT ENTITY FOR ELECTION ADMINISTRATION SHALL PROVIDE A  
28 CERTIFICATION TO THE SECRETARY OF STATE THAT INCLUDES A DATED

1 AND SWORN STATEMENT, UNDER PENALTY OF PERJURY, THAT THE PERSON  
2 IS NOT KNOWINGLY THE RECIPIENT, DIRECTLY OR INDIRECTLY, OF  
3 DONATIONS FROM A FOREIGN NATIONAL. THE PERSON SHALL ANNUALLY  
4 UPDATE THE CERTIFICATION. IF THE PERSON OBTAINS INFORMATION  
5 THAT WAS UNKNOWN AT THE TIME OF THE INITIAL CERTIFICATION, THE  
6 PERSON SHALL UPDATE THE INITIAL CERTIFICATION WITHIN FIVE  
7 BUSINESS DAYS TO REFLECT THE NEW INFORMATION AND SHALL INCLUDE  
8 A NEW STATEMENT THAT THE PERSON IS NOT KNOWINGLY THE  
9 RECIPIENT, DIRECTLY OR INDIRECTLY, OF DONATIONS FROM A FOREIGN  
10 NATIONAL. THIS SUBSECTION DOES NOT APPLY TO A PERSON OR  
11 ORGANIZATION WHEN PROVIDING COMMON GOODS OR A FACILITY THAT  
12 SERVES AS THE VOTING LOCATION.

13 C. THE SECRETARY OF STATE SHALL REQUIRE GOVERNMENT  
14 ENTITIES TO PROVIDE TO THE SECRETARY OF STATE A QUARTERLY  
15 REPORT THAT LISTS ANY PERSON OR VENDOR THAT PROVIDES SERVICES  
16 TO THAT GOVERNMENT ENTITY FOR ELECTION ADMINISTRATION. THE  
17 SECRETARY OF STATE SHALL NOTIFY THE GOVERNMENT ENTITY BY EMAIL  
18 IF THE GOVERNMENT ENTITY FAILS TO FILE ITS QUARTERLY REPORT  
19 PRESCRIBED BY THIS SUBSECTION AND ADVISE THE GOVERNMENT ENTITY  
20 THAT SECTION 16-407.05 PROVIDES FOR POSSIBLE ENFORCEMENT  
21 ACTIONS.

22 D. THE SECRETARY OF STATE SHALL MAINTAIN RECORDS OF THE  
23 CERTIFICATIONS PRESCRIBED BY THIS SECTION AND SHALL POST THESE  
24 CERTIFICATIONS ON THE SECRETARY OF STATE'S WEBSITE.

25 E. A PERSON OR VENDOR THAT FAILS TO PROVIDE THE  
26 CERTIFICATION PRESCRIBED BY THIS SECTION OR THAT PROVIDES AN  
27 INACCURATE CERTIFICATION TO THE SECRETARY OF STATE INVALIDATES  
28 ANY AGREEMENT WITH THE GOVERNMENT ENTITY, AND THE STATE,  
29 COUNTY OR LOCAL GOVERNMENT ENTITY IS BARRED FROM ENTERING INTO  
30 OR CONTINUING ANY AGREEMENT WITH THAT PERSON.

31 F. A PERSON OR VENDOR THAT KNOWINGLY FAILS TO PROVIDE  
32 AN ACCURATE INITIAL OR UPDATED CERTIFICATION AS PRESCRIBED BY  
33 THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

34 G. FOR THE PURPOSES OF THIS SECTION:

35 1. "COMMON GOODS" MEANS ITEMS THAT ARE COMMONLY USED  
36 ACROSS A WIDE VARIETY OF ORGANIZATIONS AND THAT ARE NOT  
37 SPECIFIC TO THE ADMINISTRATION OF ELECTIONS.

38 2. "FOREIGN NATIONAL":

39 (a) MEANS:

40 (i) AN INDIVIDUAL WHO IS NOT A CITIZEN OR LAWFUL  
41 PERMANENT RESIDENT OF THE UNITED STATES.

42 (ii) A GOVERNMENT, SUBDIVISION OR MUNICIPALITY OF A  
43 FOREIGN COUNTRY.

44 (iii) A FOREIGN POLITICAL PARTY.

1           (iv) ANY ENTITY AS DEFINED IN SECTION 16-901 THAT IS  
2 ORGANIZED UNDER THE LAWS OF OR HAS ITS PRINCIPAL PLACE OF  
3 BUSINESS IN A FOREIGN COUNTRY.

4           (v) ANY UNITED STATES ENTITY AS DEFINED IN SECTION  
5 16-901 THAT IS WHOLLY OR MAJORITY OWNED BY ANY FOREIGN  
6 NATIONAL UNLESS ANY CONTRIBUTION OR EXPENDITURE THE ENTITY  
7 MAKES DERIVES ENTIRELY FROM MONIES GENERATED BY THE ENTITY'S  
8 OPERATIONS IN THE UNITED STATES AND ALL DECISIONS CONCERNING  
9 THE CONTRIBUTION OR EXPENDITURE ARE MADE BY INDIVIDUALS WHO  
10 ARE UNITED STATES CITIZENS OR PERMANENT RESIDENTS, EXCEPT FOR  
11 DECISIONS SETTING OVERALL BUDGET AMOUNTS.

12           (b) DOES NOT INCLUDE FEDERALLY RECOGNIZED SOVEREIGN  
13 TRIBAL NATIONS.

14           3. "PERSON":

15           (a) MEANS AN INDIVIDUAL OR A CORPORATION OR OTHER  
16 ENTITY AS DEFINED IN SECTION 16-901.

17           (b) DOES NOT INCLUDE POLL WORKERS.

18           16-407.05. Enforcement; attorney general; civil action  
19 for damages

20           A. THE ATTORNEY GENERAL MAY FILE AN ACTION REGARDING A  
21 KNOWING VIOLATION OF SECTION 16-407.04. THE ACTION MAY  
22 INCLUDE A REQUEST FOR AN INJUNCTION, DAMAGES OF AT LEAST  
23 \$5,000 FOR EACH KNOWING VIOLATION AND OTHER RELIEF THAT THE  
24 COURT MAY PROVIDE. IN ADDITION TO THE PENALTIES PRESCRIBED BY  
25 THIS SECTION, ANY PERSON THAT VIOLATES SECTION 16-407.04 IS  
26 SUBJECT TO ALL OF THE PENALTIES PRESCRIBED IN SECTION  
27 16-407.04.

28           B. ANY QUALIFIED ELECTOR AND ANY STATE OFFICER MAY  
29 BRING A CIVIL ACTION TO DO ANY OR ALL OF THE FOLLOWING:

30           1. ENJOIN A VIOLATION OF SECTION 16-407.04.

31           2. ENFORCE ANY PROVISION OF SECTION 16-407.04.

32           C. IF THE CLAIMANT PREVAILS IN AN ACTION BROUGHT UNDER  
33 SUBSECTION B OF THIS SECTION, THE COURT SHALL AWARD:

34           1. INJUNCTIVE RELIEF SUFFICIENT TO PREVENT THE  
35 DEFENDANT FROM VIOLATING SECTION 16-407.04 OR ENGAGING IN ACTS  
36 THAT AID OR ABET VIOLATIONS OF SECTION 16-407.04.

37           2. DAMAGES IN THE AMOUNT OF \$1,000 PER DAY FROM THE  
38 DATE OF NONCOMPLIANCE UNTIL THE DEFENDANT COMES INTO  
39 COMPLIANCE.

40           3. COSTS AND ATTORNEY FEES.

