

REFERENCE TITLE: **early voting; hours; weekends; emergencies**

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

## **HB 2472**

Introduced by

Representatives Stahl Hamilton: De Los Santos, Garcia, Gutierrez

AN ACT

AMENDING SECTIONS 16-246 AND 16-542, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 16-246, Arizona Revised Statutes, is amended to  
3 read:

4 **16-246. Early balloting; satellite locations; additional**  
5 **procedures**

6 A. Within ninety-three days before the presidential preference  
7 election and not later than 5:00 p.m. on the eleventh day preceding the  
8 election, any elector who is eligible to vote in the presidential  
9 preference election may make a verbal or signed, written request for an  
10 official early ballot to the county recorder or other officer in charge of  
11 elections for the county in which the elector is registered to vote. If  
12 the request is verbal, the requesting elector shall provide the date of  
13 birth and birthplace or other information that if compared to the voter  
14 registration records for that elector would confirm the identity of the  
15 elector.

16 B. Absent uniformed services voters or overseas voters who are  
17 otherwise eligible to vote in the election may vote as prescribed by  
18 sections 16-543 and 16-543.02.

19 C. The county recorder or other officer in charge of elections may  
20 establish on-site early voting locations at the office of the county  
21 recorder or at other locations in the county deemed necessary or  
22 appropriate by the recorder. Early voting shall begin within the time  
23 limits prescribed in section 16-542 unless otherwise prescribed by this  
24 section.

25 D. The county recorder or other officer in charge of elections  
26 shall send by nonforwardable mail that is marked with the statement  
27 required by the postmaster to receive an address correction notification  
28 any early ballots that are requested pursuant to subsections A and B of  
29 this section and shall include a preaddressed envelope for the elector to  
30 return the completed ballot.

31 E. The county recorder or other officer in charge of elections  
32 shall provide to each election board an appropriate alphabetized list of  
33 voters who have requested and have been sent an early ballot. Any person  
34 who is on that list of voters and who was sent an early ballot shall not  
35 vote at the polling place for that election precinct except as prescribed  
36 by section 16-579, subsection B.

37 F. The county recorder or other officer in charge of elections may  
38 provide for any of the following SPECIAL ELECTION BOARDS in the same  
39 manner prescribed by law for other elections. —

40 **1. Special election boards.**

41 **2. Emergency balloting for persons who experience an emergency**  
42 **after 5:00 p.m. on the Friday preceding the presidential preference**  
43 **election and before 5:00 p.m. on the Monday immediately preceding the**  
44 **presidential preference election. Before receiving a ballot pursuant to**  
45 **this paragraph, a person who experiences an emergency shall provide**

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

8 G. Notwithstanding section 16-579, subsection A, paragraph 2, for  
9 emergency balloting pursuant to subsection F, paragraph 2 of this section,  
10 the county recorder or other officer in charge of elections may allow a  
11 qualified elector to update the elector's voter registration information  
12 as provided for in the secretary of state's instructions and procedures  
13 manual adopted pursuant to section 16-452.

14 H. G. Sections 16-550, 16-551 and 16-552 govern the use of early  
15 balloting for the presidential preference election.

16 Sec. 2. Section 16-542, Arizona Revised Statutes, is amended to  
17 read:

18 16-542. Request for ballot; civil penalties; violation;  
19 classification

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

1 establish any other early voting locations in the county the recorder  
2 deems necessary. **THE EARLY VOTING LOCATIONS, INCLUDING THE LOCATIONS AT**  
3 **THE COUNTY RECORDER'S OFFICES, SHALL BE OPEN UNTIL 7:00 P.M. ON THE**  
4 **SATURDAY AND SUNDAY IMMEDIATELY PRECEDING ELECTION DAY. ON THE MONDAY**  
5 **IMMEDIATELY PRECEDING ELECTION DAY, THE EARLY VOTING LOCATIONS, INCLUDING**  
6 **THE LOCATIONS AT THE COUNTY RECORDER'S OFFICES, SHALL BE OPEN UNTIL AT**  
7 **LEAST 3:00 P.M. AND MAY BE OPEN UNTIL 7:00 P.M., AS DETERMINED BY THE**  
8 **COUNTY RECORDER.** Any on-site early voting location or other early voting  
9 location shall require each elector to present identification as  
10 prescribed in section 16-579 before receiving a ballot. Notwithstanding  
11 section 16-579, subsection A, paragraph 2, at any on-site early voting  
12 location or other early voting location the county recorder or other  
13 officer in charge of elections may provide for a qualified elector to  
14 update the elector's voter registration information as provided for in the  
15 secretary of state's instructions and procedures manual adopted pursuant  
16 to section 16-452.

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

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

42 D. Only the elector may be in possession of that elector's unvoted  
43 early ballot. If a complete and correct request is made by the elector  
44 within twenty-seven days before the election, the mailing must be made  
45 within forty-eight hours after receipt of the request. Saturdays, Sundays

1 and other legal holidays are excluded from the computation of the  
2 forty-eight-hour period prescribed by this subsection. If a complete and  
3 correct request is made by an absent uniformed services voter or an  
4 overseas voter before the election, the regular early ballot shall be  
5 transmitted by mail, by fax or by other electronic format approved by the  
6 secretary of state within twenty-four hours after the early ballots are  
7 delivered pursuant to section 16-545, subsection B, excluding Sundays.

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

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

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

37 ~~H. As a result of experiencing an emergency between 7:00 p.m. on~~  
38 ~~the Friday preceding the election and 5:00 p.m. on the Monday preceding~~  
39 ~~the election, qualified electors may request to vote in the manner~~  
40 ~~prescribed by the board of supervisors of their respective county. Before~~  
41 ~~voting pursuant to this subsection, an elector who experiences an~~  
42 ~~emergency shall provide identification as prescribed in section 16-579 and~~  
43 ~~shall sign a statement under penalty of perjury that states that the~~  
44 ~~person is experiencing or experienced an emergency after 7:00 p.m. on the~~  
45 ~~Friday immediately preceding the election and before 5:00 p.m. on the~~

1 ~~Monday immediately preceding the election that would prevent the person~~  
2 ~~from voting at the polls. Signed statements received pursuant to this~~  
3 ~~subsection are not subject to inspection pursuant to title 39, chapter 1,~~  
4 ~~article 2. For the purposes of this subsection, "emergency" means any~~  
5 ~~unforeseen circumstances that would prevent the elector from voting at the~~  
6 ~~polls.~~

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

13 ~~J. H.~~ A candidate, political committee or other organization may  
14 distribute early ballot request forms to voters. If the early ballot  
15 request forms include a printed address for return, the addressee shall be  
16 the political subdivision that will conduct the election. Failure to use  
17 the political subdivision as the return addressee is punishable by a civil  
18 penalty of up to three times the cost of the production and distribution  
19 of the request.

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

32 ~~T. J.~~ Except for a voter who is on the active early voting list  
33 prescribed by section 16-544, a voter who requests a onetime early ballot  
34 pursuant to this section or for an election conducted pursuant to section  
35 16-409 or article 8.1 of this chapter, a county recorder, city or town  
36 clerk or other election officer may not deliver or mail an early ballot to  
37 a person who has not requested an early ballot for that election. An  
38 election officer who knowingly violates this subsection is guilty of a  
39 class 5 felony.