

REFERENCE TITLE: **accessible early voting**

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 4060

Introduced by
Representatives Blattman: Villegas

AN ACT

**AMENDING SECTIONS 16-103, 16-246, 16-542, 16-543 AND 16-543.02, ARIZONA
REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 16-103. Qualified person temporarily absent from state;
5 persons in the service of the United States

6 A. A qualified person WHO IS temporarily absent from ~~the~~ THIS state
7 may register by filling out an affidavit of registration ~~which~~ THAT shall
8 be furnished ~~upon~~ ON request of the registrant by the county recorder of
9 the county in which the registrant has residence pursuant to section
10 16-593. The registrant shall execute the affidavit of registration and
11 administer the oath himself and shall return the affidavit to the county
12 recorder.

13 B. The county recorder may accept a federal postcard application in
14 lieu of an affidavit of registration from any qualified person covered
15 under the uniformed and overseas citizens absentee voting act ~~of 1986~~
16 (P.L. 99-410; ~~42~~ 52 United States Code ~~section 1973~~ SECTIONS 20301 THROUGH
17 20311) OR A PERSON WITH A VISUAL IMPAIRMENT.

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

23 D. A person who was an overseas voter as defined in the uniformed
24 and overseas citizens absentee voting act ~~of 1986~~ (P.L. 99-410; ~~42~~ 52
25 United States Code section ~~1973~~ 20310), as amended by the Ronald W. Reagan
26 national defense authorization act for fiscal year 2005 (P.L. 108-375),
27 immediately before being domiciled in this state, and who has been
28 discharged or separated from that service or employment in the ninety days
29 before election day OR A PERSON WITH A VISUAL IMPAIRMENT may register and
30 is eligible to vote in that election if the registration is received by
31 5:00 p.m. on the Friday before election day.

32 E. Any United States citizen who has never resided in the United
33 States and whose parent is a United States citizen who is registered to
34 vote in this state is eligible to register to vote and may vote in this
35 state using a federal write-in early ballot as prescribed by section
36 16-543.02.

37 Sec. 2. Section 16-246, Arizona Revised Statutes, is amended to
38 read:

39 16-246. Early balloting; satellite locations; additional
40 procedures

41 A. Within ninety-three days before the presidential preference
42 election and not later than 5:00 p.m. on the eleventh day preceding the
43 election, any elector who is eligible to vote in the presidential
44 preference election may make a verbal or signed, written request for an
45 official early ballot to the county recorder or other officer in charge of

elections for the county in which the elector is registered to vote. If the request is verbal, the requesting elector shall provide the date of birth and birthplace or other information that if compared to the voter registration records for that elector would confirm the identity of the elector.

B. Absent uniformed services voters, ~~or~~ overseas voters **OR VOTERS WITH A VISUAL IMPAIRMENT** who are otherwise eligible to vote in the election may vote as prescribed by sections 16-543 and 16-543.02.

C. The county recorder or other officer in charge of elections may establish on-site early voting locations at the office of the county recorder or at other locations in the county deemed necessary or appropriate by the recorder. Early voting shall begin within the time limits prescribed in section 16-542 unless otherwise prescribed by this section.

D. The county recorder or other officer in charge of elections shall send by nonforwardable mail that is marked with the statement required by the postmaster to receive an address correction notification any early ballots that are requested pursuant to subsections A and B of this section and shall include a preaddressed envelope for the elector to return the completed ballot.

E. The county recorder or other officer in charge of elections shall provide to each election board an appropriate alphabetized list of voters who have requested and have been sent an early ballot. Any person who is on that list of voters and who was sent an early ballot shall not vote at the polling place for that election precinct except as prescribed by section 16-579, subsection B.

F. The county recorder or other officer in charge of elections may provide for any of the following in the same manner prescribed by law for other elections:

1. Special election boards.

2. Emergency balloting for persons who experience an emergency after 5:00 p.m. on the Friday preceding the presidential preference election and before 5:00 p.m. on the Monday immediately preceding the presidential preference election. Before receiving a ballot pursuant to this paragraph, a person who experiences an emergency shall provide identification as prescribed in section 16-579 and shall sign a statement under penalty of perjury that states that the person is experiencing or experienced an emergency after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this ~~subsection~~ **PARAGRAPH** are not subject to inspection pursuant to title 39, chapter 1, article 2.

