

Senate Engrossed

voter registration rolls; internet access

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1040

AN ACT

AMENDING SECTIONS 15-423 AND 16-168, 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 15-423, Arizona Revised Statutes, is amended to
3 read:

4 15-423. School district precinct registers; date of
5 preparation; contents; copies

6 A. By the fifth day preceding the elections for membership on
7 school district governing boards the county recorder shall prepare from
8 the original affidavits of registration at least four printed or typed
9 lists of all uncanceled registrations of each school district **ELECTION**
10 **PRECINCT** in the county, and the lists are the official school district
11 precinct registers.

12 B. The official school district precinct registers shall contain
13 all information required to be included on precinct registers. The county
14 recorder may combine the precinct register and the official school
15 district precinct register into one common register.

16 C. **ON REQUEST**, the county recorder shall, ~~upon request,~~ provide
17 copies of school district precinct registers in the manner ~~and for the~~
18 ~~fees~~ prescribed in section 16-168, or section 16-172 for political
19 subdivisions, for copies of precinct registers.

20 D. By the fifth day preceding a special election or an election
21 held at a time and place other than a general election in a school
22 district, the county recorder shall prepare from the original affidavits
23 of registration at least four printed or typed lists of all uncanceled
24 registrations of each school district election precinct, and the lists are
25 the official school district precinct registers. The official school
26 district precinct registers shall contain all information required to be
27 included on precinct registers. The ~~governing board of the school~~
28 ~~district~~ **COUNTY SCHOOL SUPERINTENDENT** shall request of the county recorder
29 and the county recorder shall provide to the school district copies of
30 school district precinct registers in the manner and for the ~~fees~~ **COSTS**
31 prescribed in section 16-172 for copies of precinct registers.

32 Sec. 2. Section 16-168, Arizona Revised Statutes, is amended to
33 read:

34 16-168. Precinct registers; date of preparation; contents;
35 registration rolls access; reports; statewide
36 database; violation; classification

37 A. By the tenth day preceding the primary and general elections the
38 county recorder shall prepare from the original registration forms or from
39 electronic media at least four lists that are printed or typed on paper,
40 or at least two electronic media poll lists, or any combination of both,
41 of all qualified electors in each precinct in the county, and the lists
42 shall be the official precinct registers.

1 B. The official precinct registers for use at the polling place
2 shall contain at least the names in full, party preference, date of
3 registration and residence address of each qualified elector in the
4 respective precincts. The names shall be in alphabetical order and, in a
5 column to the left of the names, shall be numbered consecutively beginning
6 with number 1 in each precinct register.

7 C. For the purposes of transmitting voter registration information
8 as prescribed by this subsection, electronic media shall be the principal
9 media. ~~A county or state chairman who is eligible to receive copies of
10 precinct lists as prescribed by this subsection may request that the
11 recorder provide a paper copy of the precinct lists. In addition to
12 preparing the official precinct lists, the county recorder shall provide a
13 means for electronically reproducing the precinct lists. Unless otherwise
14 agreed, the county recorder shall deliver one electronic media copy of
15 each precinct list in the county without charge and on the same day within
16 eight days after the close of registration for the primary and general
17 elections to the county chairman and one electronic media copy to the
18 state chairman of each party that has at least four candidates other than
19 presidential electors appearing on the ballot in that county at the
20 current election. The secretary of state shall establish a single format
21 that prescribes the manner and template in which all county recorders
22 provide this data to the secretary of state to ensure that the submissions
23 are uniform from all counties in this state, that all submissions are
24 identical in format, including the level of detail for voting history, and
25 that information may readily be combined from two or more counties. The
26 electronic media copies of the precinct lists that are delivered to the
27 party chairmen shall include for each elector the following information:~~

- 28 ~~1. Name in full and appropriate title.~~
- 29 ~~2. Party preference.~~
- 30 ~~3. Date of registration.~~
- 31 ~~4. Residence address.~~
- 32 ~~5. Mailing address, if different from residence address.~~
- 33 ~~6. Zip code.~~
- 34 ~~7. Telephone number if given.~~
- 35 ~~8. Birth year.~~
- 36 ~~9. Occupation if given.~~
- 37 ~~10. Voting history for all elections in the prior four years and
38 any other information regarding registered voters that the county recorder
39 or city or town clerk maintains electronically and that is public
40 information.~~
- 41 ~~11. All data relating to early voters, including ballot requests
42 and ballot returns.~~

43 ~~D. The names on the precinct lists shall be in alphabetical order
44 and the precinct lists in their entirety, unless otherwise agreed, shall
45 be delivered to each county chairman and each state chairman within ten~~