41           D. THE REMEDIES, DUTIES, PROHIBITIONS AND PENALTIES  
42 PRESCRIBED BY THIS SECTION AND SECTION 16-407.04 ARE IN  
43 ADDITION TO ALL OTHER CAUSES OF ACTION, REMEDIES AND PENALTIES  
44 PROVIDED BY LAW.

1           <<Sec. 2. Section 16-411, Arizona Revised Statutes, is  
2 amended to read:

3           16-411. Designation of election precincts and polling  
4                   places; voting centers; electioneering; wait  
5                   times

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

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

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

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

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

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

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

1 that election, adjacent precincts may be consolidated by  
2 combining polling places and precinct boards for that  
3 election. The board of supervisors shall ensure that a  
4 reasonable and adequate number of polling places will be  
5 designated for that election. Any consolidated polling places  
6 shall be listed in separate sections of the order or  
7 resolution of the board.

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

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

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

26 ~~(b) A qualified elector voting at an emergency voting~~  
27 ~~center shall provide identification as prescribed in section~~  
28 ~~16-579, except that notwithstanding section 16-579, subsection~~  
29 ~~A, paragraph 2, for any voting at an emergency voting center,~~  
30 ~~the county recorder or other officer in charge of elections~~  
31 ~~may allow a qualified elector to update the elector's voter~~  
32 ~~registration information as provided for in the secretary of~~  
33 ~~state's instructions and procedures manual adopted pursuant to~~  
34 ~~section 16-452.~~

35 ~~(c) If an emergency voting center established pursuant~~  
36 ~~to this section becomes unavailable and there is not~~  
37 ~~sufficient time for the board of supervisors to convene to~~  
38 ~~approve an alternate location for that emergency voting~~  
39 ~~center, the county recorder or other officer in charge of~~  
40 ~~elections may make changes to the approved emergency voting~~  
41 ~~center location and shall notify the public and the board of~~  
42 ~~supervisors regarding that change as soon as practicable. The~~  
43 ~~alternate emergency voting center shall be as close in~~  
44 ~~proximity to the approved emergency voting center location as~~  
45 ~~possible.]~~

1 C. If the board fails to designate the place for  
2 holding the election, or if it cannot be held at or about the  
3 place designated, the justice of the peace in the precinct,  
4 two days before the election, by an order, copies of which the  
5 justice of the peace shall immediately post in three public  
6 places in the precinct, shall designate the place within the  
7 precinct for holding the election. If there is no justice of  
8 the peace in the precinct, or if the justice of the peace  
9 fails to do so, the election board of the precinct shall  
10 designate and give notice of the place within the precinct of  
11 holding the election. For any election in which there are no  
12 candidates for elected office appearing on the ballot, the  
13 board may consolidate polling places and precinct boards and  
14 may consolidate the tabulation of results for that election if  
15 all of the following apply:

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

18 2. Notice of the change in polling places includes  
19 notice of the new voting location, notice of the hours for  
20 voting on election day and notice of the telephone number to  
21 call for voter assistance.

22 3. All affected voters receive information on early  
23 voting that includes the application used to request an early  
24 voting ballot.

25 D. The board is not required to designate a polling  
26 place for special district mail ballot elections held pursuant  
27 to article 8.1 of this chapter, but the board may designate  
28 one or more sites for voters to deposit marked ballots until  
29 7:00 p.m. on the day of the election.

30 E. ~~[Except as provided in subsection F of this~~  
31 ~~section,]~~ A public school shall provide sufficient space for  
32 use as a ~~[polling place]~~ [VOTING LOCATION] for any city,  
33 county or state election when requested by the officer in  
34 charge of elections.

35 ~~[F. The principal of the school may deny a request to~~  
36 ~~provide space for use as a polling place for any city, county~~  
37 ~~or state election if, within two weeks after a request has~~  
38 ~~been made, the principal provides a written statement~~  
39 ~~indicating a reason the election cannot be held in the school,~~  
40 ~~including any of the following:~~

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

42 ~~2. The safety or welfare of the children would be~~  
43 ~~jeopardized.]~~

44 ~~[G.] [F.]~~ Beginning in 2026, the department of  
45 administration shall coordinate with state agencies and

1 counties to provide available and appropriate state-owned  
2 facilities for use as a voting location for any city, county  
3 or state election when requested by the officer in charge of  
4 elections.

5 ~~[H.]~~ [G.] The board shall make available to the  
6 public as a public record a list of the polling places for all  
7 precincts in which the election is to be held.

8 ~~[H.]~~ [H.] Except in the case of an emergency, any  
9 facility that is used as a polling place on election day or  
10 that is used as an early voting site during the period of  
11 early voting shall allow persons to electioneer and engage in  
12 other political activity outside of the seventy-five foot  
13 limit prescribed by section 16-515 in public areas and parking  
14 lots used by voters. This subsection does not allow the  
15 temporary or permanent construction of structures in public  
16 areas and parking lots or the blocking or other impairment of  
17 access to parking spaces for voters. The county recorder or  
18 other officer in charge of elections shall post on its website  
19 at least two weeks before election day a list of those polling  
20 places in which emergency conditions prevent electioneering  
21 and shall specify the reason the emergency designation was  
22 granted and the number of attempts that were made to find a  
23 polling place before granting an emergency designation. If  
24 the polling place is not on the website list of polling places  
25 with emergency designations, electioneering and other  
26 political activity shall be allowed outside of the  
27 seventy-five foot limit. If an emergency arises after the  
28 county recorder or other officer in charge of elections'  
29 initial website posting, the county recorder or other officer  
30 in charge of elections shall update the website as soon as is  
31 practicable to include any new polling places, shall highlight  
32 the polling place location on the website and shall specify  
33 the reason the emergency designation was granted and the  
34 number of attempts that were made to find a polling place  
35 before granting an emergency designation.

36 ~~[H.]~~ [I.] For the purposes of this section, a county  
37 recorder or other officer in charge of elections shall  
38 designate a polling place as an emergency polling place and  
39 thus prohibit persons from electioneering and engaging in  
40 other political activity outside of the seventy-five foot  
41 limit prescribed by section 16-515 but inside the property of  
42 the facility that is hosting the polling place if any of the  
43 following occurs:

44 1. An act of God renders a previously set polling place  
45 as unusable.

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

5           ~~[K.]~~ [J.] The secretary of state shall provide through  
6 the instructions and procedures manual adopted pursuant to  
7 section 16-452 the maximum allowable wait time for any  
8 election that is subject to section 16-204 and provide for a  
9 method to reduce voter wait time at the polls in the primary  
10 and general elections. The method shall consider at least all  
11 of the following for primary and general elections in each  
12 precinct:

13           1. The number of ballots voted in the prior primary and  
14 general elections.

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

17           3. The number of registered voters and the number of  
18 registered voters who cast an early ballot for the current  
19 primary or general election.