G. Notwithstanding section 16-579, subsection A, paragraph 2, for emergency balloting pursuant to subsection F, paragraph 2 of this section, the county recorder or other officer in charge of elections may allow a

1 qualified elector to update the elector's voter registration information
2 as provided for in the secretary of state's instructions and procedures
3 manual adopted pursuant to section 16-452.

4 H. Sections 16-550, 16-551 and 16-552 govern the use of early
5 balloting for the presidential preference election.

6 Sec. 3. Section 16-542, Arizona Revised Statutes, is amended to
7 read:

8 16-542. Request for ballot; civil penalties; violation;
9 classification

10 A. Within ninety-three days before any election called pursuant to
11 the laws of this state, an elector may make a verbal or signed request to
12 the county recorder, or other officer in charge of elections for the
13 applicable political subdivision of this state in whose jurisdiction the
14 elector is registered to vote, for an official early ballot. In addition
15 to name and address, the requesting elector shall provide the date of
16 birth and state or country of birth or other information that if compared
17 to the voter registration information on file would confirm the identity
18 of the elector. If the request indicates that the elector needs a primary
19 election ballot and a general election ballot, the county recorder or
20 other officer in charge of elections shall honor the request. For any
21 partisan primary election, if the elector is not registered as a member of
22 a political party that is entitled to continued representation on the
23 ballot pursuant to section 16-804, the elector shall designate the ballot
24 of only one of the political parties that is entitled to continued
25 representation on the ballot and the elector may receive and vote the
26 ballot of only that one political party, which also shall include any
27 nonpartisan offices and ballot questions, or the elector shall designate
28 the ballot for nonpartisan offices and ballot questions only and the
29 elector may receive and vote the ballot that contains only nonpartisan
30 offices and ballot questions. The county recorder or other officer in
31 charge of elections shall process any request for an early ballot for a
32 municipal election pursuant to this subsection. The county recorder may
33 establish on-site early voting locations at the COUNTY recorder's office,
34 which shall be open and available for use beginning the same day that a
35 county begins to send out the early ballots. The county recorder may also
36 establish any other early voting locations in the county the recorder
37 deems necessary. Any on-site early voting location or other early voting
38 location shall require each elector to present identification as
39 prescribed in section 16-579 before receiving a ballot. Notwithstanding
40 section 16-579, subsection A, paragraph 2, at any on-site early voting
41 location or other early voting location the county recorder or other
42 officer in charge of elections may provide for a qualified elector to
43 update the elector's voter registration information as provided for in the
44 secretary of state's instructions and procedures manual adopted pursuant
45 to section 16-452.

1 B. Notwithstanding subsection A of this section, a request for an
2 official early ballot from an absent uniformed services voter or overseas
3 voter as defined in the uniformed and overseas citizens absentee voting
4 act (P.L. 99-410; 52 United States Code section 20310), **A VOTER WITH A**
5 **VISUAL IMPAIRMENT** or a voter whose information is protected pursuant to
6 section 16-153 that is received by the county recorder or other officer in
7 charge of elections more than ninety-three days before the election is
8 valid. If requested by the absent uniformed services or overseas voter, **A**
9 **VOTER WITH A VISUAL IMPAIRMENT** or a voter whose information is protected
10 pursuant to section 16-153, the county recorder or other officer in charge
11 of elections shall provide to the requesting voter early ballot materials
12 through the next regularly scheduled general election for federal office
13 immediately following receipt of the request unless a different period of
14 time, which does not exceed the next two regularly scheduled general
15 elections for federal office, is designated by the voter.

16 C. The county recorder or other officer in charge of elections
17 shall mail the early ballot and the envelope for its return postage
18 prepaid to the address provided by the requesting elector within five days
19 after receipt of the official early ballots from the officer charged by
20 law with the duty of preparing ballots pursuant to section 16-545, except
21 that early ballot distribution shall not begin more than twenty-seven days
22 before the election. If an early ballot request is received on or before
23 the thirty-first day before the election, the early ballot shall be
24 distributed not earlier than the twenty-seventh day before the election
25 and not later than the twenty-fourth day before the election.