~~1 business days of the close of each date for counting registered voters
2 prescribed by subsection G of this section other than the primary and
3 general election registered voter counts in the same format and media as
4 prescribed by subsection C of this section. During the thirty-three days
5 immediately preceding an election and on request from a county or state
6 chairman, the county recorder shall provide at no cost a daily list of
7 persons who have requested an early ballot and shall provide at no cost a
8 weekly listing of persons who have returned their early ballots. The
9 recorder shall provide the daily and weekly information through the Friday
10 preceding the election. On request from a county chairman or state
11 chairman, the county recorder of a county with a population of more than
12 eight hundred thousand persons shall provide at no cost a daily listing of
13 persons who have returned their early ballots. The daily listing shall be
14 provided Mondays through Fridays, beginning with the first Monday
15 following the start of early voting and ending on the Monday before the
16 election.~~

17 D. THE COUNTY RECORDER SHALL PROVIDE ACCESS TO THE VOTER
18 REGISTRATION ROLLS BY WAY OF AN INTERNET PORTAL THAT IS ACCESSIBLE TO THE
19 PUBLIC AND THAT ALLOWS THE INFORMATION TO BE DOWNLOADED. THE INFORMATION
20 SHALL BE IN A READ ONLY FORMAT AND IN A VERSION THAT MAY NOT BE
21 EDITED. THE COUNTY RECORDER MAY NOT CHARGE A FEE FOR THE ACCESS OR FOR
22 THE INFORMATION.

23 E. Precinct registers and other lists and information derived from
24 registration forms AND FROM THE VOTER REGISTRATION ROLLS may be used only
25 for purposes relating to a political or political party activity, a
26 political campaign or an election, for revising election district
27 boundaries or for any other purpose specifically authorized by law and may
28 not be used for a commercial purpose as defined in section 39-121.03. The
29 sale of registers, lists and information derived from registration forms
30 AND FROM THE VOTER REGISTRATION ROLLS to a candidate or a registered
31 political committee for a use specifically authorized by this subsection
32 does not constitute use for a commercial purpose. ~~The county recorder,
33 the secretary of state and other officers in charge of elections, on a
34 request for an authorized use and within thirty days from receipt of the
35 request, shall prepare additional copies of an official precinct list and
36 furnish them to any person requesting them on payment of a fee equal to
37 the following amounts for the following number of voter registration
38 records provided:~~

39 ~~1. For one to one hundred twenty-four thousand nine hundred
40 ninety-nine records, \$93.75 plus \$0.0005 per record.~~

41 ~~2. For one hundred twenty-five thousand to two hundred forty-nine
42 thousand nine hundred ninety-nine records, \$156.25 plus \$0.000375 per
43 record.~~

1 ~~3. For two hundred fifty thousand to four hundred ninety-nine~~
2 ~~thousand nine hundred ninety-nine records, \$203.13 plus \$0.00025 per~~
3 ~~record.~~

4 ~~4. For five hundred thousand to nine hundred ninety-nine thousand~~
5 ~~nine hundred ninety-nine records, \$265.63 plus \$0.000125 per record.~~

6 ~~5. For one million or more records, \$328.13 plus \$0.0000625 per~~
7 ~~record.~~

8 F. Any person in possession of a precinct register or list, in
9 whole or part, or any reproduction of a precinct register or list, shall
10 not ~~permit~~ ALLOW the register or list to be used, bought, sold or
11 otherwise transferred for any purpose except for uses otherwise authorized
12 by this section. ~~A person in possession of information derived from voter~~
13 ~~registration forms or precinct registers shall not distribute, post or~~
14 ~~otherwise provide access to any portion of that information through the~~
15 ~~internet except as authorized by subsection I of this section. Nothing in~~
16 ~~this section shall preclude public inspection of voter registration~~
17 ~~records at the office of the county recorder for the purposes prescribed~~
18 ~~by this section, except that the month and day of birth date, the social~~
19 ~~security number or any portion thereof, the driver license number or~~
20 ~~nonoperating identification license number, the Indian census number, the~~
21 ~~father's name or mother's maiden name, the state or country of birth and~~
22 ~~the records containing a voter's signature and a voter's e-mail address~~
23 ~~shall not be accessible or reproduced by any person other than the voter,~~
24 ~~by an authorized government official in the scope of the official's~~
25 ~~duties, for any purpose by an entity designated by the secretary of state~~
26 ~~as a voter registration agency pursuant to the national voter registration~~
27 ~~act of 1993 (P.L. 103-31; 107 Stat. 77), for signature verification on~~
28 ~~petitions and candidate filings, for election purposes and for news~~
29 ~~gathering purposes by a person engaged in newspaper, radio, television or~~
30 ~~reportorial work, or connected with or employed by a newspaper, radio or~~
31 ~~television station or pursuant to a court order. Notwithstanding any~~
32 ~~other law, a voter's e-mail address may not be released for any purpose.~~
33 A person who violates this subsection or subsection E of this section is
34 guilty of a class 6 felony.