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

23           5. The number of election board members and clerks and  
24 the number of rosters that will reduce voter wait time at the  
25 polls. >>

26           <<Sec. 3. Section 16-449, Arizona Revised Statutes, is  
27 amended to read:

28           16-449. Required test of equipment and programs:  
29           notice; procedures manual

30           A. Within the period of time before the election day  
31 prescribed by the secretary of state in the instructions and  
32 procedures manual adopted pursuant to section 16-452, the  
33 board of supervisors or other ~~[election]~~ officer in charge ~~[OF~~  
34 ELECTIONS.] or for an election involving state or federal  
35 candidates, the secretary of state, shall ~~[have]~~ [TEST] the  
36 automatic tabulating equipment and programs ~~[tested]~~ to  
37 ascertain that the equipment and programs will correctly count  
38 the votes cast for all offices and on all measures. Public  
39 notice of the time and place of the test shall be given at  
40 least forty-eight hours ~~[prior thereto]~~ [BEFORE THE TEST] by  
41 publication once in one or more daily or weekly newspapers  
42 published in the town, city or village using such equipment,  
43 if a newspaper is published ~~[therein]~~ [IN THE TOWN, CITY OR  
44 VILLAGE], otherwise in a newspaper of general circulation  
45 ~~[therein]~~. The test shall be observed by at least two



1 election inspectors, who shall not be of the same political  
2 party, and shall be open to representatives of the political  
3 parties, candidates, the press and the public. The test shall  
4 be conducted by processing a preaudited group of ballots so  
5 marked as to record a predetermined number of valid votes for  
6 each candidate and on each measure and shall include for each  
7 office one or more ballots that have votes in excess of the  
8 number allowed by law in order to test the ability of the  
9 automatic tabulating equipment and programs to reject such  
10 votes. If any error is detected, the cause ~~[therefor]~~ [FOR  
11 THE ERROR] shall be ascertained and corrected and an errorless  
12 count shall be made before the automatic tabulating equipment  
13 and programs are approved. A copy of a revised program shall  
14 be filed with the secretary of state within forty-eight hours  
15 after the revision is made. If the error was created by  
16 automatic tabulating equipment malfunction, a report shall be  
17 filed with the secretary of state within forty-eight hours  
18 after the correction is made, stating the cause and the  
19 corrective action taken. The test shall be repeated  
20 immediately before the start of the official count of the  
21 ballots in the same manner as set forth above. After the  
22 completion of the count, the programs used and the ballots  
23 shall be sealed, retained and disposed of as provided for  
24 paper ballots.

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

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

43 [D. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, FOR  
44 ANY COUNTY THAT PROVIDES FOR ON-SITE TABULATION PURSUANT TO  
45 SECTIONS 16-579.01 AND 16-579.02, THE BOARD OF SUPERVISORS OR

1 OFFICER IN CHARGE OF ELECTIONS SHALL TEST THE ELECTRONIC  
2 BALLOT TABULATING EQUIPMENT TO BE UTILIZED PURSUANT TO SECTION  
3 16-579.01 FOR LOGIC AND ACCURACY WITHIN FIFTY DAYS BEFORE  
4 ELECTION DAY. THIS DOES NOT IMPACT THE DEADLINES FOR  
5 PERFORMING LOGIC AND ACCURACY TESTING ON OTHER EQUIPMENT.] >>

6 <<Sec. 4. Section 16-542, Arizona Revised Statutes, is  
7 amended to read:

8 16-542. Request for ballot; civil penalties; violation;  
9 classification

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

1 16-579, subsection A, paragraph 2, at any on-site early voting  
2 location or other early voting location the county recorder or  
3 other officer in charge of elections may provide for a  
4 qualified elector to update the elector's voter registration  
5 information as provided for in the secretary of state's  
6 instructions and procedures manual adopted pursuant to section  
7 16-452.

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

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

37 D. Only the elector may be in possession of that  
38 elector's unvoted early ballot. If a complete and correct  
39 request is made by the elector within twenty-seven days before  
40 the election, the mailing must be made within forty-eight  
41 hours after receipt of the request. Saturdays, Sundays and  
42 other legal holidays are excluded from the computation of the  
43 forty-eight-hour period prescribed by this subsection. If a  
44 complete and correct request is made by an absent uniformed  
45 services voter or an overseas voter before the election, the

1 regular early ballot shall be transmitted by mail, by fax or  
2 by other electronic format approved by the secretary of state  
3 within twenty-four hours after the early ballots are delivered  
4 pursuant to section 16-545, subsection B, excluding Sundays.

5 E. In order to be complete and correct and to receive  
6 an early ballot by mail, an elector's request that an early  
7 ballot be mailed to the elector's residence or temporary  
8 address must include all of the information prescribed by  
9 subsection A of this section and must be received by the  
10 county recorder or other officer in charge of elections not  
11 later than 5:00 p.m. on the eleventh day preceding the  
12 election. An elector who appears personally not later than  
13 7:00 p.m. on the ~~Friday~~ MONDAY preceding the election at  
14 an on-site early voting location [OR OTHER EARLY VOTING  
15 LOCATION] that is established by the county recorder or other  
16 officer in charge of elections shall be given a ballot after  
17 presenting identification as prescribed in section 16-579 and  
18 shall be allowed to vote at the on-site  
19 location. Notwithstanding section 16-579, subsection A,  
20 paragraph 2, at any on-site early voting location the county  
21 recorder or other officer in charge of elections may provide  
22 for a qualified elector to update the elector's voter  
23 registration information as provided for in the secretary of  
24 state's instructions and procedures manual adopted pursuant to  
25 section 16-452. If an elector's request to receive an early  
26 ballot is not complete and correct but complies with all other  
27 requirements of this section, the county recorder or other  
28 officer in charge of elections shall attempt to notify the  
29 elector of the deficiency of the request.

30 F. Unless an elector specifies that the address to  
31 which an early ballot is to be sent is a temporary address,  
32 the recorder may use the information from an early ballot  
33 request form to update voter registration records.

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

40 ~~[H. As a result of experiencing an emergency between~~  
41 ~~7:00 p.m. on the Friday preceding the election and 5:00 p.m.~~  
42 ~~on the Monday preceding the election, qualified electors may~~  
43 ~~request to vote in the manner prescribed by the board of~~  
44 ~~supervisors of their respective county. Before voting~~  
45 ~~pursuant to this subsection, an elector who experiences an~~

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

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

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

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

43 ~~[L.] [J.]~~ Except for a voter who is on the active  
44 early voting list prescribed by section 16-544, a voter who  
45 requests a onetime early ballot pursuant to this section or

1 for an election conducted pursuant to section 16-409 or  
2 article 8.1 of this chapter, a county recorder, city or town  
3 clerk or other election officer may not deliver or mail an  
4 early ballot to a person who has not requested an early ballot  
5 for that election. An election officer who knowingly violates  
6 this subsection is guilty of a class 5 felony. >>

7 <<Sec. 5. Section 16-544, Arizona Revised Statutes, is  
8 amended to read:

9 16-544. Active early voting list; unique number; civil  
10 penalty; violation; classification

11 A. Any voter may request to be included on a list of  
12 voters to receive an early ballot by mail for any election for  
13 which the county voter registration roll is used to prepare  
14 the election register. The county recorder of each county  
15 shall maintain the active early voting list as part of the  
16 voter registration roll.

17 B. In order to be included on the active early voting  
18 list, the [EARLY MAIL] voter shall make a written request  
19 specifically requesting that the [EARLY MAIL] voter's name be  
20 added to the active early voting list for all elections in  
21 which the applicant is eligible to vote. [A COUNTY WITH A  
22 POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR MORE SHALL  
23 REQUIRE THE EARLY MAIL VOTER, THROUGH AN AFFIRMATIVE ACT ON  
24 THE PART OF THE EARLY MAIL VOTER, TO CONFIRM THE EARLY MAIL  
25 VOTER'S ADDRESS PURSUANT TO THIS SECTION EACH ELECTION CYCLE  
26 BEFORE RECEIVING AN EARLY BALLOT BY MAIL REGARDLESS OF WHETHER  
27 THE EARLY MAIL VOTER IS ON THE ACTIVE EARLY VOTING LIST. A  
28 COUNTY WITH A POPULATION OF FEWER THAN FIVE HUNDRED THOUSAND  
29 PERSONS SHALL REQUIRE AN EARLY MAIL VOTER, THROUGH AN  
30 AFFIRMATIVE ACT ON THE PART OF THE EARLY MAIL VOTER, TO  
31 CONFIRM THE EARLY MAIL VOTER'S ADDRESS PURSUANT TO THIS  
32 SECTION DURING THE FOUR-YEAR PERIOD THAT CONSTITUTES TWO  
33 CONSECUTIVE ELECTION CYCLES BEFORE RECEIVING AN EARLY BALLOT  
34 BY MAIL REGARDLESS OF WHETHER THE EARLY MAIL VOTER IS ON THE  
35 ACTIVE EARLY VOTING LIST.] An early [MAIL] voter request form  
36 shall conform to requirements prescribed in the instructions  
37 and procedures manual issued pursuant to section 16-452. The  
38 application shall allow for the [EARLY MAIL] voter to provide  
39 the [EARLY MAIL] voter's name, residence address, mailing  
40 address in the [EARLY MAIL] voter's county of residence, date  
41 of birth and signature and shall state that the [EARLY MAIL]  
42 voter is attesting that the voter is a registered voter who is  
43 eligible to vote in the county of residence. The [EARLY MAIL]  
44 voter shall not list a mailing address that is outside of this  
45 state for the purpose of the active early voting list unless

