

REFERENCE TITLE: voter registration; requirements

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

HB 2587

Introduced by
Representatives Garcia: Austin, Blattman, Connolly, De Los Santos,
Gutierrez, Liguori, Márquez, Sandoval, Simacek, Tsosie; Senator Kuby

AN ACT

AMENDING SECTIONS 16-101, 16-112, 16-121 AND 16-121.01, ARIZONA REVISED STATUTES; REPEALING SECTIONS 16-123 AND 16-127, ARIZONA REVISED STATUTES; AMENDING SECTION 16-134, ARIZONA REVISED STATUTES; REPEALING SECTION 16-143, ARIZONA REVISED STATUTES; AMENDING SECTION 16-165, ARIZONA REVISED STATUTES; RELATING TO QUALIFICATION AND REGISTRATION OF ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-101, Arizona Revised Statutes, is amended to
3 read:

4 16-101. Qualifications of registrant; definition

5 A. Every resident of this state is qualified to register to vote if
6 the resident:

7 1. Is a citizen of the United States ~~and has provided satisfactory~~
8 ~~evidence of citizenship as prescribed in section 16-166.~~

9 2. Will be eighteen years of age or more on or before the date of
10 the regular general election next following ~~his~~ THE RESIDENT'S
11 registration.

12 3. Is a resident of this state twenty-nine days next preceding the
13 election, except as provided in section 16-126.

14 4. Is able to write the resident's name or make the resident's
15 mark, unless prevented from so doing by physical disability.

16 5. Has not been convicted of treason or a felony, unless restored
17 to civil rights.

18 6. Has not been adjudicated an incapacitated person as defined in
19 section 14-5101.

20 B. For the purposes of this title, "resident" means an individual
21 who has actual physical presence in this state, or for THE purposes of a
22 political subdivision actual physical presence in the political
23 subdivision, combined with an intent to remain. A temporary absence does
24 not result in a loss of residence if the individual has an intent to
25 return following ~~his~~ THE INDIVIDUAL'S absence. An individual has only one
26 residence for purposes of this title.

27 Sec. 2. Section 16-112, Arizona Revised Statutes, is amended to
28 read:

29 16-112. Driver license voter registration

30 A. Every person who is applying for a driver license or renewal and
31 who is otherwise qualified to register to vote, at the same time and
32 place, shall be allowed to register to vote by providing the information
33 prescribed by section 16-152. The method used to register voters shall
34 require only the minimum information necessary to prevent duplicate
35 registrations, to enable elections officials to determine voter
36 eligibility and to administer voter registration and election laws. A
37 registration form shall be included for a person who is applying for a
38 driver license renewal by mail. On completing a form that contains at
39 least the information prescribed by section 16-121.01, SUBSECTION A and
40 that may contain the information prescribed by section 16-152 and on
41 receipt of that form by the county recorder from the department of
42 transportation as prescribed by subsection D of this section, the
43 applicant is presumed to be properly registered to vote. That presumption
44 may be rebutted as provided in section 16-121.01, SUBSECTION B.

B. The director of the department of transportation and the secretary of state shall consult at least every two years regarding voter registration at driver license offices. The director of the department of transportation and the secretary of state, after consultation with all county recorders, shall adopt rules to implement a system allowing driver license applicants to register to vote at the same time and place as they apply for driver licenses. The rules shall:

1. Bring the license application and voter registration application forms into substantial conformity.

2. Allow the transfer of driver license applications, including renewal and change of address, and voter registration information from the department of transportation to the voter registration rolls.

3. Respect all rules and statutes of this state concerning the confidentiality of driver license application information.

4. Provide for the manual or electronic generation and transmittal of voter registrations and provide for electronic generation of changes in voter registration information, including address, in conformity with the confidentiality requirements of the national voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections 20501 through 20511).

C. The department of transportation shall provide to applicants a statement that provides each eligibility requirement for voting, including citizenship, an attestation that the applicant meets each requirement, for the signature of the applicant under penalty of perjury and, in print that is identical to that used in the attestation, the following:

1. A description of the penalties provided by law for the submission of a false voter registration application.

2. A statement that if an applicant declines to register to vote the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.

3. A statement that if an applicant does register to vote the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

D. The department of transportation shall return or mail completed registrations to the county recorder of the county in which the applicant resides within five days after receipt of a completed registration.

