

REFERENCE TITLE: election and campaign finance amendments

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HB 2669

Introduced by
Representative Dial

AN ACT

AMENDING SECTIONS 16-152, 16-168, 16-407, 16-411, 16-532, 16-544, 16-548, 16-579, 16-801, 16-905, 16-912, 16-912.01, 16-916.01, 16-917 AND 16-1018, 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 16-152, Arizona Revised Statutes, is amended to
3 read:

4 16-152. Registration form

5 A. The form used for the registration of electors shall contain:

6 1. The date the registrant signed the form.

7 2. The registrant's given name, middle name, if any, and surname.

8 3. The complete address of the registrant's actual place of residence,
9 including street name and number, apartment or space number, city or town and
10 zip code, or such description of the location of the residence that it can be
11 readily ascertained or identified.

12 4. The registrant's complete mailing address, if different from the
13 residence address, including post office address, city or town, zip code or
14 other designation used by the registrant for receiving mail. **THE FORM SHALL
15 ALSO INCLUDE A LINE FOR THE REGISTRANT'S E-MAIL ADDRESS (OPTIONAL TO
16 REGISTRANT).**

17 5. The registrant's party preference. **THE TWO LARGEST POLITICAL
18 PARTIES THAT ARE ENTITLED TO CONTINUED REPRESENTATION ON THE BALLOT SHALL BE
19 LISTED ON THE FORM IN THE ORDER DETERMINED BY CALCULATING WHICH PARTY HAS THE
20 HIGHEST NUMBER OF REGISTERED VOTERS AT THE CLOSE OF REGISTRATION FOR THE MOST
21 RECENT GENERAL ELECTION FOR GOVERNOR, THEN THE SECOND HIGHEST. THE FORM
22 SHALL ALLOW THE REGISTRANT TO CIRCLE, CHECK OR OTHERWISE MARK THE PARTY
23 PREFERENCE AND SHALL INCLUDE A BLANK LINE FOR OTHER PARTY PREFERENCE OPTIONS.**

24 6. The registrant's telephone number, unless unlisted.

25 7. The registrant's state or country of birth.

26 8. The registrant's date of birth.

27 9. The registrant's occupation.

28 10. The registrant's Indian census number (optional to registrant).

29 11. The registrant's father's name or mother's maiden name.

30 12. One of the following identifiers for each registrant:

31 (a) The Arizona driver license number of the registrant or
32 nonoperating identification license number of the registrant that is issued
33 pursuant to section 28-3165.

34 (b) If the registrant does not have an Arizona driver license or
35 nonoperating identification license, the last four digits of the registrant's
36 social security number.

37 (c) If the registrant does not have an Arizona driver license or
38 nonoperating identification license or a social security number and the
39 registrant attests to that, a unique identifying number consisting of the
40 registrant's unique identification number to be assigned by the secretary of
41 state in the statewide electronic voter registration database.

42 13. A statement as to whether or not the registrant is currently
43 registered in another state, county or precinct, and if so, the name,
44 address, county and state of previous registration.

1 14. The question to the registrant "Are you a citizen of the United
2 States of America?", appropriate boxes for the registrant to check "yes" or
3 "no" and a statement instructing the registrant not to complete the form if
4 the registrant checked "no".

5 15. The question to the registrant "Will you be eighteen years of age
6 on or before election day?", appropriate boxes for the registrant to check
7 "yes" or "no" and a statement instructing the registrant not to complete the
8 form if the registrant checked "no".

9 16. A statement that the registrant has not been convicted of treason
10 or a felony, or if so, that the registrant's civil rights have been restored.

11 17. A statement that the registrant is a resident of this state and of
12 the county in which the registrant is registering.

13 18. A statement that executing a false registration is a class 6
14 felony.

15 19. The signature of the registrant.

16 20. If the registrant is unable to sign the form, a statement that the
17 affidavit was completed according to the registrant's direction.

18 21. A statement that if an applicant declines to register to vote, the
19 fact that the applicant has declined to register will remain confidential and
20 will be used only for voter registration purposes.

21 22. A statement that if an applicant does register to vote, the office
22 at which the applicant submits a voter registration application will remain
23 confidential and will be used only for voter registration purposes.

24 23. A statement that the applicant shall submit evidence of United
25 States citizenship with the application and that the registrar shall reject
26 the application if no evidence of citizenship is attached.