1 the [EARLY MAIL] voter is an absent uniformed services voter  
2 or overseas voter as defined in the uniformed and overseas  
3 citizens absentee voting act (P.L. 99-410; 52 United States  
4 Code section 20310). In lieu of the application, the  
5 applicant may submit a written request that contains the  
6 required information. [THE COUNTY RECORDER SHALL ALLOW THE  
7 EARLY MAIL VOTER TO PERFORM AN AFFIRMATIVE ACT TO CONFIRM THE  
8 EARLY MAIL VOTER'S ADDRESS BY ANY ONE OR MORE OF THE FOLLOWING  
9 METHODS:

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

12 2. CALLING THE EARLY MAIL VOTER OR NOTIFYING THE EARLY  
13 MAIL VOTER TO CALL THE COUNTY RECORDER TO CONFIRM OR UPDATE  
14 THE EARLY MAIL VOTER'S ADDRESS.

15 3. ALLOWING THE EARLY MAIL VOTER TO CONFIRM OR UPDATE  
16 THE EARLY MAIL VOTER'S ADDRESS BY WAY OF A COUNTY WEBSITE  
17 PORTAL. A COUNTY WEBSITE PORTAL FOR THIS PURPOSE SHALL PROMPT  
18 THE EARLY MAIL VOTER TO CONFIRM OR UPDATE THE EARLY MAIL  
19 VOTER'S ADDRESS EACH TIME THE VOTER'S EARLY MAIL VOTER LOGS IN  
20 IF THE ADDRESS HAS NOT YET BEEN CONFIRMED FOR THAT ELECTION  
21 CYCLE.

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

25 [CHECK BOX] I AFFIRM THAT I HAVE NOT MOVED  
26 AND MY ADDRESS IS THE SAME AS THE ADDRESS  
27 INDICATED ON THE FRONT OF THE ENVELOPE.

28 [CHECK BOX] MY ADDRESS HAS CHANGED AND I  
29 WOULD LIKE TO UPDATE MY ADDRESS:

30 D. ADDRESS CONFIRMATION RECEIVED AFTER THE LAST DAY TO  
31 REQUEST AN EARLY BALLOT WILL BE PROCESSED FOR THE NEXT  
32 UPCOMING ELECTION FOR WHICH THE EARLY MAIL VOTER IS ELIGIBLE  
33 IN THE CURRENT ELECTION CYCLE.]

34 ~~[C.]~~ [E.] On receipt of a request to be included on  
35 the active early voting list, the county recorder or other  
36 officer in charge of elections shall compare the signature on  
37 the request form with the voter's signature on the voter's  
38 registration form and, if the request is from the voter, shall  
39 mark the voter's registration file as an active early ballot  
40 request.

41 ~~[D.]~~ [F.] Not less than ninety days before any polling  
42 place election scheduled in March or August, the county  
43 recorder or other officer in charge of elections shall mail to  
44 all voters who are eligible for the election and who are  
45 included on the active early voting list an election notice by

1 nonforwardable mail that is marked with the statement required  
2 by the postmaster to receive an address correction  
3 notification. If an election is not formally called by a  
4 jurisdiction by the one hundred eightieth day before the  
5 election, the recorder or other officer in charge of elections  
6 is not required to send the election notice. The notice shall  
7 include the dates of the elections that are the subject of the  
8 notice, the dates that the voter's ballot is expected to be  
9 mailed and the address where the ballot will be mailed. If  
10 the upcoming election is a partisan open primary election and  
11 the voter is not registered as a member of one of the  
12 political parties that is recognized for purposes of that  
13 primary, the notice shall include information on the procedure  
14 for the voter to designate a political party ballot. The  
15 notice shall be delivered with return postage prepaid and  
16 shall also include a means for the voter to do any of the  
17 following:

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

20 2. Update the voter's residence address in the voter's  
21 county of residence.

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

24 ~~[F.] [G.]~~ If the notice that is mailed to the voter is  
25 returned undeliverable by the postal service, the county  
26 recorder or other officer in charge of elections shall ~~[take~~  
27 ~~the necessary steps to contact the voter at the voter's new~~  
28 ~~residence address in order to update that voter's address or~~  
29 ~~to]~~ move the voter to inactive status as prescribed in section  
30 16-166, subsection A. If a voter is moved to inactive status,  
31 the voter shall be removed from the active early voting list.  
32 If the voter is removed from the active early voting list, the  
33 voter shall only be added to the active early voting list  
34 again if the voter submits a new request pursuant to this  
35 section.

36 ~~[F.] [H.]~~ Not later than the first day of early  
37 voting, the county recorder or other officer in charge of  
38 elections shall mail an early ballot to all eligible voters  
39 included on the active early voting list in the same manner  
40 prescribed in section 16-542, subsection C. If the voter has  
41 not returned the notice or otherwise notified the election  
42 officer within forty-five days before the election that the  
43 voter does not wish to receive an early ballot by mail for the  
44 election or elections indicated, the ballot shall  
45 automatically be scheduled for mailing.



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

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

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

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

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

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

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

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

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

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

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

1 shall remove the voter's name from the list as soon as  
2 practicable.

3 ~~[J.]~~ [L.] An absent uniformed services voter or  
4 overseas voter as defined in the uniformed and overseas  
5 citizens absentee voting act (P.L. 99-410; 52 United States  
6 Code section 20310) is eligible to be placed on the active  
7 early voting list pursuant to this section.

8 ~~[K.]~~ [M.] A voter's failure to vote an early ballot  
9 once received does not constitute grounds to remove the voter  
10 from the active early voting list, except that a county  
11 recorder shall remove a voter from the active early voting  
12 list if both of the following apply:

13 1. The county recorder or other officer in charge of  
14 elections complies with subsection ~~[M-]~~ [Q] of this section.

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

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

20 (b) A city or town candidate primary or first election  
21 and a city or town candidate second, general or runoff  
22 election.

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

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

38 2. Return the completed notice to the county recorder  
39 or other officer in charge of elections within ninety days  
40 after the notice is sent to the voter. The notice shall be  
41 signed by the voter and shall contain the voter's address and  
42 date of birth.

43 ~~[M-]~~ [O.] If a voter receives a notice as prescribed  
44 by subsection ~~[I-]~~ [N] of this section and the voter fails to  
45 respond within the ninety-day period, the county recorder or

1 other officer in charge of elections shall remove the voter's  
2 name from the active early voting list.