Sec. 3. Section 16-121, Arizona Revised Statutes, is amended to read:

16-121. Qualified elector; definition

A. A person who is qualified to register to vote pursuant to section 16-101 and who is properly registered to vote, if the person is at least eighteen years of age on or before the date of the election ~~and has provided satisfactory evidence of citizenship as prescribed in section 16-166~~, shall be deemed a qualified elector for any purpose for which such

1 qualification is required by law, except as provided in section 16-126. A
 2 person continues to be a qualified elector until that person's
 3 registration is canceled pursuant to section 16-165 or until that person
 4 does not qualify as a resident as defined in section 16-101, subsection B.

5 B. For purposes of subsection A of this section, a person who does
 6 not reside at a fixed, permanent or private structure shall be properly
 7 registered to vote if that person is qualified pursuant to section 16-101
 8 and if that person's registration address is any of the following places
 9 located in this state:

10 1. A homeless shelter to which the registrant regularly returns.
 11 2. The place at which the registrant is a resident.
 12 3. The county courthouse in the county in which the registrant
 13 resides.

14 4. A general delivery address for a post office covering the
 15 location where the registrant is a resident.

16 C. A person who is otherwise qualified to register to vote shall
 17 not be refused registration or declared not qualified to vote because the
 18 person does not live in a permanent, private or fixed structure.

19 D. For the purposes of this section, "homeless shelter" means a
 20 supervised publicly or privately operated shelter designed to provide
 21 temporary living accommodations to individuals who lack a fixed, regular
 22 and adequate nighttime residence.

23 Sec. 4. Section 16-121.01, Arizona Revised Statutes, is amended to
 24 read:

25 16-121.01. Requirements for proper registration; violation;
 26 classification

27 A. A person is presumed to be properly registered to vote on
 28 completion of a registration form as prescribed by section 16-152 that
 29 contains at least the name, the residence address or the location, ~~proof~~
 30 ~~of location of residence as prescribed by section 16-123,~~ the date and
 31 ~~place~~ of birth and the signature or other statement of the registrant as
 32 prescribed by section 16-152, subsection A, paragraph 20 and a checkmark
 33 or other appropriate mark in the "yes" box next to the question regarding
 34 citizenship. ~~Any application for registration, including an application~~
 35 ~~on a form prescribed by the United States election assistance commission,~~
 36 ~~must contain a checkmark or other appropriate mark in the "yes" box next~~
 37 ~~to the question regarding citizenship as a condition of being properly~~
 38 ~~registered to vote as either a voter who is eligible to vote a full ballot~~
 39 ~~or a voter who is eligible to vote only with a ballot for federal~~
 40 ~~offices.~~ The completed registration form must also contain the person's
 41 Arizona driver license number, the nonoperating identification license
 42 number issued pursuant to section 28-3165, the last four digits of the
 43 person's social security number or the person's affirmation that if an
 44 Arizona driver license number, a nonoperating identification license
 45 number or the last four digits of the person's social security number is

not provided, the person does not possess a valid Arizona driver or nonoperating identification license or a social security number and the person is hereby requesting that a unique identifying number be assigned by the secretary of state pursuant to section 16-152, subsection A, paragraph 12, subdivision (c). ~~Any application that does not include all of the information required to be on the registration form pursuant to section 16-152 and any application that is not signed is incomplete, and the county recorder shall notify the applicant pursuant to section 16-134, subsection B and shall not register the voter until all of the information is returned.~~

B. The presumption in subsection A of this section may be rebutted only by clear and convincing evidence of any of the following:

1. That the registrant is not the person whose name appears on the register.

2. That the registrant has not resided in this state for twenty-nine days next preceding the election or other event for which the registrant's status as properly registered is in question.

3. That the registrant is not properly registered at an address ~~permitted~~ ALLOWED by section 16-121.

4. That the registrant is not a qualified registrant under section 16-101.

~~C. Except for a form produced by the United States election assistance commission, any application for registration shall be accompanied by satisfactory evidence of citizenship as prescribed in section 16-166, subsection F, and the county recorder or other officer in charge of elections shall reject any application for registration that is not accompanied by satisfactory evidence of citizenship. A county recorder or other officer in charge of elections who knowingly fails to reject an application for registration as prescribed by this subsection is guilty of a class 6 felony. The county recorder or other officer in charge of elections shall send a notice to the applicant as prescribed in section 16-134, subsection B.~~

~~D. Within ten days after receiving an application for registration on a form produced by the United States election assistance commission that is not accompanied by satisfactory evidence of citizenship, the county recorder or other officer in charge of elections shall use all available resources to verify the citizenship status of the applicant and at a minimum shall compare the information available on the application for registration with the following, provided the county has access:~~

~~1. The department of transportation databases of Arizona driver licenses or nonoperating identification licenses.~~