27 B. A duplicate voter receipt shall be provided with the form that
28 provides space for the name, street address and city of residence of the
29 applicant, party preference and the date of signing. The voter receipt is
30 evidence of valid registration for the purpose of casting a provisional
31 ballot as prescribed in section 16-584, subsection B.

32 C. The state voter registration form shall be printed in a form
33 prescribed by the secretary of state.

34 D. The county recorder may establish procedures to verify whether a
35 registrant has successfully petitioned the court for an injunction against
36 harassment pursuant to section 12-1809 or an order of protection pursuant to
37 section 13-3602 and, if verified, to protect the registrant's residence
38 address, telephone number or voting precinct number, if appropriate, from
39 public disclosure.

40 E. Subsection A of this section does not apply to registrations
41 received from the department of transportation pursuant to section 16-112.

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

2 16-168. Precinct registers; date of preparation; contents;
 3 copies; reports; statewide database; violation;
 4 classification

5 A. By the tenth day preceding the primary and general elections the
 6 county recorder shall prepare from the original registration forms or from
 7 electronic media at least four lists that are printed or typed on paper of
 8 all qualified electors in each precinct in the county, and the lists shall be
 9 the official precinct registers.

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

16 C. For the purposes of transmitting voter registration information as
 17 prescribed by this subsection, electronic media shall be the principal media.
 18 A county or state chairman who is eligible to receive copies of precinct
 19 lists as prescribed by this subsection may request that the recorder provide
 20 a paper copy of the precinct lists. In addition to preparing the official
 21 precinct lists, the county recorder shall provide a means for electronically
 22 reproducing the precinct lists. Unless otherwise agreed, the county recorder
 23 shall deliver one electronic media copy of each precinct list in the county
 24 without charge and on the same day within eight days after the close of
 25 registration for the primary and general elections to the county chairman and
 26 one electronic media copy to the state chairman of each party that has at
 27 least four candidates other than presidential electors appearing on the
 28 ballot in that county at the current election. The secretary of state shall
 29 ~~prescribe~~ ESTABLISH A SINGLE FORMAT THAT PRESCRIBES the manner, ~~format~~ and
 30 template in which all county recorders provide this data to the secretary of
 31 state to ensure that the submissions are uniform from all counties in this
 32 state, THAT ALL SUBMISSIONS ARE IDENTICAL IN FORMAT, INCLUDING THE LEVEL OF
 33 DETAIL FOR VOTING HISTORY, AND THAT INFORMATION MAY READILY BE COMBINED FROM
 34 TWO OR MORE COUNTIES. The electronic media copies of the precinct lists that
 35 are delivered to the party chairmen shall include for each elector the
 36 following information:

- 37 1. Name in full and appropriate title.
- 38 2. Party preference.
- 39 3. Date of registration.
- 40 4. Residence address.
- 41 5. Mailing address, if different from residence address.
- 42 6. Zip code.
- 43 7. Telephone number if given.
- 44 8. Birth year.
- 45 9. Occupation if given.

1 10. Voting history for all elections in the prior four years and any
2 other information regarding registered voters that the county recorder or
3 city or town clerk maintains electronically and that is public information.

4 11. All data relating to permanent early voters and nonpermanent early
5 voters, including ballot requests and ballot returns.

6 D. The names on the precinct lists shall be in alphabetical order and
7 the precinct lists in their entirety, unless otherwise agreed, shall be
8 delivered to each county chairman and each state chairman within ten business
9 days of the close of each date for counting registered voters prescribed by
10 subsection G of this section other than the primary and general election
11 registered voter counts in the same format and media as prescribed by
12 subsection C of this section. During the thirty-three days immediately
13 preceding an election and on request from a county or state chairman, the
14 county recorder shall provide at no cost a daily list of persons who have
15 requested an early ballot and shall provide at no cost a weekly listing of
16 persons who have returned their early ballots. The recorder shall provide
17 the daily and weekly information through the Friday preceding the election.
18 On request from a county chairman or state chairman, the county recorder of a
19 county with a population of more than eight hundred thousand persons shall
20 provide at no cost a daily listing of persons who have returned their early
21 ballots. The daily listing shall be provided Mondays through Fridays,
22 beginning with the first Monday following the start of early voting and
23 ending on the Monday before the election.