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

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

27 ~~[P.]~~ [R.] A person who receives an early ballot at an  
28 address at which another person formerly resided, without  
29 voting the ballot or signing the envelope, shall write "not at  
30 this address" on the envelope and place the mail piece in a  
31 United States postal service collection box or other mail  
32 receptacle. On receipt, the county recorder or other officer  
33 in charge of elections shall proceed in the manner prescribed  
34 in subsection ~~[F.]~~ [G.] of this section.

35 ~~[O.]~~ [S.] When the county recorder receives  
36 confirmation from another county that a person registered has  
37 registered to vote in that other county, the county recorder  
38 shall remove that person from the active early voting list.

39 ~~[R.]~~ [I.] If the county recorder receives credible  
40 information that a person has registered to vote in a  
41 different county, the county recorder shall confirm the  
42 person's voter registration with that other county and, on  
43 confirmation, shall remove that person from the county's  
44 active early voting list pursuant to subsection ~~[O.]~~ [S.] of  
45 this section.

1           ~~§.~~ U. For the purposes of this section, "election  
2 cycle" means the two-year period beginning on January 1 in the  
3 year after a statewide general election or, for cities and  
4 towns, the two-year period beginning on the first day of the  
5 calendar quarter after the calendar quarter in which the  
6 city's or town's second, runoff or general election is  
7 scheduled and ending on the last day of the calendar quarter  
8 in which the city's or town's immediately following second,  
9 runoff or general election is scheduled, however that election  
10 is designated by the city or town. >>

11           <<Sec. 6. Section 16-547, Arizona Revised Statutes, is  
12 amended to read:

13           16-547. Mail affidavit; form

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

19               I declare the following under penalty of  
20 perjury: I am a registered voter in \_\_\_\_\_  
21 county Arizona, I have not voted and will not vote  
22 in this election in any other county or state, I  
23 understand that knowingly voting more than once in  
24 any election is a class 5 felony and I voted the  
25 enclosed ballot and signed this [MAIL] affidavit  
26 personally unless noted below.

27               If the voter was assisted by another person  
28 in marking the ballot, complete the following:

29               I declare the following under penalty of  
30 perjury: At the registered voter's request I  
31 assisted the voter identified in this [MAIL]  
32 affidavit with marking the voter's ballot, I  
33 marked the ballot as directly instructed by the  
34 voter, I provided the assistance because the voter  
35 was physically unable to mark the ballot solely  
36 due to illness, injury or physical limitation and  
37 I understand that there is no power of attorney  
38 for voting and that the voter must be able to make  
39 the voter's selection even if the voter cannot  
40 physically mark the ballot.

41               Name of voter assistant: \_\_\_\_\_

42               Address of voter assistant: \_\_\_\_\_

43           B. The face of each envelope in which a ballot is sent  
44 to a federal postcard applicant or in which a ballot is  
45 returned by the applicant to the recorder or other officer in

1 charge of elections shall be in the form prescribed in  
2 accordance with the uniformed and overseas citizens absentee  
3 voting act (P.L. 99-410; 52 United States Code section 20301).  
4 Otherwise, the envelopes shall be the same as those used to  
5 send ballots to, or receive ballots from, other early voters.

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

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

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

18 1. Through 2025, the instructions shall include the  
19 following statement:

20 In order to be valid and counted, the ballot  
21 and mail affidavit must be delivered to the office  
22 of the county recorder or other officer in charge  
23 of elections or may be deposited at any polling  
24 place in the county not later than 7:00 p.m. on  
25 election day. The ballot will not be counted  
26 without the voter's signature on the envelope.

27 (WARNING - It is a felony to offer or  
28 receive any compensation for a ballot.)

29 2. Beginning in 2026, the instructions [FOR A COUNTY  
30 THAT PROVIDES ON-SITE TABULATION OF BALLOTS PURSUANT TO  
31 SECTION 16-579.01 OR 16-579.02] shall include the following  
32 statement:

33 In order to be valid and counted, the mail  
34 affidavit that contains the mail ballot must have  
35 the voter's signature on the envelope and must be  
36 returned to the office of the county recorder by  
37 any one of the following methods:

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

42 (b) ~~[Depositing it at any polling place in~~  
43 ~~the county not later than 7:00 p.m. on election~~  
44 ~~day.]~~ [HAND DELIVERING IT TO THE OFFICE OF THE

COUNTY RECORDER OR OFFICER IN CHARGE OF ELECTIONS  
NOT LATER THAN 7:00 P.M. ON ELECTION DAY.]

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

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

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

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

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

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

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

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

(d) AFTER 7:00 P.M. ON THE FRIDAY BEFORE  
ELECTION DAY, BRINGING THE BALLOT TO ANY POLLING  
PLACE IN THE COUNTY NOT LATER THAN 7:00 P.M. ON  
ELECTION DAY AND PRESENTING IDENTIFICATION THAT  
COMPLIES WITH SECTION 16-579, SUBSECTION A,  
PARAGRAPH 1, ARIZONA REVISED STATUTES.]

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

E. The printed instructions prescribed by subsection D  
of this section shall also include the following information

1 regarding section 16-1005, subsections H and I in  
2 substantially the following form:

3 A person may only handle or return their own  
4 ballot or the ballot of family members, household  
5 members or persons for whom they are a caregiver.  
6 It is unlawful under section 16-1005[. ARIZONA  
7 REVISED STATUTES.] to handle or return the ballot  
8 of any other person. >>

9 <<Sec. 7. Section 16-548, Arizona Revised Statutes, is  
10 amended to read:

11 16-548. Preparation and transmission of ballot

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

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

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

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

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

1 AT THE EARLY VOTING LOCATION. FOR A COUNTY THAT PROVIDES FOR  
2 ON-SITE TABULATION OF BALLOTS PURSUANT TO SECTION 16-579.01  
3 DURING THE SATURDAY, SUNDAY OR MONDAY IMMEDIATELY PRECEDING  
4 ELECTION DAY, THE FOLLOWING APPLY:

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

8 2. THE ELECTION OFFICIAL SHALL ALLOW THE EARLY VOTER TO  
9 TABULATE THE EARLY BALLOT ON-SITE AS PRESCRIBED BY SECTIONS  
10 16-579.01 AND 16-579.02.

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

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

25 <<Sec. 8. Section 16-551, Arizona Revised Statutes, is  
26 amended to read:

27 16-551. Early election board; violation; classification

28 A. The board of supervisors or the governing body of  
29 the political subdivision shall appoint one or more early  
30 election boards to serve at places to be designated by the  
31 board of supervisors or the governing body to canvass and  
32 tally early election ballots. Members of early election  
33 boards shall be selected in accordance with the provisions for  
34 selecting members of regular election boards as provided in  
35 section 16-531.

36 B. If an electronic voting system is in use for early  
37 voting, the early election board shall consist of at least one  
38 inspector and two judges who shall perform the processing  
39 requirements in accordance with the rules issued by the  
40 secretary of state. The inspector and judges shall be  
41 appointed in the same manner by party as provided in section  
42 16-531.

43 C. All early ballots received by the county recorder or  
44 other officer in charge of elections before 7:00 p.m. on  
45 election day and the original mail ~~[ballot]~~ affidavit of the



1 voter shall be delivered to the early election boards for  
2 processing as provided in the rules of the secretary of  
3 state. Beginning in 2026, all early ballots that are  
4 delivered by a voter to a voting location without presenting  
5 identification that complies with section 16-579, subsection  
6 A, paragraph 1 must be signature verified. The office of the  
7 county recorder or other officer in charge of elections shall  
8 remain open until 7:00 p.m. on election day for the purpose of  
9 receiving early ballots. Partial or complete tallies of the  
10 early election board shall not be released or divulged before  
11 all precincts have reported or one hour after the closing of  
12 the polls on election day, whichever occurs first. Any person  
13 who unlawfully releases information regarding vote tallies or  
14 who possesses a tally sheet or summary without authorization  
15 from the recorder or officer in charge of elections is guilty  
16 of a class 6 felony.