~~2. The social security administration databases.~~

~~3. The United States citizenship and immigration services systematic alien verification for entitlements program, if practicable.~~

~~4. A national association for public health statistics and information systems electronic verification of vital events system.~~

~~5. Any other state, city, town, county or federal database and any other database relating to voter registration to which the county recorder or officer in charge of elections has access, including an electronic registration information center database.~~

~~E. After complying with subsection D of this section, if the county recorder or other officer in charge of elections matches the applicant with information that verifies the applicant is a United States citizen, is otherwise qualified as prescribed by section 16-101 and has met the other requirements of this section, the applicant shall be properly registered. If the county recorder or other officer in charge of elections matches the applicant with information that the applicant is not a United States citizen, the county recorder or other officer in charge of elections shall reject the application, notify the applicant that the application was rejected because the applicant is not a United States citizen and forward the application to the county attorney and attorney general for investigation. If the county recorder or other officer in charge of elections is unable to match the applicant with appropriate citizenship information, the county recorder or other officer in charge of elections shall notify the applicant that the county recorder or other officer in charge of elections could not verify that the applicant is a United States citizen and that the applicant will not be qualified to vote in a presidential election or by mail with an early ballot in any election until satisfactory evidence of citizenship is provided.~~

~~F. The county recorder or other officer in charge of elections shall record the efforts made to verify an applicant's citizenship status as prescribed in subsections D and E of this section. If the county recorder or other officer in charge of elections fails to attempt to verify the citizenship status of an applicant pursuant to subsections D and E of this section and the county recorder or other officer in charge of elections knowingly causes the applicant to be registered and it is later determined that the applicant was not a United States citizen at the time of registration, the county recorder or other officer in charge of elections is guilty of a class 6 felony.~~

Sec. 5. Repeal

Sections 16-123 and 16-127, Arizona Revised Statutes, are repealed.

Sec. 6. Section 16-134, Arizona Revised Statutes, is amended to read:

16-134. Return of registrations made outside office of county recorder; incomplete or illegible forms

A. A county recorder shall authorize persons to accept registration forms, shall designate places for receipt of registration forms and shall designate additional locations for distribution of voter registration forms. Public assistance agencies and disabilities agencies as defined in

1 section 16-140 shall return or mail completed voter registrations to the
2 county recorder of the county in which the applicant resides within five
3 days after receipt of those registrations.

4 B. If the information on the registration form is incomplete or
5 illegible and the county recorder is not able to process the registration
6 form, the county recorder shall notify the applicant within ten business
7 days of receipt of the registration form, shall specify the missing or
8 illegible information and, if the missing or illegible information
9 includes any of the information prescribed by section 16-121.01,
10 subsection A ~~or C~~, shall state that the registration cannot be completed
11 until the information is supplied. If the missing or illegible
12 information is supplied before 7:00 p.m. on election day, that person is
13 deemed to have been registered on the date the registration was first
14 received.

15 C. In the case of registration by mail, a voter registration is
16 valid for an election if it complies with either of the following:

17 1. The form is postmarked twenty-nine days or more before an
18 election and is received by the county recorder by 7:00 p.m. on the day of
19 that election.

20 2. The registration is dated twenty-nine days or more before an
21 election and is received by the county recorder by first class mail within
22 five days after the last day to register to vote in that election.

23 D. The date of registration entered for registration forms that are
24 received by the county recorder from persons, groups or agencies that are
25 not authorized to accept registrations pursuant to subsection A of this
26 section and that do not bear a legible postmark date or an otherwise
27 reliable date shall be the date that those forms are received by the
28 county recorder.

29 Sec. 7. Repeal

30 Section 16-143, Arizona Revised Statutes, is repealed.

31 Sec. 8. Section 16-165, Arizona Revised Statutes, is amended to
32 read:

33 16-165. Causes for cancellation; report

34 A. The county recorder shall cancel a registration:

35 1. At the request of the person registered.

36 2. When the county recorder is informed and confirms that the
37 person registered is dead.

38 3. If the person has been adjudicated an incapacitated person as
39 defined in section 14-5101.

40 4. When the person registered has been convicted of a felony, and
41 the judgment of conviction has not been reversed or set aside. The county
42 recorder shall cancel the registration on receipt of notice of a felony
43 conviction from the court or from the secretary of state or when reported
44 by the elector on a signed juror questionnaire that is completed pursuant
45 to section 21-314.

1 5. On production of a certified copy of a judgment directing a
2 cancellation to be made.