26 D. Only the elector may be in possession of that elector's unvoted
27 early ballot. If a complete and correct request is made by the elector
28 within twenty-seven days before the election, the mailing must be made
29 within forty-eight hours after receipt of the request. Saturdays, Sundays
30 and other legal holidays are excluded from the computation of the
31 forty-eight-hour period prescribed by this subsection. If a complete and
32 correct request is made by an absent uniformed services voter, **A VOTER**
33 **WITH A VISUAL IMPAIRMENT** or an overseas voter before the election, the
34 regular early ballot shall be transmitted by mail, by fax or by other
35 electronic format approved by the secretary of state within twenty-four
36 hours after the early ballots are delivered pursuant to section 16-545,
37 subsection B, excluding Sundays.

38 E. In order to be complete and correct and to receive an early
39 ballot by mail, an elector's request that an early ballot be mailed to the
40 elector's residence or temporary address must include all of the
41 information prescribed by subsection A of this section and must be
42 received by the county recorder or other officer in charge of elections
43 not later than 5:00 p.m. on the eleventh day preceding the election. An
44 elector who appears personally not later than 7:00 p.m. on the Friday
45 preceding the election at an on-site early voting location that is

1 established by the county recorder or other officer in charge of elections
2 shall be given a ballot after presenting identification as prescribed in
3 section 16-579 and shall be allowed to vote at the on-site location.
4 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
5 early voting location the county recorder or other officer in charge of
6 elections may provide for a qualified elector to update the elector's
7 voter registration information as provided for in the secretary of state's
8 instructions and procedures manual adopted pursuant to section 16-452. If
9 an elector's request to receive an early ballot is not complete and
10 correct but complies with all other requirements of this section, the
11 county recorder or other officer in charge of elections shall attempt to
12 notify the elector of the deficiency of the request.

13 F. Unless an elector specifies that the address to which an early
14 ballot is to be sent is a temporary address, the COUNTY recorder may use
15 the information from an early ballot request form to update voter
16 registration records.

17 G. The county recorder or other officer in charge of early
18 balloting shall provide an alphabetized list of all voters in the precinct
19 who have requested and have been sent an early ballot to the election
20 board of the precinct in which the voter is registered not later than the
21 day before the election.

22 H. As a result of experiencing an emergency between 7:00 p.m. on
23 the Friday preceding the election and 5:00 p.m. on the Monday preceding
24 the election, qualified electors may request to vote in the manner
25 prescribed by the board of supervisors of their respective county. Before
26 voting pursuant to this subsection, an elector who experiences an
27 emergency shall provide identification as prescribed in section 16-579 and
28 shall sign a statement under penalty of perjury that states that the
29 person is experiencing or experienced an emergency after 7:00 p.m. on the
30 Friday immediately preceding the election and before 5:00 p.m. on the
31 Monday immediately preceding the election that would prevent the person
32 from voting at the polls. Signed statements received pursuant to this
33 subsection are not subject to inspection pursuant to title 39, chapter 1,
34 article 2. For the purposes of this subsection, "emergency" means any
35 unforeseen circumstances that would prevent the elector from voting at the
36 polls.

37 I. Notwithstanding section 16-579, subsection A, paragraph 2, for
38 any voting pursuant to subsection H of this section, the county recorder
39 or other officer in charge of elections may allow a qualified elector to
40 update the elector's voter registration information as provided for in the
41 secretary of state's instructions and procedures manual adopted pursuant
42 to section 16-452.

43 J. A candidate, political committee or other organization may
44 distribute early ballot request forms to voters. If the early ballot
45 request forms include a printed address for return, the addressee shall be

1 the political subdivision that will conduct the election. Failure to use
 2 the political subdivision as the return addressee is punishable by a civil
 3 penalty of up to three times the cost of the production and distribution
 4 of the request.

5 K. All original and completed early ballot request forms that are
 6 received by a candidate, political committee or other organization shall
 7 be submitted within six business days after receipt by a candidate,
 8 political committee or other organization or eleven days before the
 9 election day, whichever is earlier, to the political subdivision that will
 10 conduct the election. Any person, political committee or other
 11 organization that fails to submit a completed early ballot request form
 12 within the prescribed time is subject to a civil penalty of up to \$25 per
 13 day for each completed form withheld from submittal. Any person who
 14 knowingly fails to submit a completed early ballot request form before the
 15 submission deadline for the election immediately following the completion
 16 of the form is guilty of a class 6 felony.

