

REFERENCE TITLE: elections; voting centers; polling places

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

SB 1097

Introduced by
Senator Hoffman: Representatives Chaplik, Hendrix, Keshel

AN ACT

**AMENDING SECTIONS 15-801, 16-411 AND 16-531, 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 15-801, Arizona Revised Statutes, is amended to
3 read:

4 15-801. Holidays; election days

5 A. When July 4, Veterans' Day, December 25 or Thanksgiving Day
6 occurs within the school week, the schools shall be closed and the
7 compensation of the teachers shall not be diminished on that account.
8 School district governing boards may declare a recess during the Christmas
9 holiday season of not to exceed two school weeks, and teachers shall
10 receive compensation during the recess.

11 B. ON EVERY REGULAR PRIMARY AND GENERAL ELECTION DAY AS PRESCRIBED
12 BY SECTIONS 16-201 AND 16-211, SCHOOLS THAT ARE OPERATED BY A SCHOOL
13 DISTRICT SHALL BE CLOSED, EXCEPT THAT TEACHERS AND STAFF SHALL RECEIVE OR
14 CONDUCT IN-SERVICE TRAINING OR DEVELOPMENT ACTIVITIES ON THOSE ELECTION
15 DAYS. TEACHERS AND STAFF MAY NOT USE PERSONAL, VACATION OR OTHER LEAVE
16 TIME ON THOSE ELECTION DAYS BUT SHALL RECEIVE COMPENSATION. THIS
17 SUBSECTION DOES NOT PROHIBIT A SCHOOL DISTRICT FROM PROVIDING AN EMPLOYEE
18 TIME OFF TO VOTE PURSUANT TO SECTION 16-402.

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

21 16-411. Designation of election precincts and polling places;
22 voting centers; electioneering; wait times

23 A. The board of supervisors of each county, on or before October 1
24 of each year preceding the year of a general election, by an order, shall
25 establish a convenient number of election precincts in the county and
26 define the boundaries of the precincts as follows:

27 1. The election precinct boundaries shall be established so as to
28 be included within election districts prescribed by law for elected
29 officers of the state and its political subdivisions, including community
30 college district precincts, except those elected officers provided for in
31 titles 30 and 48. THE BOARD OF SUPERVISORS AND ANY OFFICER IN CHARGE OF
32 ELECTIONS MAY AUTHORIZE, ESTABLISH AND USE A VOTING CENTER AT WHICH A
33 VOTER WHO IS A REGISTERED VOTER AND RESIDENT ANYWHERE IN THAT COUNTY IS
34 ALLOWED TO RECEIVE THE APPROPRIATE BALLOT FOR THAT SPECIFIC VOTER AND MAY
35 ALSO USE POLLING PLACES LOCATED IN ELECTION DISTRICTS.

36 2. If after October 1 of the year preceding the year of a general
37 election the board of supervisors must further adjust precinct boundaries
38 due to the redistricting of election districts as prescribed by law and to
39 comply with this subsection, the board of supervisors shall adjust these
40 precinct boundaries as soon as is practicable.

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

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

5 2. Adjacent precincts may be combined if boundaries so established
6 are included in election districts prescribed by law for state elected
7 officials and political subdivisions including community college districts
8 but not including elected officials prescribed by titles 30 and 48. The
9 officer in charge of elections may also split a precinct for
10 administrative purposes. The polling places shall be listed in separate
11 sections of the order or resolution.

12 3. On a specific finding of the board that the number of persons
13 who are listed as early voters pursuant to section 16-544 and who are not
14 expected to have their ballots tabulated at the polling place as
15 prescribed in section 16-579.02 is likely to substantially reduce the
16 number of voters appearing at one or more specific polling places at that
17 election, adjacent precincts may be consolidated by combining polling
18 places and precinct boards for that election. The board of supervisors
19 shall ensure that a reasonable and adequate number of polling places will
20 be designated for that election. Any consolidated polling places shall be
21 listed in separate sections of the order or resolution of the board.