24 E. Precinct registers and other lists and information derived from
25 registration forms may be used only for purposes relating to a political or
26 political party activity, a political campaign or an election, for revising
27 election district boundaries or for any other purpose specifically authorized
28 by law and may not be used for a commercial purpose as defined in section
29 39-121.03. The sale of registers, lists and information derived from
30 registration forms to a candidate or a registered political committee for a
31 use specifically authorized by this subsection does not constitute use for a
32 commercial purpose. The county recorder, on a request for an authorized use
33 and within thirty days from receipt of the request, shall prepare additional
34 copies of an official precinct list and furnish them to any person requesting
35 them on payment of a fee equal to five cents for each name appearing on the
36 register for a printed list and one cent for each name for an electronic data
37 medium, plus the cost of the blank computer disk or computer software if
38 furnished by the recorder, for each copy so furnished.

39 F. Any person in possession of a precinct register or list, in whole
40 or part, or any reproduction of a precinct register or list, shall not permit
41 the register or list to be used, bought, sold or otherwise transferred for
42 any purpose except for uses otherwise authorized by this section. A person
43 in possession of information derived from voter registration forms or
44 precinct registers shall not distribute, post or otherwise provide access to
45 any portion of that information through the internet except as authorized by

1 subsection J of this section. Nothing in this section shall preclude public
2 inspection of voter registration records at the office of the county recorder
3 for the purposes prescribed by this section, except that the month and day of
4 birth date, the social security number or any portion thereof, the driver
5 license number or nonoperating identification license number, the Indian
6 census number, the father's name or mother's maiden name, the state or
7 country of birth and the records containing a voter's signature shall not be
8 accessible or reproduced by any person other than the voter, by an authorized
9 government official in the scope of the official's duties, for signature
10 verification on petitions and candidate filings, for election purposes and
11 for news gathering purposes by a person engaged in newspaper, radio,
12 television or reportorial work, or connected with or employed by a newspaper,
13 radio or television station or pursuant to a court order. A person who
14 violates this subsection or subsection E of this section is guilty of a class
15 6 felony.

16 G. The county recorder shall count the registered voters by political
17 party by precinct, legislative district and congressional district as
18 follows:

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

21 (a) January 1.

22 (b) March 1.

23 (c) June 1.

24 (d) The last day on which a person may register to be eligible to vote
25 in the next primary election.

26 (e) The last day on which a person may register to be eligible to vote
27 in the next general election.

28 (f) The last day on which a person may register to be eligible to vote
29 in the next presidential preference election.

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

32 (a) January 1.

33 (b) April 1.

34 (c) July 1.

35 (d) October 1.

36 H. The county recorder shall report the totals to the secretary of
37 state as soon as is practicable following each of the dates prescribed in
38 subsection G of this section. The report shall include completed
39 registration forms returned in accordance with section 16-134, subsection B.
40 The county recorder shall also provide the report in a uniform electronic
41 computer media format that shall be agreed on between the secretary of state
42 and all county recorders. The secretary of state shall then prepare a
43 summary report for the state and shall maintain that report as a permanent
44 record.

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

5 J. The secretary of state shall develop and administer a statewide
6 database of voter registration information that contains the name and
7 registration information of every registered voter in this state. The
8 statewide database is a matter of statewide concern and is not subject to
9 modification or further regulation by a political subdivision. The database
10 shall include an identifier that is unique for each individual voter. The
11 database shall provide for access by voter registration officials and shall
12 allow expedited entry of voter registration information after it is received
13 by county recorders. As a part of the statewide voter registration database,
14 county recorders shall provide for the electronic transmittal of that
15 information to the secretary of state on a real time basis. The secretary of
16 state shall provide for maintenance of the database, including provisions
17 regarding removal of ineligible voters that are consistent with the national
18 voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; 42 United States
19 Code section 394) and the help America vote act of 2002 (P.L. 107-252; 116
20 Stat. 1666; 42 United States Code sections 15301 through 15545), provisions
21 regarding removal of duplicate registrations and provisions to ensure that
22 eligible voters are not removed in error. For the purpose of maintaining
23 compliance with the help America vote act of 2002, each county voter
24 registration system is subject to approval by the secretary of state for
25 compatibility with the statewide voter registration database system. THE
26 SECRETARY OF STATE MAY CHARGE A FEE FOR ONETIME ACCESS TO THE STATEWIDE VOTER
27 REGISTRATION DATABASE. THE STATEWIDE VOTER REGISTRATION DATABASE MAY BE USED
28 BY A VENDOR ONLY FOR PURPOSES RELATING TO A POLITICAL OR POLITICAL PARTY
29 ACTIVITY, A POLITICAL CAMPAIGN OR AN ELECTION, FOR REVISING ELECTION DISTRICT
30 BOUNDARIES OR FOR ANY OTHER PURPOSE SPECIFICALLY AUTHORIZED BY LAW AND MAY
31 NOT BE USED FOR A COMMERCIAL PURPOSE AS DEFINED IN SECTION 39-121.03. THE
32 SALE OF REGISTERS, LISTS AND INFORMATION DERIVED FROM REGISTRATION FORMS TO A
33 VENDOR, A CANDIDATE OR A REGISTERED POLITICAL COMMITTEE FOR A USE
34 SPECIFICALLY AUTHORIZED BY THIS SUBSECTION DOES NOT CONSTITUTE USE FOR A
35 COMMERCIAL PURPOSE.