17 L. Except for a voter who is on the active early voting list
 18 prescribed by section 16-544, a voter who requests a onetime early ballot
 19 pursuant to this section or for an election conducted pursuant to section
 20 16-409 or article 8.1 of this chapter, a county recorder, city or town
 21 clerk or other election officer may not deliver or mail an early ballot to
 22 a person who has not requested an early ballot for that election. An
 23 election officer who knowingly violates this subsection is guilty of a
 24 class 5 felony.

25 Sec. 4. Section 16-543, Arizona Revised Statutes, is amended to
 26 read:

27 16-543. Application for ballot; United States service;
 28 emergency procedures

29 A. Any absent uniformed services voter or overseas voter as defined
 30 in the uniformed and overseas citizens absentee voting act ~~of 1986~~
 31 (P.L. 99-410; ~~42~~ 52 United States Code section ~~1973ff-6~~ 20310), as amended
 32 by the Ronald W. Reagan national defense authorization act for fiscal year
 33 2005 (P.L. 108-375), OR A VOTER WITH A VISUAL IMPAIRMENT may request an
 34 early ballot with a federal postcard application that contains both an
 35 early voter registration application and an early ballot application. The
 36 secretary of state shall provide for a centralized system for receiving
 37 federal postcard applications by way of the internet or fax and shall
 38 provide for transmitting appropriate ballot materials in response to fax,
 39 telephone and internet requests for federal postcard applications. The
 40 absent uniformed services voter, ~~or~~ overseas voter OR VOTER WITH A VISUAL
 41 IMPAIRMENT shall designate the means of communication for receiving voting
 42 materials, whether by way of the internet, fax transmittal or other
 43 electronic means or by mail, and the county recorder or other officer in
 44 charge of elections shall provide responses and materials in the format
 45 designated by the requesting voter. On receipt of ~~such~~ THE application,

1 the county recorder or other officer in charge of elections shall
 2 determine whether or not the elector is registered. If the applicant is
 3 so registered, the recorder or other officer in charge of elections shall
 4 forward to the applicant an official early ballot using the means of
 5 communication designated by the voter pursuant to this section. If no
 6 means of communication is designated, the ballot shall be transmitted as
 7 provided in the instructions and procedures manual issued pursuant to
 8 section 16-452. For all requests received from registered absent
 9 uniformed services voters, ~~or~~ overseas voters OR VOTERS WITH A VISUAL
 10 IMPAIRMENT on or before the forty-eighth day before the election, the
 11 ballot shall be transmitted ~~no~~ NOT later than the forty-fifth day before
 12 the election. If the applicant is not registered, and the request is for
 13 a ballot for use in a county election but the federal postcard application
 14 is complete, the recorder shall forward an official early ballot to the
 15 applicant within twenty-four hours after receipt of the request, excluding
 16 Saturdays, Sundays and other legal holidays. If the applicant is not
 17 registered to vote and the federal postcard application is not used or
 18 complete, the recorder shall forward an affidavit of registration as
 19 provided in section 16-103 and shall forward at the same time to the
 20 unregistered applicant an official early ballot and affidavit within
 21 twenty-four hours after receipt of the request, excluding Saturdays,
 22 Sundays and other legal holidays. For any voter who is sent an official
 23 early ballot by electronic means pursuant to this section, the county
 24 recorder or other officer in charge of elections is not required to send a
 25 paper ballot for the same election.

26 B. The county recorder or other officer in charge of elections
 27 shall transmit by fax or by other electronic format approved by the
 28 secretary of state early ballot request forms, unvoted ballots and ballot
 29 information to eligible absent uniformed services voters, ~~and~~ overseas
 30 voters AND VOTERS WITH A VISUAL IMPAIRMENT. The county recorder or other
 31 officer in charge of elections shall provide for receipt of completed
 32 early ballot requests and voted early ballots by fax or other electronic
 33 format as prescribed by the secretary of state in the instructions and
 34 procedures manual issued pursuant to section 16-452. The county recorder
 35 or other officer in charge of elections shall provide for a method for the
 36 voter to verify at no cost to the voter that the voter's ballot has been
 37 received.