22 4. On a specific resolution of the board, the board may authorize
23 the use of voting centers ~~in place of or~~ in addition to specifically
24 designated polling places. A voting center shall allow any voter in that
25 county to receive the appropriate ballot for that voter on election day
26 after presenting identification as prescribed in section 16-579 and to
27 lawfully cast the ballot. **IN ADDITION TO SPECIFICALLY DESIGNATED POLLING**
28 **PLACES,** voting centers may be established in coordination and consultation
29 with the county recorder, at other county offices or at other locations in
30 the county deemed appropriate.

31 5. On a specific resolution of the board of supervisors that is
32 limited to a specific election date and that is voted on by a recorded
33 vote, the board may authorize the county recorder or other officer in
34 charge of elections to use emergency voting centers as follows:

35 (a) The board shall specify in the resolution the location and the
36 hours of operation of the emergency voting centers.

37 (b) A qualified elector voting at an emergency voting center shall
38 provide identification as prescribed in section 16-579, except that
39 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
40 at an emergency voting center, the county recorder or other officer in
41 charge of elections may allow a qualified elector to update the elector's
42 voter registration information as provided for in the secretary of state's
43 instructions and procedures manual adopted pursuant to section 16-452.

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

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

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

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

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

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

E. A STATE, COUNTY, CITY, TOWN OR SCHOOL DISTRICT OFFICE SHALL PROVIDE SUFFICIENT SPACE FOR USE AS A POLLING PLACE FOR ANY STATE, COUNTY, CITY OR TOWN ELECTION WHEN REQUESTED BY THE OFFICER IN CHARGE OF ELECTIONS.

~~E. F. Except as provided in subsection F of this section, A public~~ school WITH A GYMNASIUM THAT IS OPERATED BY A SCHOOL DISTRICT shall provide sufficient space for use as a polling place for any city, county or state election when requested by the officer in charge of elections. IF REQUESTED FOR USE AS A POLLING PLACE, THE PUBLIC SCHOOL IS EXEMPT FROM ANY STATE, LOCAL OR SCHOOL DISTRICT REQUIREMENTS THAT WOULD PREVENT OR OTHERWISE LIMIT THE USE OF THE PUBLIC SCHOOL AND ITS GYMNASIUM AS A POLLING PLACE. FOR THE PURPOSES OF THIS SUBSECTION, "GYMNASIUM":

1 1. MEANS AN INDOOR ROOM OR FACILITY THAT IS SUITABLE FOR SPORTING
2 EVENTS, INCLUDING BASKETBALL OR VOLLEYBALL.

3 2. DOES NOT INCLUDE A CAFETERIA OR AN AUDITORIUM.

4 ~~F. The principal of the school may deny a request to provide space~~
5 ~~for use as a polling place for any city, county or state election if,~~
6 ~~within two weeks after a request has been made, the principal provides a~~
7 ~~written statement indicating a reason the election cannot be held in the~~
8 ~~school, including any of the following:~~

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

10 ~~2. The safety or welfare of the children would be jeopardized.~~

11 G. Beginning in 2026, the department of administration shall
12 coordinate with state agencies and counties to provide available and
13 appropriate state-owned facilities for use as a voting location for any
14 city, county or state election when requested by the officer in charge of
15 elections.

16 H. The board shall make available to the public as a public record
17 a list of the polling places for all precincts in which the election is to
18 be held.

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

42 J. For the purposes of this section, a county recorder or other
43 officer in charge of elections shall designate a polling place as an
44 emergency polling place and thus prohibit persons from electioneering and
45 engaging in other political activity outside of the seventy-five foot

limit prescribed by section 16-515 but inside the property of the facility that is hosting the polling place if any of the following occurs:

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

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

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

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

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

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

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

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

Sec. 3. Section 16-531, Arizona Revised Statutes, is amended to read:

16-531. Appointment of election boards; qualifications

A. When an election is ordered, and not less than twenty days before a general or primary election, the board of supervisors shall appoint for each election precinct, ~~voting center~~ or other voting location one inspector, one marshal, two judges and as many clerks of election as deemed necessary. The inspector, marshal, judges and clerks shall be qualified voters of the precinct for which appointed, except if there is not a sufficient number of persons available to provide the number of appointments required, the inspector, marshal, judges and clerks shall be qualified voters of this state. The inspector, marshal and judges shall not have changed their political party affiliation or their no party preference affiliation since the last preceding general election, and if they are members of the two political parties that cast the highest number of votes in the state at the last preceding general election, they shall be divided equally between these two parties. There shall be an equal number of inspectors in the various precincts in the county who are members of the two largest political parties. In each precinct where the