36 K. Except as provided in subsection L of this section, for requests
37 for the use of registration forms and access to information as provided in
38 subsections E and F of this section, the county recorder shall receive and
39 respond to requests regarding federal, state and county elections.

40 L. Beginning January 1, 2008, recognized political parties shall
41 request precinct lists and access to information as provided in subsections E
42 and F of this section during the time periods prescribed in subsection C or D
43 of this section and the county recorder shall receive and respond to those
44 requests. If the county recorder does not provide the requested materials
45 within the applicable time prescribed for the county recorder pursuant to

1 subsection C or D of this section, a recognized political party may request
 2 that the secretary of state provide precinct lists and access to information
 3 as provided in subsections E and F of this section for federal, state and
 4 county elections. The secretary of state shall not provide access to
 5 precinct lists and information for recognized political parties unless the
 6 county recorder has failed or refused to provide the lists and materials as
 7 prescribed by this section. The secretary of state may charge the county
 8 recorder a fee determined by rule for each name or record produced.
 9 BEGINNING ON THE DAY AFTER A CANDIDATE SUBMITS NOMINATING PETITION SIGNATURES
 10 TO THE FILING OFFICER, AND, FOR A PERSON HOLDING PUBLIC, ELECTED OFFICE,
 11 BEGINNING ON THE DAY THE OFFICEHOLDER TAKES OFFICE, THE SECRETARY OF STATE
 12 SHALL PROVIDE TO THAT CANDIDATE OR OFFICEHOLDER THE VOTER REGISTRATION
 13 INFORMATION FOR ALL VOTERS IN THIS STATE AND SHALL PROVIDE UPDATED
 14 INFORMATION TO THOSE CANDIDATES AND OFFICEHOLDERS AT LEAST QUARTERLY. ON
 15 REQUEST FROM THOSE CANDIDATES AND OFFICEHOLDERS, THE SECRETARY OF STATE SHALL
 16 PROVIDE DAILY UPDATES OF EARLY VOTING REQUESTS DATA. THE SECRETARY OF STATE
 17 SHALL PROVIDE THIS INFORMATION TO CANDIDATES AND OFFICEHOLDERS WITHOUT
 18 CHARGE. BEGINNING IN JANUARY, 2015, THE SECRETARY OF STATE SHALL PROVIDE A
 19 SECURE ONLINE DATABASE THAT CAN BE DIRECTLY DOWNLOADED BY POLITICAL PARTIES
 20 AND CANDIDATES.

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

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

37 Sec. 3. Section 16-407, Arizona Revised Statutes, is amended to read:

38 16-407. Election officers; qualifications; certificates;
 39 certification programs; plan; exemption; election
 40 training fund

41 A. Except as provided in subsection E, no person may perform the
 42 duties or exercise the authority of an election officer or of the clerk of
 43 the board of supervisors or the county recorder in performance of election
 44 duties in or on behalf of any county unless the person is the holder of an

1 election officer's certificate issued by the secretary of state before
2 January 1 of each general election year.

3 B. The secretary of state shall provide for the examination of
4 applicants for election officer certificates. The secretary of state may not
5 issue a certificate to a person who has not demonstrated to the satisfaction
6 of the secretary of state that the person is competent to perform the work of
7 an election officer or of the clerk of the board of supervisors or the county
8 recorder in the performance of election duties.