38 C. The secretary of state shall provide in the instructions and
 39 procedures manual issued pursuant to section 16-452 for emergency
 40 procedures regarding the early balloting process for persons who are
 41 subject to the uniformed and overseas citizens absentee voting act ~~of 1986~~
 42 (P.L. 99-410; ~~42~~ 52 United States Code ~~section 1973ff~~ SECTIONS 20301
 43 THROUGH 20311), as amended by the Ronald W. Reagan national defense
 44 authorization act for fiscal year 2005 (P.L. 108-375), OR VOTERS WITH A
 45 VISUAL IMPAIRMENT. These emergency procedures may be implemented only on

1 the occurrence of a national or local emergency that makes substantial
2 compliance with the uniformed and overseas citizens absentee voting act
3 impracticable, including occurrences of natural disasters or armed
4 conflict or mobilization of the national guard or military reserve units
5 of this state.

6 D. This section applies only to any absent uniformed services voter
7 or overseas voter as defined in the uniformed and overseas citizens
8 absentee voting act ~~of 1986~~ (P.L. 99-410; ~~42~~ 52 United States Code section
9 ~~1973ff-6~~ 20310), as amended by the Ronald W. Reagan national defense
10 authorization act for fiscal year 2005 (P.L. 108-375), AND ANY VOTER WITH
11 A VISUAL IMPAIRMENT.

12 Sec. 5. Section 16-543.02, Arizona Revised Statutes, is amended to
13 read:

14 16-543.02. Federal write-in early ballots: procedure:
15 registration form

16 A. An overseas voter as defined in the uniformed and overseas
17 citizens absentee voting act ~~of 1986~~ (P.L. 99-410; ~~42~~ 52 United States
18 Code section ~~1973ff-6~~ 20310), as amended by the Ronald W. Reagan national
19 defense authorization act for fiscal year 2005 (P.L. 108-375), who is
20 absent from the place of residence in this state where the voter is
21 otherwise qualified to vote OR A VOTER WITH A VISUAL IMPAIRMENT may use a
22 federal write-in early ballot in a primary, general or special election
23 for the offices of presidential elector and United States senator and
24 representative in Congress if the voter applies for an early ballot by
25 7:00 p.m. on election day and does not receive that early ballot.

26 B. A federal write-in early ballot of an overseas voter OR A VOTER
27 WITH A VISUAL IMPAIRMENT shall not be counted if either of the following
28 conditions is met:

29 1. The application of the overseas voter OR VOTER WITH A VISUAL
30 IMPAIRMENT for an early ballot is received by the county recorder or other
31 officer in charge of elections after 7:00 p.m. on election day.

32 2. An early ballot from the overseas voter OR VOTER WITH A VISUAL
33 IMPAIRMENT is received by the county recorder or other officer in charge
34 of elections by 7:00 p.m. on election day.

35 C. An overseas voter OR A VOTER WITH A VISUAL IMPAIRMENT who
36 completes a federal write-in early ballot may designate a candidate by
37 writing in the name of the candidate or by writing in the name of a
38 political party, in which case the ballot shall be counted for the
39 candidate of that political party. In the case of the offices of
40 president and ~~vice-president~~ VICE PRESIDENT, a vote for a named candidate
41 or in the name of the political party shall be counted as a vote for that
42 candidate's or party's presidential electors. Any abbreviation,
43 misspelling or other minor variation in the form of the name of a
44 candidate or political party shall be disregarded in determining the
45 validity of the ballot if the intention of the voter can be ascertained.

1 D. For an overseas voter OR A VOTER WITH A VISUAL IMPAIRMENT who
2 completes a federal write-in early ballot transmission envelope with the
3 federal write-in early ballot request, the transmission envelope shall
4 serve as a voter registration form and the voter is registered to vote on
5 completion and receipt of the transmission envelope and the federal
6 write-in early ballot if all of the following apply:

7 1. The information submitted on the transmission envelope includes
8 the information prescribed in section 16-121.01.

9 2. The voter is otherwise eligible to register and vote in this
10 state.

11 3. The request is received by the county recorder by 7:00 p.m. on
12 election day.

13 E. For any request received after 7:00 p.m. on election day, an
14 otherwise valid transmission envelope constitutes a voter registration
15 form that is valid for any subsequent election.