1 inspector is a member of one of the two largest political parties, the
2 marshal in that precinct shall be a member of the other of the two largest
3 political parties. Whenever possible, any person appointed as an
4 inspector shall have had previous experience as an inspector, judge,
5 marshal or clerk of elections. If there is no qualified person in a given
6 precinct, the appointment of an inspector may be made from names provided
7 by the county party chairman. If not less than ninety days before the
8 election the chairman of the county committee of either of the parties
9 designates qualified voters of the precinct, or of another precinct if
10 there are not sufficient members of that party available in the precinct
11 to provide the necessary representation on the election board as judge,
12 such designated qualified voters shall be appointed. The judges, together
13 with the inspector, shall constitute the board of elections. Any
14 registered voter in the election precinct, or in another election precinct
15 if there are not sufficient persons available in the election precinct for
16 which the clerks are being appointed, may be appointed as clerk.

17 B. If the election precinct consists of fewer than three hundred
18 qualified electors, the board of supervisors may appoint not fewer than
19 one inspector and two judges. The board of supervisors shall give notice
20 of election precincts consisting of fewer than three hundred qualified
21 electors to the county chairmen of the two largest political parties not
22 later than thirty days before the election. The inspector and judges
23 shall be appointed in the same manner by party as provided in subsection A
24 of this section.

25 C. If a nonpartisan election is ordered, not less than twenty days
26 before the election the governing board holding the election shall
27 appoint, without consideration for political party, ~~a minimum of~~ AT LEAST
28 three election workers for each polling place. The election workers shall
29 consist of at least one inspector and two judges. Whenever possible, they
30 shall be qualified electors of the precinct located within the district,
31 without consideration for political party.

32 D. For election boards established pursuant to subsection B of this
33 section, the inspector and two judges shall be appointed to provide as
34 equal as practicable representation of members of the two largest
35 political parties on the board in the same manner as provided for the
36 election boards prescribed by subsection A of this section. Any
37 registered voter in the election precinct, or in another election precinct
38 if there are not sufficient persons available in the election precinct for
39 which the clerks are being appointed, may be appointed as clerk. No
40 United States, state, county or precinct officer, nor a candidate for
41 office at the election, other than a precinct committeeman or a candidate
42 for the office of precinct committeeman, is qualified to act as judge,
43 inspector, marshal or clerk.

44 E. If an electronic voting system is in use the write-in ballots
45 shall be tallied by a board of elections consisting of one inspector and

1 two judges who are appointed in the same manner by party as provided in
2 subsection A of this section.

3 F. Notwithstanding any other law, the board of supervisors may
4 appoint to an election board to serve as a clerk of election a person who
5 is not eligible to vote if all of the following conditions are met:

6 1. The person is a minor who will be at least sixteen years of age
7 at the time of the election for which the person is named to the election
8 board.

9 2. The person is a citizen of the United States at the time of the
10 election for which the person is named to the election board.

11 3. The person is supervised by an adult who has been trained as an
12 elections officer.

13 4. The person has received training provided by the officer in
14 charge of elections.

15 5. The parent or guardian of the person has provided written
16 permission for the person to serve.

17 G. A school district or charter school shall not be required to
18 reduce its average daily membership, as defined in section 15-901, for any
19 pupil who is absent from one or more instructional programs as a result of
20 the pupil's service on an election board pursuant to subsection F of this
21 section.

22 H. A school district or charter school shall not count any pupil's
23 absence from one or more instructional programs as a result of the pupil's
24 service on an election board pursuant to subsection F of this section
25 against any mandatory attendance requirements for the pupil.

26 I. This section does not prevent the board of supervisors or
27 governing body from refusing for cause to reappoint, or from removing for
28 cause, an election board member.