17 D. ~~[The county recorder or other officer in charge of~~  
18 ~~elections shall count the number of early ballots that are~~  
19 ~~returned at voting locations on election day and shall post on~~  
20 ~~its website those totals with the last unofficial results that~~  
21 ~~are released on election night pursuant to section 16-622.]~~  
22 Beginning with the day following the election, the county  
23 recorder or other officer in charge of elections shall enter  
24 into the county's ballot tracking system, if established,  
25 early ballots that were returned at the voting location on  
26 election day.

27 E. The necessary printed blanks for poll lists, tally  
28 lists, lists of voters, ballots, oaths and returns, together  
29 with envelopes in which to enclose the returns, shall be  
30 furnished by the board of supervisors or the governing body of  
31 the political subdivision to the early election board for each  
32 election precinct at the expense of the county or the  
33 political subdivision.>>

34 <<Sec. 9. Section 16-552, Arizona Revised Statutes, is  
35 amended to read:

36 16-552. Early ballots; processing; challenges

37 A. In a jurisdiction that uses optical scan ballots,  
38 the officer in charge of elections may use the procedure  
39 prescribed by this section or may request approval from the  
40 secretary of state for a different method for processing early  
41 ballots. The request shall be made in writing at least ninety  
42 days before the election for which the procedure is intended  
43 to be used. After the election official has confirmed with  
44 the secretary of state that all election equipment passes the  
45 logic and accuracy test, the election official may begin to

1 count early ballots. No early ballot results may be released  
2 except as prescribed by section 16-551.

3 B. B. [EXCEPT FOR A PERSON WHO VOTES PERSONALLY AT AN  
4 EARLY VOTING LOCATION DURING THE PERIOD OF EARLY VOTING AS  
5 PRESCRIBED BY SECTION 16-548, SUBSECTION B.] the early  
6 election board shall check the voter's mail [~~ballot~~] affidavit  
7 on the envelope containing the early ballot. If it is found  
8 to be sufficient, the vote shall be allowed. If the mail  
9 [~~ballot~~] affidavit is insufficient, the vote shall not be  
10 allowed. Beginning in 2026, for an early ballot that is  
11 received and verified as prescribed by section 16-579,  
12 subsection A, paragraph 4, additional signature verification  
13 is not required.

14 C. The county chairman of each political party  
15 represented on the ballot, by written appointment addressed to  
16 the early election board, may designate party representatives  
17 and alternates to act as early ballot challengers for the  
18 party. No party may have more than the number of such  
19 representatives or alternates that were mutually agreed on by  
20 each political party to be present at one time. If such  
21 agreement cannot be reached, the number of representatives  
22 shall be limited to one for each political party.

23 D. An early ballot may be challenged on any grounds set  
24 forth in section 16-591. All challenges shall be made in  
25 writing with a brief statement of the grounds before the early  
26 ballot is placed in the ballot box. A record of all  
27 challenges and resulting proceedings shall be kept in  
28 substantially the same manner as provided in section  
29 16-594. If an early ballot is challenged, it shall be set  
30 aside and retained in the possession of the early election  
31 board or other officer in charge of early ballot processing  
32 until a time that the early election board sets for  
33 determination of the challenge, subject to the procedure in  
34 subsection E of this section, at which time the  
35 early election board shall hear the grounds for the challenge  
36 and shall decide what disposition shall be made of the early  
37 ballot by majority vote. If the early ballot is not allowed,  
38 it shall be handled pursuant to subsection G of this section.

39 E. Within twenty-four hours of receipt of a challenge,  
40 the early election board or other officer in charge of early  
41 ballot processing shall mail, by first class mail, a notice of  
42 the challenge including a copy of the written challenge, and  
43 also including the time and place at which the voter may  
44 appear to defend the challenge, to the voter at the mailing  
45 address shown on the request for an early ballot or, if none

1 was provided, to the mailing address shown on the registration  
2 rolls. Notice shall also be mailed to the challenger at the  
3 address listed on the written challenge and provided to the  
4 county chairman of each political party represented on the  
5 ballot. The board shall meet to determine the challenge at  
6 the time specified by the notice but, in any event, not  
7 earlier than ninety-six hours after the notice is mailed, or  
8 forty-eight hours if the notifying party chooses to deliver  
9 the notice by overnight or hand delivery, and not later than  
10 5:00 p.m. on the Monday following the election. The board  
11 shall provide the voter with an informal opportunity to make,  
12 or to submit, brief statements regarding the challenge. The  
13 board may decline to permit comments, either in person or in  
14 writing, by anyone other than the voter, the challenger and  
15 the party representatives. The burden of proof is on the  
16 challenger to show why the voter should not be permitted to  
17 vote. The fact that the voter fails to appear shall not be  
18 deemed to be an admission of the validity of the  
19 challenge. The early election board or other officer in  
20 charge of early ballot processing is not required to provide  
21 the notices described in this subsection if the written  
22 challenge fails to set forth at least one of the grounds  
23 listed in section 16-591 as a basis for the challenge. In  
24 that event, the challenge will be summarily rejected at the  
25 meeting of the board. Except for election contests pursuant  
26 to section 16-672, the board's decision is final and may not  
27 be appealed.

28 F. If the vote is allowed, the board shall open the  
29 envelope containing the ballot in such a manner that the mail  
30 [ballot] affidavit thereon is not destroyed, take out the  
31 ballot without unfolding it or permitting it to be opened or  
32 examined and show by the records of the election that the  
33 elector has voted.

34 G. If the vote is not allowed, the mail [ballot]  
35 affidavit envelope containing the early ballot shall not be  
36 opened and the board shall mark across the face of such  
37 envelope the grounds for rejection. The mail [ballot]  
38 affidavit envelope and its contents shall then be deposited  
39 with the opened mail [ballot] affidavit envelopes and shall be  
40 preserved with official returns. If the voter does not enter  
41 an appearance, the board shall send the voter a notice stating  
42 whether the early ballot was disallowed and, if disallowed,  
43 providing the grounds for the determination. The notice shall  
44 be mailed by first class mail to the voter's mailing address

1 as shown on the registration rolls within three days after the  
2 board's determination.

3 H. Party representatives and alternates may be  
4 appointed as provided in subsection C of this section to be  
5 present and to challenge the verification of questioned  
6 ballots pursuant to section 16-584 on any grounds allowed by  
7 this section. Questioned ballots that are challenged shall be  
8 presented to the early election board for decision under the  
9 provisions of this section.>>

10 <<Sec. 10. Section 16-579.01, Arizona Revised Statutes,  
11 is amended to read:

12 16-579.01. Early ballots; on-site tabulation

13 A. Every county recorder or other officer in charge of  
14 elections may provide for a qualified elector who appears at  
15 that elector's designated polling location or at a voting  
16 center [AT ANY TIME DURING THE PERIOD OF EARLY VOTING AND] on  
17 election day with the elector's voted early ballot to have the  
18 elector's voted early ballot tabulated as prescribed in  
19 section 16-579.02.

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

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

27 2. Provide adequate poll workers, election officials  
28 and equipment necessary to conduct voting pursuant to this  
29 section and section 16-579.02.

30 3. Categorize and tally separately in the official  
31 canvass and other reports electors whose voted early ballots  
32 are tabulated at the precinct or voting center. The tally  
33 shall be reported by precinct in the official canvass and  
34 other voting reports.