3 6. Promptly after the election if the person registered has applied
4 for a ballot pursuant to section 16-126.

5 7. When a person has been on the inactive voter list and has not
6 voted during the time periods prescribed in section 16-166, subsection C.

7 8. When the county recorder receives written information from the
8 person registered that the person has a change of residence within the
9 county and the person does not complete and return a new registration form
10 within twenty-nine days after the county recorder mails notification of
11 the need to complete and return a new registration form with current
12 information.

13 9. When the county recorder receives written information from the
14 person registered that the person has a change of address outside the
15 county, including when the county recorder either:

16 (a) Receives a form from the person pursuant to subsection E of
17 this section on which the person has confirmed that the person is not a
18 resident of this state.

19 (b) Receives a summary report from the jury commissioner or jury
20 manager pursuant to section 21-314 indicating that the person has stated
21 that the person is not a resident of the county. Before the county
22 recorder cancels a registration pursuant to this subdivision, the county
23 recorder shall send the person notice by forwardable mail and a postage
24 prepaid preaddressed return form requesting the person confirm by signing
25 under penalty of perjury that the person is a resident of the county and
26 is not knowingly registered to vote in another county or another state.
27 The notice shall inform the person that failure to return the form within
28 thirty-five days will result in the person's registration being canceled.
29 If the person fails to return the notice within thirty-five days the
30 county recorder shall cancel the person's registration.

31 ~~10. When the county recorder obtains information pursuant to this~~
32 ~~section and confirms that the person registered is not a United States~~
33 ~~citizen, including when the county recorder receives a summary report from~~
34 ~~the jury commissioner or jury manager pursuant to section 21-314~~
35 ~~indicating that a person who is registered to vote has stated that the~~
36 ~~person is not a United States citizen. Before the county recorder cancels~~
37 ~~a registration pursuant to this paragraph, the county recorder shall send~~
38 ~~the person notice by forwardable mail that the person's registration will~~
39 ~~be canceled in thirty-five days unless the person provides satisfactory~~
40 ~~evidence of United States citizenship pursuant to section 16-166. The~~
41 ~~notice shall include a list of documents the person may provide and a~~
42 ~~postage prepaid preaddressed return envelope. If the person registered~~
43 ~~does not provide satisfactory evidence within thirty-five days, the~~
44 ~~county recorder shall cancel the registration and notify the county~~
45 ~~attorney and attorney general for possible investigation.~~

1 ~~11~~ 10. When the county recorder receives confirmation from
2 another county recorder that the person registered has registered to vote
3 in that other county.

4 B. If the county recorder receives credible information that a
5 person has registered to vote in a different county, the county recorder
6 shall confirm the person's voter registration with that other county and,
7 on confirmation, shall cancel the person's registration pursuant to
8 subsection A, paragraph ~~11~~ 10 of this section.

9 C. If the county recorder cancels a registration pursuant to
10 subsection A, paragraph 8 of this section, the county recorder shall send
11 the person notice that the registration has been canceled and a
12 registration form with the information described in section 16-131,
13 subsection C attached to the form.

14 D. When proceedings in the superior court or the United States
15 district court result in a person being declared incapable of taking care
16 of himself and managing his property, and for whom a guardian of the
17 person and estate is appointed, result in such person being committed as
18 an insane person or result in a person being convicted of a felony, the
19 clerk of the superior court in the county in which those proceedings
20 occurred shall file with the secretary of state an official notice of that
21 fact. The secretary of state shall notify the appropriate county recorder
22 and the recorder shall cancel the name of the person on the register.
23 Such a notice shall name the person covered, shall give the person's date
24 and place of birth if available, the person's social security number, if
25 available, the person's usual place of residence, the person's address and
26 the date of the notice, and shall be filed with the recorder of the county
27 where the person last resided.

28 E. Each month the department of health services shall transmit to
29 the secretary of state without charge a record of the death of every
30 resident of the state reported to the department within the preceding
31 month. This record shall include only the name of the decedent, the
32 decedent's date of birth, the decedent's date of death, the decedent's
33 social security number, if available, the decedent's usual legal residence
34 at the time of death and, if available, the decedent's father's name or
35 mother's maiden name. The secretary of state shall use the record for the
36 sole purpose of canceling the names of deceased persons from the statewide
37 voter registration database. In addition, the department of health
38 services shall annually provide to the secretary of state from the
39 statewide electronic death registration system without charge a record of
40 all deaths of residents of this state that are reported to the department
41 of health services. The records transmitted by the department of health
42 services shall include only the name of the decedent, the decedent's date
43 of birth, the decedent's social security number, if available, the
44 decedent's usual legal residence at the time of death and, if available,
45 the decedent's father's name or mother's maiden name. The secretary of

1 state shall compare the records of deaths with the statewide voter
2 registration database. Public access to the records is prohibited. Use
3 of information from the records for purposes other than those required by
4 this section is prohibited. The name of each deceased person shall
5 promptly be canceled from the statewide voter registration database and
6 the secretary of state shall notify the appropriate county recorder and
7 the recorder shall cancel the name of the person from the register.