9 C. The secretary of state shall provide for election officer
10 certification programs of which successful completion by a person attests to
11 the attendance at, participation in and completion of a course of instruction
12 in the technical, legal and administrative aspects of conducting elections
13 within this state. BY JULY 1, 2013, THE SECRETARY OF STATE ALSO SHALL
14 PROVIDE FOR A STANDARDIZED TRAINING PROGRAM FOR ELECTION BOARD WORKERS IN
15 COUNTY, MUNICIPAL, SCHOOL DISTRICT AND SPECIAL DISTRICT ELECTIONS.

16 D. On or before December 31 of each year of a general election, the
17 secretary of state shall submit an election officer education, training and
18 certification plan to the election officer education, training and
19 certification advisory committee and to the president of the senate and the
20 speaker of the house of representatives. The plan shall outline the
21 achievements and problems of the previous two year period and specify the
22 expected education, training and certification activities of the coming two
23 year period.

24 E. Subsection A does not apply to ~~elected officials~~, clerical and
25 secretarial personnel, counting center personnel, precinct election board and
26 tally board members and election officials in cities or towns.

27 F. For city and town employees who work on elections, if the city or
28 town chooses to enroll the city or town employees in the certification
29 program prescribed by this section, the city or town shall reimburse the
30 secretary of state for the costs of conducting the training. An election
31 training fund is established consisting of monies received pursuant to this
32 subsection. The secretary of state shall administer the fund. Monies in the
33 fund are continuously appropriated and the secretary of state shall use
34 monies in the fund to pay the costs of training officials from cities and
35 towns pursuant to this subsection.

36 Sec. 4. Section 16-411, Arizona Revised Statutes, is amended to read:

37 16-411. Designation of election precincts and polling places;
38 electioneering; wait times

39 A. Except as prescribed by subsection J of this section, the board of
40 supervisors of each county, on or before December 1 of each year preceding
41 the year of a general election, by an order, shall establish a convenient
42 number of election precincts in the county and define the boundaries of the
43 precincts. Such election precinct boundaries shall be so established as
44 included within election districts prescribed by law for elected officers of

1 the state and its political subdivisions including community college district
2 precincts, except those elected officers provided for in titles 30 and 48.

3 B. Not less than twenty days before a general or primary election, and
4 at least ten days before a special election, the board shall designate one
5 polling place within each precinct where the election shall be held, except
6 that:

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

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

18 3. On a specific finding of the board that the number of persons who
19 are listed as permanent early voters pursuant to section 16-544 is likely to
20 substantially reduce the number of voters appearing at one or more specific
21 polling places at that election, adjacent precincts may be consolidated by
22 combining polling places and precinct boards for that election. The board of
23 supervisors shall ensure that a reasonable and adequate number of polling
24 places will be designated for that election. Any consolidated polling places
25 shall be listed in separate sections of the order or resolution of the board.

26 4. ON A SPECIFIC RESOLUTION OF THE BOARD, THE BOARD MAY AUTHORIZE THE
27 USE OF VOTING CENTERS IN PLACE OF OR IN ADDITION TO SPECIFICALLY DESIGNATED
28 POLLING PLACES. A VOTING CENTER SHALL ALLOW ANY VOTER IN THAT COUNTY TO
29 RECEIVE THE APPROPRIATE BALLOT FOR THAT VOTER ON ELECTION DAY AND LAWFULLY
30 CAST THE BALLOT. VOTING CENTERS MAY BE ESTABLISHED IN COORDINATION AND
31 CONSULTATION WITH THE COUNTY RECORDER, AT OTHER COUNTY OFFICES OR AT OTHER
32 LOCATIONS IN THE COUNTY DEEMED APPROPRIATE.

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

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

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

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

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

12 E. Except as provided in subsection F of this section, a public school
13 shall provide sufficient space for use as a polling place for any city,
14 county or state election when requested by the officer in charge of
15 elections.

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

21 1. Space is not available at the school.

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

23 G. The board shall make available to the public as a public record a
24 list of the polling places for all precincts in which the election is to be
25 held including identification of polling place changes that were submitted to
26 the United States department of justice for approval.