35 G. The county recorder shall count the registered voters by
36 political party by precinct, legislative district and congressional
37 district as follows:

38 1. In even numbered years, the county recorder shall count all
39 persons who are registered to vote as of:

40 (a) January 2.

41 (b) April 1.

42 (c) The last day on which a person may register to be eligible to
43 vote in the next primary election.

44 (d) The last day on which a person may register to be eligible to
45 vote in the next general election.

1 (e) The last day on which a person may register to be eligible to
2 vote in the next presidential preference election.

3 2. In odd numbered years, the county recorder shall count all
4 persons who are registered to vote as of:

5 (a) January 2.

6 (b) April 1.

7 (c) July 1.

8 (d) October 1.

9 H. The county recorder shall report the totals to the secretary of
10 state as soon as is practicable following each of the dates prescribed in
11 subsection G of this section. The report shall include completed
12 registration forms returned in accordance with section 16-134,
13 subsection B. The county recorder shall also provide the report in a
14 uniform electronic computer media format that shall be agreed on between
15 the secretary of state and all county recorders. The secretary of state
16 shall then prepare a summary report for the state and shall maintain that
17 report as a permanent record.

18 I. The county recorder and the secretary of state shall protect
19 access to voter registration information in an auditable format and method
20 specified in the secretary of state's electronic voting system
21 instructions and procedures manual that is adopted pursuant to section
22 16-452.

23 J. The secretary of state shall develop and administer a statewide
24 database of voter registration information that contains the name and
25 registration information of every registered voter in this state. The
26 statewide database is a matter of statewide concern and is not subject to
27 modification or further regulation by a political subdivision. The
28 database shall include an identifier that is unique for each individual
29 voter. The database shall provide for access by voter registration
30 officials and shall allow expedited entry of voter registration
31 information after it is received by county recorders. As a part of the
32 statewide voter registration database, county recorders shall provide for
33 the electronic transmittal of that information to the secretary of state
34 on a real time basis. The secretary of state shall provide for
35 maintenance of the database, including provisions regarding removal of
36 ineligible voters that are consistent with the national voter registration
37 act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections
38 20501 through 20511) and the help America vote act of 2002 (P.L. 107-252;
39 116 Stat. 1666; 52 United States Code sections 20901 through 21145),
40 provisions regarding removal of duplicate registrations and provisions to
41 ensure that eligible voters are not removed in error. For the purpose of
42 maintaining compliance with the help America vote act of 2002, each county
43 voter registration system is subject to approval by the secretary of state
44 for compatibility with the statewide voter registration database system.

1 ~~K. Except as provided in subsection L of this section, for requests~~
2 ~~for the use of registration forms and access to information as provided in~~
3 ~~subsections E and F of this section, the county recorder shall receive and~~
4 ~~respond to requests regarding federal, state and county elections.~~

5 ~~L. Beginning January 1, 2008, recognized political parties shall~~
6 ~~request precinct lists and access to information as provided in~~
7 ~~subsections E and F of this section during the time periods prescribed in~~
8 ~~subsection C or D of this section and the county recorder shall receive~~
9 ~~and respond to those requests. If the county recorder does not provide~~
10 ~~the requested materials within the applicable time prescribed for the~~
11 ~~county recorder pursuant to subsection C or D of this section, a~~
12 ~~recognized political party may request that the secretary of state provide~~
13 ~~precinct lists and access to information as provided in subsections E and~~
14 ~~F of this section for federal, state and county elections. The secretary~~
15 ~~of state shall not provide access to precinct lists and information for~~
16 ~~recognized political parties unless the county recorder has failed or~~
17 ~~refused to provide the lists and materials as prescribed by this section.~~
18 ~~The secretary of state may charge the county recorder a fee determined by~~
19 ~~rule for each name or record produced.~~

20 ~~M. For municipal registration information in those municipalities~~
21 ~~in which the county administers the municipal elections, county and state~~
22 ~~party chairmen shall request and obtain voter registration information and~~
23 ~~precinct lists from the city or town clerk during the time periods~~
24 ~~prescribed in subsection C or D of this section. If the city or town~~
25 ~~clerk does not provide that information within the same time prescribed~~
26 ~~for county recorders pursuant to subsection C or D of this section, the~~
27 ~~county or state party chairman may request and obtain the information from~~
28 ~~the county recorder. The county recorder shall provide the municipal~~
29 ~~voter registration and precinct lists within the time prescribed in~~
30 ~~subsection C or D of this section.~~

31 ~~N. K.~~ K. The county recorders and the secretary of state shall not
32 prohibit any person or entity ~~prescribed in subsection C of this section~~
33 from distributing a precinct list to any person or entity that is deemed
34 to be using the precinct list in a lawful manner as prescribed in
35 subsections E and F of this section.