35 4. Reconcile for that polling place or voting center  
36 the number of electors who appear on the signature roster or  
37 [e-pollbook] [ELECTRONIC POLLBOOK] with the number of  
38 completed early ballot affidavits and the voted early ballots  
39 tabulated on-site. >>

40 <<Sec. 11. Section 16-579.02, Arizona Revised Statutes,  
41 is amended to read:

42 16-579.02. Election day early ballot on-site tabulation  
43 procedure; fund

44 A. A qualified elector who appears at a voting center  
45 or at the elector's designated polling place that allows for

1 the on-site tabulation of early ballots with the elector's  
2 voted early ballot shall present identification as prescribed  
3 in section 16-579, subsection A, paragraph 1 and proceed as  
4 follows:

5 1. If the elector does not present identification that  
6 complies with section 16-579, subsection A, paragraph 1, the  
7 elector shall ~~[either deposit the elector's voted early ballot~~  
8 ~~in its affidavit envelope in an official drop box or]~~ proceed  
9 to the area designated for election day voting to surrender  
10 the early ballot to the election board for retention and not  
11 for tabulating. The elector shall then be allowed to vote a  
12 provisional ballot as prescribed in section 16-584. An  
13 election official may not allow for the on-site tabulation of  
14 an early ballot if the elector does not present identification  
15 that complies with section 16-579, subsection A, paragraph 1.

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

23 3. If the elector's affidavit is not complete, the  
24 election official in charge of the signature roster shall  
25 allow the elector to complete the affidavit. The election  
26 official may not allow for the on-site tabulation of an early  
27 ballot until the elector presents a completed early ballot  
28 affidavit.

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

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

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

40 E. After signing the signature roster or electronic  
41 pollbook, the elector shall proceed to the tabulating  
42 equipment and while under the observation of an election  
43 official, remove the early ballot from the completed affidavit  
44 envelope, deposit the empty completed affidavit envelope in  
45 the secured and labeled drop box and insert the early ballot

1 into a tabulating machine. An early ballot that has been  
2 separated from the elector's completed affidavit envelope may  
3 not be removed from the on-site early ballot tabulation area.

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

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

19 Sec. 12. Title 16, chapter 6, article 1.2, Arizona  
20 Revised Statutes, is amended by adding section 16-919, to  
21 read:

22 16-919. Foreign contributions prohibited; ballot  
23 measures; certification; definitions

24 A. A FOREIGN NATIONAL [~~SHALL~~] [MAY] NOT DIRECT,  
25 DICTATE, CONTROL OR DIRECTLY OR INDIRECTLY PARTICIPATE IN THE  
26 DECISION-MAKING PROCESS OF ANY PERSON[, ~~ENTITY OR COMMITTEE~~]  
27 WITH REGARD TO THAT PERSON'S[, ~~ENTITY'S OR COMMITTEE'S~~]  
28 ACTIVITIES TO INFLUENCE [~~THE OUTCOME OF~~] A BALLOT INITIATIVE  
29 OR REFERENDUM [., SUCH AS DECISIONS CONCERNING THE MAKING OF  
30 CONTRIBUTIONS OR EXPENDITURES TO INFLUENCE A BALLOT INITIATIVE  
31 OR REFERENDUM].

32 B. A PERSON, ENTITY OR COMMITTEE SHALL NOT KNOWINGLY OR  
33 WILFULLY RECEIVE, SOLICIT, ACCEPT OR USE CONTRIBUTIONS,  
34 EXPENDITURES OR IN-KIND GOODS OR SERVICES THAT ARE CONTRIBUTED  
35 DIRECTLY OR INDIRECTLY BY A FOREIGN NATIONAL TO INFLUENCE THE  
36 OUTCOME OF AN ELECTION ON A BALLOT MEASURE.

37 C. A PERSON, ENTITY OR COMMITTEE THAT IS REQUIRED TO  
38 FILE CAMPAIGN FINANCE REPORTS PURSUANT TO SECTION 16-926  
39 SHALL:

40 1. CERTIFY UNDER PENALTY OF PERJURY IN THOSE REPORTS  
41 THAT THE PERSON, ENTITY OR COMMITTEE HAS NOT KNOWINGLY OR  
42 WILFULLY RECEIVED, SOLICITED, ACCEPTED OR USED CONTRIBUTIONS,  
43 EXPENDITURES OR IN-KIND GOODS OR SERVICES IN VIOLATION OF  
44 SUBSECTION B OF THIS SECTION.

1           2. AFFIRM THAT EACH PERSON THAT CONTRIBUTED TO  
2 INFLUENCE THE OUTCOME OF AN ELECTION ON A BALLOT MEASURE IS  
3 NOT A FOREIGN NATIONAL AND HAS NOT KNOWINGLY OR WILFULLY  
4 RECEIVED, SOLICITED OR ACCEPTED, WHETHER DIRECTLY OR  
5 INDIRECTLY, CONTRIBUTIONS, EXPENDITURES OR IN-KIND GOODS OR  
6 SERVICES FROM ONE OR MORE PROHIBITED SOURCES AGGREGATING MORE  
7 THAN \$100,000 WITHIN THE FOUR-YEAR PERIOD IMMEDIATELY  
8 PRECEDING THE DATE ON WHICH THE CONTRIBUTION IS MADE.

9           D. THE SECRETARY OF STATE SHALL REQUIRE ANY PERSON,  
10 ENTITY OR COMMITTEE THAT FILES A STATEMENT OF ORGANIZATION  
11 PURSUANT TO SECTION 16-906 WITH THE INTENT OR PURPOSE OF  
12 INFLUENCING THE OUTCOME OF AN ELECTION ON A BALLOT MEASURE TO  
13 CERTIFY THAT NO PRELIMINARY ACTIVITY WAS FUNDED BY PROHIBITED  
14 SOURCES, WHETHER DIRECTLY OR INDIRECTLY.

15           E. A PERSON THAT MAKES A CONTRIBUTION TO A PERSON,  
16 ENTITY OR COMMITTEE THAT IS REQUIRED TO FILE A CAMPAIGN  
17 FINANCE REPORT PURSUANT TO SECTION 16-926 FOR INFLUENCING THE  
18 OUTCOME OF AN ELECTION ON A BALLOT MEASURE OR A PERSON THAT  
19 MAKES A BALLOT MEASURE EXPENDITURE THAT IS REQUIRED TO BE  
20 REPORTED UNDER SECTION 16-926 SHALL PROVIDE WITHIN FORTY-EIGHT  
21 HOURS AFTER MAKING THAT CONTRIBUTION OR EXPENDITURE A  
22 CERTIFICATION TO THE PERSON, THE ENTITY OR THE COMMITTEE  
23 TREASURER, IF APPLICABLE, AND THE SECRETARY OF STATE THAT  
24 INCLUDES A DATED AND SWORN STATEMENT UNDER PENALTY OF PERJURY  
25 THAT THE PERSON IS NOT A FOREIGN NATIONAL, THAT THE PERSON HAS  
26 NOT KNOWINGLY OR WILFULLY RECEIVED, SOLICITED OR ACCEPTED,  
27 WHETHER DIRECTLY OR INDIRECTLY, CONTRIBUTIONS, EXPENDITURES OR  
28 IN-KIND GOODS OR SERVICES FROM ONE OR MORE PROHIBITED SOURCES  
29 AGGREGATING MORE THAN \$100,000 WITHIN THE FOUR-YEAR PERIOD  
30 IMMEDIATELY PRECEDING THE DATE ON WHICH THE CONTRIBUTION OR  
31 EXPENDITURE IS MADE AND THAT THE PERSON WILL NOT ACCEPT  
32 CONTRIBUTIONS, EXPENDITURES OR IN-KIND GOODS OR SERVICES FROM  
33 A FOREIGN NATIONAL UNTIL AFTER THE DATE OF THE ELECTION IN  
34 WHICH THE BALLOT MEASURE WILL APPEAR ON THE BALLOT. THIS  
35 SUBSECTION DOES NOT APPLY TO A PERSON OR ORGANIZATION WHEN  
36 PROVIDING COMMON GOODS.

