

REFERENCE TITLE: voter registration; temporary absence

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1052

Introduced by
Senator Rogers: Representative Gillette

AN ACT

AMENDING SECTIONS 16-103 AND 16-593, ARIZONA REVISED STATUTES; RELATING TO
VOTER REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 16-103, Arizona Revised Statutes, is amended to read:

16-103. Qualified person temporarily absent from state; persons in the service of the United States

A. A qualified person WHO IS temporarily absent from ~~the~~ THIS state may register by filling out an affidavit of registration which shall be furnished ~~upon~~ ON request of the registrant by the county recorder of the county in which the registrant has residence pursuant to section 16-593. The registrant shall execute the affidavit of registration and administer the oath himself and shall return the affidavit to the county recorder.

B. The county recorder may accept a federal postcard application in lieu of an affidavit of registration from any qualified person covered under the uniformed and overseas citizens absentee voting act ~~of 1986~~ (P.L. 99-410; ~~42~~ 52 United States Code ~~section 1973~~ SECTIONS 20301 THROUGH 20311).

C. ~~NOTWITHSTANDING~~ any ~~other provisions of~~ law to the contrary ~~notwithstanding~~, registration for any person covered under subsection B of this section may be accomplished at any time ~~prior to~~ BEFORE 7:00 p.m. of an election day. This subsection applies only to persons temporarily absent from this state.

D. A person who was an overseas voter as defined in the uniformed and overseas citizens absentee voting act ~~of 1986~~ (P.L. 99-410; ~~42~~ 52 United States Code section ~~1973~~ 20310), as amended by the Ronald W. Reagan national defense authorization act for fiscal year 2005 (P.L. 108-375), immediately before being domiciled in this state, and who has been discharged or separated from that service or employment in the ninety days before election day may register and is eligible to vote in that election if the registration is received by 5:00 p.m. on the Friday before election day.

~~E. Any United States citizen who has never resided in the United States and whose parent is a United States citizen who is registered to vote in this state is eligible to register to vote and may vote in this state using a federal write-in early ballot as prescribed by section 16-543.02.~~

Sec. 2. Section 16-593, Arizona Revised Statutes, is amended to read:

16-593. Rules determining residence of voter on challenge; reading of rules on request

A. The election board, in determining the place of residence of a person, shall be governed by the following rules, so far as applicable:

1. The residence of a person is that place in which his habitation is fixed and to which he has the intention of returning when absent.

2. A person does not gain or lose his residence by reason of his presence at or absence from a place while employed in the service of the

1 United States or of this state, or while engaged in navigation, or while a
2 student at an institution of learning or while kept in an almshouse,
3 asylum or prison.

4 3. A person does not lose his residence by leaving his home to go
5 to another county, state or foreign country for merely temporary purposes,
6 with the intention of returning.

7 4. A person does not gain a residence in any county into which he
8 comes for merely temporary purposes, without the intention of making that
9 county his home.

10 5. If a person removes to another state with the intention of
11 making it his residence, he loses his residence in this state.

12 6. If a person removes to another state with the intention of
13 remaining there for an indefinite time, and of making the place his
14 present residence, he loses his residence in this state, even though he
15 has an intention of returning at some future period.

16 7. The place where a person's family permanently resides is his
17 residence, unless he is separated from his family, but if it is a place of
18 temporary establishment for his family, or for transient purposes, it is
19 otherwise.

20 8. If a person has a family residing in one place and he does
21 business in another, the former is his place of residence, but a person
22 having a family who has taken up his abode with the intention of remaining
23 and whose family does not so reside with him shall be regarded as a
24 resident where his abode has been taken.

25 ~~9. A United States citizen who has never resided in the United~~
26 ~~States is eligible to vote in this state by using a federal write-in early~~
27 ~~ballot as prescribed in sections 16-103 and 16-543.02 if both of the~~
28 ~~following apply:~~

29 ~~(a) A parent is a United States citizen.~~

30 ~~(b) The parent is registered to vote in this state.~~

31 ~~10.~~ 9. The mere intention of acquiring a new residence without the
32 act of removal avails nothing and neither does the act of removal without
33 the intention.

34 B. The term of residence shall be computed by including the day on
35 which the person's residence commenced and by excluding the day of
36 election.

37 C. Before administering an oath to a person touching his residence,
38 the inspector, if requested by any person, shall read to the person
39 challenged the rules set forth in subsection A of this section.