8 F. Each month the department of transportation shall furnish to the
9 secretary of state without charge a list of persons who the department has
10 been notified have been issued a driver license or the equivalent of an
11 Arizona nonoperating identification license in another state. Within ten
12 days after receiving the list of persons from the department of
13 transportation, the secretary of state shall provide to the appropriate
14 county recorder a list of registered voters in that county who have been
15 issued a driver license or the equivalent of an Arizona nonoperating
16 identification license in another state. The county recorder shall
17 promptly send notice by forwardable mail to each person who has obtained a
18 driver license or the equivalent of an Arizona nonoperating identification
19 license in another state and a postage prepaid preaddressed return form
20 requesting the person confirm by signing under penalty of perjury that the
21 person is a resident of this state and is not knowingly registered to vote
22 in another state or confirm that the person is not a resident of this
23 state. The notice shall inform the person that failure to return the form
24 within ninety days will result in the person's registration being placed
25 in inactive status. If the person returns the form within ninety days
26 confirming that the person is a resident of this state, the county
27 recorder shall maintain the registration in active status. If the person
28 fails to return the form within ninety days, the county recorder shall
29 place the person's registration in inactive status.

30 G. Each month the secretary of state shall compare the statewide
31 voter registration database to the driver license database maintained by
32 the department of transportation. The secretary of state shall notify the
33 appropriate county recorder if a person who is registered to vote in that
34 county has changed the person's residence address or is not a United
35 States citizen.

36 H. To the extent practicable, each month the county recorder shall
37 compare the county's voter registration database to the social security
38 administration database.

39 I. To the extent practicable, each month the county recorder shall
40 compare persons who are registered to vote in that county and who the
41 county recorder has reason to believe are not United States citizens and
42 persons who are registered to vote without satisfactory evidence of
43 citizenship as prescribed by section 16-166 with the systematic alien
44 verification for entitlements program maintained by the United States

1 citizenship and immigration services to verify the citizenship status of
2 the persons registered.

3 J. For persons who are registered to vote without satisfactory
4 evidence of citizenship as prescribed in section 16-166, the county
5 recorder shall compare the electronic verification of vital events system
6 maintained by a national association for public health statistics and
7 information systems, if accessible, with the information on the person's
8 voter registration file.

9 K. To the extent practicable, the county recorder shall review
10 relevant city, town, county, state and federal databases to which the
11 county recorder has access to confirm information obtained that requires
12 cancellation of registrations pursuant to this section.

13 L. After canceling a registration pursuant to this section, the
14 county recorder shall send a notice by forwardable mail informing the
15 person that the person's registration has been canceled, the reason for
16 cancellation, the qualifications of electors pursuant to section 16-101
17 and instructions on registering to vote if the person is qualified.

18 M. The secretary of state shall report the following information to
19 the legislature at the end of each quarter:

20 1. The number of deaths reported to the secretary of state by the
21 department of health services, the number of voter registration
22 cancellation notices issued by the secretary of state to the county
23 recorders as a result of those reports and the number of registrations
24 canceled as a result of those notices.

25 2. The number of persons reported to the secretary of state who
26 have been issued a driver license or the equivalent of an Arizona
27 nonoperating identification license in another state, the number of
28 notices sent pursuant to subsection E of this section and the number of
29 voter registrations that have been placed in inactive status and the
30 number of voter registrations that have been canceled as a result of those
31 notices.

32 3. The number of persons who have stated on a ~~jury~~ JUROR
33 questionnaire that the person is not a United States citizen, the number
34 of notices sent pursuant to subsection A, paragraph 10 of this section and
35 the number of registrations that have been canceled as a result of those
36 notices.

37 4. The number of persons who have stated on a ~~jury~~ JUROR
38 questionnaire that the person is not a resident of the county, the number
39 of notices sent pursuant to subsection A, paragraph 9, subdivision (b) of
40 this section and the number of registrations that have been canceled as a
41 result of those notices.

42 5. The number of registrations on the inactive voter list that have
43 been canceled pursuant to subsection A, paragraph 7 of this section.