37           F. THE CERTIFICATIONS PRESCRIBED BY THIS SECTION ARE IN  
38 ADDITION TO ANY REPORTS REQUIRED BY SECTION 16-926.

39           G. NOTHING IN THIS SECTION SHALL BE DEEMED TO CREATE OR  
40 ELIMINATE ANY EXISTING DONOR DISCLOSURE RIGHTS OR DUTIES  
41 BEYOND THOSE ENUMERATED IN THIS SECTION.

42           H. A DETERMINATION THAT A PERSON REQUIRED TO PROVIDE  
43 THE CERTIFICATION PRESCRIBED BY THIS SECTION HAS ACCEPTED  
44 CONTRIBUTIONS, EXPENDITURES OR IN-KIND GOODS OR SERVICES FROM  
45 FOREIGN NATIONALS IN AN AGGREGATE AMOUNT OF MORE THAN \$100,000

1        WITHIN THE APPLICABLE FOUR-YEAR PERIOD CREATES A PRESUMPTION  
2        THAT THE PERSON IS IN VIOLATION OF THIS SECTION.

3        I. FOR THE PURPOSES OF THIS SECTION:

4        1. "COMMON GOODS" MEANS ITEMS THAT ARE COMMONLY USED  
5        ACROSS A WIDE VARIETY OF ORGANIZATIONS AND THAT ARE NOT  
6        SPECIFIC TO INFLUENCING THE OUTCOME OF AN ELECTION ON A BALLOT  
7        MEASURE.

8        2. "CONTRIBUTION" HAS THE SAME MEANING PRESCRIBED IN  
9        SECTION 16-901.

10       3. "DIRECTLY OR INDIRECTLY" MEANS ACTING EITHER ALONE  
11       OR JOINTLY WITH, THROUGH OR ON BEHALF OF ANY OTHER INDIVIDUAL,  
12       PERSON, COMMITTEE OR ENTITY.

13       4. "EXPENDITURE" HAS THE SAME MEANING PRESCRIBED IN  
14       SECTION 16-901.

15       5. "FOREIGN NATIONAL" MEANS:

16       (a) AN INDIVIDUAL WHO IS NOT A CITIZEN OR LAWFUL  
17       PERMANENT RESIDENT OF THE UNITED STATES.

18       (b) A GOVERNMENT, SUBDIVISION OR MUNICIPALITY OF A  
19       FOREIGN COUNTRY.

20       (c) A FOREIGN POLITICAL PARTY.

21       (d) ANY ENTITY AS DEFINED IN SECTION 16-901 THAT IS  
22       ORGANIZED UNDER THE LAWS OF OR HAS ITS PRINCIPAL PLACE OF  
23       BUSINESS IN A FOREIGN COUNTRY.

24       (e) ANY UNITED STATES ENTITY AS DEFINED IN SECTION  
25       16-901 THAT IS WHOLLY OR MAJORITY OWNED BY ANY FOREIGN  
26       NATIONAL UNLESS ALL OF THE FOLLOWING APPLY:

27       (i) ANY CONTRIBUTION OR EXPENDITURE IT MAKES DERIVES  
28       ENTIRELY FROM MONIES GENERATED BY THE ENTITY'S OPERATIONS IN  
29       THE UNITED STATES.

30       (ii) ALL DECISIONS CONCERNING THE CONTRIBUTION OR  
31       EXPENDITURE ARE MADE BY INDIVIDUALS WHO ARE UNITED STATES  
32       CITIZENS OR PERMANENT RESIDENTS, EXCEPT FOR DECISIONS SETTING  
33       OVERALL BUDGET AMOUNTS.

34       (f) DOES NOT INCLUDE FEDERALLY RECOGNIZED SOVEREIGN  
35       TRIBAL NATIONS.

36       6. "PERSON" MEANS AN INDIVIDUAL OR A CORPORATION OR  
37       OTHER ENTITY AS DEFINED IN SECTION 16-901.

38       7. "PRELIMINARY ACTIVITY" INCLUDES CONDUCTING A POLL OR  
39       FOCUS GROUP, DRAFTING BALLOT MEASURE LANGUAGE, MAKING  
40       TELEPHONE CALLS OR TRAVELING.

41       8. "PROHIBITED SOURCES" MEANS CONTRIBUTIONS, IN-KIND  
42       GOODS OR SERVICES OR EXPENDITURES BY A FOREIGN NATIONAL.

43       Sec. 13. Title 16, chapter 6, article 1.3, Arizona  
44       Revised Statutes, is amended by adding section 16-923, to  
45       read:



1           16-923. Ballot measure expenditures: recordkeeping

2           A. ANY PERSON WHO MAKES A BALLOT MEASURE EXPENDITURE  
3 SHALL KEEP AND PRESERVE A RECORD OF THE EXPENDITURE FOR TWO  
4 YEARS FOLLOWING THE END OF THE ELECTION CYCLE DURING WHICH THE  
5 EXPENDITURE WAS MADE.

6           B. A PERSON, ENTITY OR COMMITTEE THAT IS REQUIRED TO  
7 FILE CAMPAIGN FINANCE REPORTS PURSUANT TO SECTION 16-926 AND  
8 THAT RECEIVES A BALLOT MEASURE EXPENDITURE SHALL KEEP AND  
9 PRESERVE A RECORD OF THE EXPENDITURE FOR TWO YEARS FOLLOWING  
10 THE END OF THE ELECTION CYCLE IN WHICH THE BALLOT MEASURE  
11 EXPENDITURE WAS RECEIVED.

12           <<Sec. 14. Severability

13           [If a provision of this act or its application to any  
14 person or circumstance is held invalid, the invalidity does  
15 not affect other provisions or applications of the act that  
16 can be given effect without the invalid provision or  
17 application, and to this end the provisions of this act are  
18 severable.]>>

19           << Sec. 15. Legislative findings

20           [The legislature finds that:

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

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

28           3. Another cause of administrative delays in Arizona  
29 elections is the recent surge in emergency voting during the  
30 weekend before election day. Originally intended to  
31 accommodate voters with bona fide last-minute emergencies that  
32 would otherwise interfere with voting, emergency voting has  
33 recently shifted to an unauthorized expansion of the early  
34 voting period without any meaningful confirmation that voters  
35 are, in fact, burdened by a last-minute emergency that would  
36 otherwise prevent them from voting. This recent expansion of  
37 emergency voting diverts scarce resources from elections  
38 officials' offices at the very end of the election cycle, when  
39 time and manpower are most precious, that otherwise could be  
40 used to fully process early ballots, ensure smooth operations  
41 on election day and facilitate the prompt reporting of  
42 election results.

43           4. Arizona's delayed results are sometimes perceived as  
44 evidence of election worker incompetence or inefficiency or as  
45 an opportunity for unscrupulous participants to affect the

1 ballot tabulation process improperly. In this way, Arizona's  
2 delay in reporting final numbers reduces public confidence in  
3 Arizona's voting system.

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

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

19 <<Sec. 16 Short title

20 [This act may be cited as the "Arizona Secure Elections  
21 Act".]>>

22 2. The Secretary of State shall submit this proposition to the  
23 voters at the next general election as provided by article IV, part 1,  
24 section 1, Constitution of Arizona.

25 Enroll and engross to conform

26 Amend title to conform

ALEXANDER KOLODIN

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