

REFERENCE TITLE: ballot receptacles; electioneering limits

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

HB 2735

Introduced by
Representative Garcia

AN ACT

AMENDING SECTIONS 16-515, 16-1017 AND 16-1018, 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 16-515, Arizona Revised Statutes, is amended to
3 read:

4 16-515. "Seventy-five foot limit" notices; posting;
5 violation; classification

6 A. Except as prescribed in this section and section 16-580, a
7 person shall not be allowed to remain inside the seventy-five foot limit
8 FOR EACH VOTING LOCATION while the polls are open AND FOR EACH DESIGNATED
9 BALLOT RECEPTACLE WHILE ACCESSIBLE TO THE PUBLIC, except for the purpose
10 of voting, and except the election officials, one representative at any
11 one time of each political party represented on the ballot who has been
12 appointed by the county chairman of that political party and the
13 challengers allowed by law, and no electioneering may NOT occur within the
14 seventy-five foot limit. Voters having cast their ballots shall promptly
15 move outside the seventy-five foot limit.

16 B. The board of supervisors shall furnish FOR EACH DESIGNATED
17 BALLOT RECEPTACLE AND, with the ballots for each polling place, three
18 notices, printed in letters not less than two inches high, with the
19 heading: "Seventy-five foot limit" and underneath that heading the
20 following:

21 No person shall be allowed to remain inside these limits while
22 the polls are open, except for the purpose of voting, and
23 except the election officials, one representative at any one
24 time of each political party represented on the ballot who has
25 been appointed by the county chairman of such political party,
26 and the challengers allowed by law. Voters having cast their
27 ballots shall at once retire without the seventy-five foot
28 limit. A person violating any provision of this notice is
29 guilty of a class 2 misdemeanor.

30 C. A minor voting in a simulated election at a polling place is
31 subject to the same seventy-five foot limit restrictions prescribed for a
32 voter. Persons supervising or working in a simulated election in which
33 minors vote may remain within the seventy-five foot limit of the polling
34 place. The inspector for the polling place shall exercise authority over
35 all election and simulated election related activities at the polling
36 place.

37 D. For an election that is held by an Indian tribe and that is held
38 at a polling place at the same time and on the same date as any other
39 election, the following apply:

40 1. A person who is voting is subject to the same seventy-five foot
41 limit restrictions prescribed for other voters.

42 2. An election official for the tribal election may remain within
43 the seventy-five foot limit for the polling place.

44 E. With the permission of the voter, a minor may enter and remain
45 within the seventy-five foot limit in order to accompany a voter into a

1 polling place, an on-site early voting facility and a voting booth while
2 the voter is voting.

3 F. Notwithstanding any other law, an election official, a
4 representative of a political party who has been appointed by the county
5 chairman of that political party or a challenger who is authorized by law
6 to be within the seventy-five foot limit as prescribed by this section
7 shall not wear, carry or display materials that identify or express
8 support for or opposition to a candidate, a political party or
9 organization, a ballot question or any other political issue and shall not
10 electioneer within the seventy-five foot limit of a polling place OR
11 DESIGNATED BALLOT RECEPTACLE.

12 G. Notwithstanding section 16-1018, a person may not take
13 photographs or videos while within the seventy-five foot limit.

14 H. ~~Any~~ A person ~~violating~~ WHO VIOLATES this section is guilty of a
15 class 2 misdemeanor.

16 I. For the purposes of this section, electioneering occurs when an
17 individual knowingly, intentionally, by verbal expression and in order to
18 induce or compel another person to vote in a particular manner or to
19 refrain from voting expresses support for or opposition to a candidate who
20 appears on the ballot in that election, a ballot question that appears on
21 the ballot in that election or a political party with one or more
22 candidates who appear on the ballot in that election.

23 Sec. 2. Section 16-1017, Arizona Revised Statutes, is amended to
24 read:

25 16-1017. Unlawful acts by voters with respect to voting;
26 classification

27 A voter who knowingly commits any of the following acts is guilty of
28 a class 2 misdemeanor:

29 1. Makes a false statement as to the voter's inability to mark a
30 ballot.

31 2. Interferes with a voter within the seventy-five foot limit of
32 the polling place as posted by the election marshal, WITHIN THE
33 SEVENTY-FIVE FOOT LIMIT OF A DESIGNATED BALLOT RECEPTACLE or within
34 seventy-five feet of the main outside entrance to an on-site early voting
35 location established by a county recorder pursuant to section 16-542,
36 subsection A.

37 3. Endeavors while within the seventy-five foot limit for a polling
38 place, DESIGNATED BALLOT RECEPTACLE or on-site early voting location to
39 induce a voter to vote for or against a particular candidate or issue.

40 4. ~~Prior to~~ BEFORE the close of an election defaces or destroys a
41 sample ballot posted by election officers, ~~or~~ or defaces, tears down,
42 removes or destroys a card of instructions posted for the instruction of
43 voters.

44 5. Removes or destroys supplies or conveniences furnished to enable
45 a voter to prepare the voter's ballot.

1 6. Hinders the voting of others.

2 7. Votes in a county in which the voter no longer resides, except
3 as provided in section 16-125.

4 Sec. 3. Section 16-1018, Arizona Revised Statutes, is amended to
5 read:

6 16-1018. Additional unlawful acts by persons with respect to
7 voting; classification

8 A person who commits any of the following acts is guilty of a class
9 2 misdemeanor:

10 1. Knowingly electioneers on election day within a polling place OR
11 WITHIN THE SEVENTY-FIVE FOOT LIMIT FOR A DESIGNATED BALLOT RECEPTACLE or
12 in a public manner within seventy-five feet of the main outside entrance
13 of a polling place or on-site early voting location established by a
14 county recorder pursuant to section 16-542, subsection A.

15 2. Intentionally disables or removes from the polling place,
16 on-site early voting location or custody of an election official a voting
17 machine or a voting record.

18 3. Knowingly removes an official ballot from a polling place before
19 closing the polls.

20 4. Shows another voter's ballot to any person after it is prepared
21 for voting in such a manner as to reveal the contents, except to an
22 authorized person lawfully assisting the voter. A voter who makes
23 available an image of the voter's own ballot by posting on the internet or
24 in some other electronic medium is deemed to have consented to
25 retransmittal of that image and that retransmittal does not constitute a
26 violation of this section.

27 5. Knowingly solicits a voter to show the voter's ballot, or
28 receives from a voter a ballot prepared for voting, unless the person is
29 an election official or unless otherwise authorized by law.

30 6. Knowingly receives an official ballot from a person other than
31 an election official having charge of the ballots.

32 7. Knowingly delivers an official ballot to a voter, unless the
33 voter is an election official.

34 8. Except for a completed ballot transmitted by an elector by fax
35 or other electronic format pursuant to section 16-543, knowingly places a
36 mark on the voter's ballot by which it can be identified as the one voted
37 by the voter.

38 9. After having received a ballot as a voter, knowingly fails to
39 return the ballot to the election official before leaving the polling
40 place or on-site early voting location.