27 H. Except in the case of an emergency, any facility that is used as a
28 polling place on election day shall allow persons to electioneer and engage
29 in other political activity outside of the seventy-five foot limit prescribed
30 by section 16-515 in public areas and parking lots used by voters **AND ANY**
31 **CITY OR TOWN FACILITY USED AS A POLLING PLACE SHALL PERMIT ELECTIONEERING.**
32 This subsection shall not be construed to permit the temporary or permanent
33 construction of structures in public areas and parking lots or the blocking
34 or other impairment of access to parking spaces for voters.

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

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

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

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

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

5 J. The board of supervisors of a county shall not change precinct
6 lines during the period after July 31, 2008 and before January 1, 2011. The
7 board of supervisors may subdivide an election precinct for administrative
8 purposes or may provide for more than one polling place within the boundaries
9 of the election precincts established for use in voting in elections held
10 after July 31, 2008 and before January 1, 2011. In providing for multiple
11 polling places within a precinct, the board of supervisors shall consider the
12 particular population characteristics of each precinct in order to provide
13 the voters the most reasonable access to the polls possible.

14 Sec. 5. Section 16-532, Arizona Revised Statutes, is amended to read:

15 16-532. Instruction of election board inspectors and judges;
16 certificate of qualification; optional training;
17 instruction of counting center election officials

18 A. Not more than forty-five days prior to an election the board of
19 supervisors or other authority in charge of elections shall conduct a class
20 for the instruction of inspectors, ~~and~~ judges, MARSHALS AND CLERKS of the
21 election board in their duties, which shall include instruction in the voting
22 system to be used and the election laws applicable to such election, AND AN
23 EXAMINATION ON THOSE SUBJECTS. Each election board member receiving
24 instructions and properly qualified shall receive a certificate of
25 qualification. Only ~~inspectors and judges of the~~ election board MEMBERS who
26 have received the required instruction class shall serve at any election,
27 except as provided pursuant to sections 16-533 and 16-534. Other members of
28 the election board may be trained at the same time.

29 B. The instructor of election board members shall be qualified in
30 election law and shall have had practical experience in the election process
31 such person is teaching.

32 C. The election authority in charge of the instructional classes may
33 conduct multiple sessions to ~~insure~~ ENSURE that election board members
34 receive adequate instruction.

35 D. The board of supervisors or other officer in charge of elections
36 may approve an alternate method of instruction and testing for election board
37 members. Each election board member who successfully completes the
38 instruction shall be certified as a premium board worker. This instruction
39 may include at least eight classroom hours of instruction and shall include a
40 written examination on election law and election procedures. Except as
41 provided in subsection E of this section, a certified premium board worker
42 shall not be required to receive additional instruction for at least thirty
43 months from the date of that worker's individual certification. The board of
44 supervisors may approve additional compensation for certified premium board
45 workers.

1 E. The board of supervisors or other authority in charge of elections
2 may require additional training at any time for any or all election board
3 workers, including premium board workers. The board of supervisors or other
4 authority in charge of elections shall notify election board workers in
5 writing of changes in the law regarding elections or changes in election
6 procedures. This notification shall be made immediately preceding the
7 election in which the statutory change or procedural change regarding
8 election law becomes effective.

9 F. Not more than forty-five days prior to the day of an election
10 utilizing a punch card method of voting and electromechanical tabulation of
11 ballots, the board of supervisors or other authority in charge of elections
12 shall conduct a class for the deputized counting center election officials in
13 their duties.

14 Sec. 6. Section 16-544, Arizona Revised Statutes, is amended to read:
15 16-544. Permanent early voting list violation; classification

16 A. Any voter may request to be included on a permanent list of voters
17 to receive an early ballot for any election for which the county voter
18 registration roll is used to prepare the election register. The county
19 recorder of each county shall maintain the permanent early voting list as
20 part of the voter registration roll.

21 B. In order to be included on the permanent early voting list, the
22 voter shall make a written request specifically requesting that the voter's
23 name be added to the permanent early voting list for all elections in which
24 the applicant is eligible to vote. A permanent early voter request form
25 shall conform to requirements prescribed in the instructions and procedures
26 manual issued pursuant to section 16-452. The application shall allow for
27 the voter to provide the voter's name, residence address, mailing address in
28 the voter's county of residence, date of birth and signature AND SHALL STATE
29 THAT THE VOTER IS ATTESTING THAT THE VOTER IS A REGISTERED VOTER, AND IF THE
30 APPLICATION WAS MAILED OR DELIVERED BY A POLITICAL COMMITTEE OR OTHER
31 ORGANIZATION, THE VOTER SHALL PRINT THE NAME OF THE ORGANIZATION PROVIDING
32 THE APPLICATION. THE APPLICATION ALSO SHALL STATE THAT A KNOWING FAILURE TO
33 PROVIDE THE NAME OF THE ORGANIZATION PROVIDING THE APPLICATION IS A CLASS 5
34 FELONY AND THAT THE COMPLETED APPLICATION SHALL BE TRANSMITTED AS SOON AS
35 PRACTICABLE TO THE COUNTY RECORDER. The voter shall not list a mailing
36 address that is outside of the voter's county of residence for the purpose of
37 the permanent early voting list unless the voter is an absent uniformed
38 services voter or overseas voter as defined in the uniformed and overseas
39 citizens absentee voting act of 1986 (P.L. 99-410; 42 United States Code
40 section 1973ff-6). In lieu of the application, the applicant may submit a
41 written request that contains the required information.

42 C. On receipt of a request to be included on the permanent early
43 voting list, the county recorder or other officer in charge of elections
44 shall compare the signature on the request form with the voter's signature on

1 the voter's registration form and, if the request is from the voter, shall
2 mark the voter's registration file as a permanent early ballot request.

3 D. Not less than ninety days before any polling place election
4 scheduled in March or August, the county recorder or other officer in charge
5 of elections shall mail to all voters who are eligible for the election and
6 who are included on the permanent early voting list an election notice by
7 nonforwardable mail that is marked with the statement required by the
8 postmaster to receive an address correction notification. If an election is
9 not formally called by a jurisdiction by the one hundred twentieth day before
10 the election, the recorder or other officer in charge of elections is not
11 required to send the election notice. The notice shall include the dates of
12 the elections that are the subject of the notice, the dates that the voter's
13 ballot is expected to be mailed and the address where the ballot will be
14 mailed. If the upcoming election is a partisan open primary election and the
15 voter is not registered as a member of one of the political parties that is
16 recognized for purposes of that primary, the notice shall include information
17 on the procedure for the voter to designate a political party ballot. The
18 notice shall be delivered with return postage prepaid and shall also include
19 a means for the voter to do any of the following:

20 1. Change the mailing address for the voter's ballot to another
21 location in the voter's county of residence.

22 2. Update the voter's residence address in the voter's county of
23 residence.

24 3. Request that the voter not be sent a ballot for the upcoming
25 election or elections indicated on the notice.

26 E. If the notice that is mailed to the voter is returned undeliverable
27 by the postal service, the county recorder or other officer in charge of
28 elections shall take the necessary steps to contact the voter at the voter's
29 new residence address in order to update that voter's address or to move the
30 voter to inactive status as prescribed in section 16-166, subsection A. If a
31 voter is moved to inactive status, the voter shall be removed from the
32 permanent early voting list. If the voter is removed from the permanent
33 early voting list, the voter shall only be added to the permanent early
34 voting list again if the voter submits a new request pursuant to this
35 section.

36 F. Not later than the first day of early voting, the county recorder
37 or other officer in charge of elections shall mail an early ballot to all
38 eligible voters included on the permanent early voting list in the same
39 manner prescribed in section 16-542, subsection C. If the voter has not
40 returned the notice or otherwise notified the election officer within
41 forty-five days before the election that the voter does not wish to receive
42 an early ballot by mail for the election or elections indicated, the ballot
43 shall automatically be scheduled for mailing.

44 G. If a voter who is on the permanent early voting list is not
45 registered as a member of a recognized political party and fails to notify

1 the county recorder of the voter's choice for political party ballot within
2 forty-five days before a partisan open primary election, the following apply:

3 1. The voter shall not automatically be sent a ballot for that
4 partisan open primary election only and the voter's name shall remain on the
5 permanent early voting list for future elections.

6 2. To receive an early ballot for the primary election, the voter
7 shall submit the voter's choice for political party ballot to the county
8 recorder.

9 H. After a voter has requested to be included on the permanent early
10 voting list, the voter shall be sent an early ballot by mail automatically
11 for any election at which a voter at that residence address is eligible to
12 vote until any of the following occurs:

13 1. The voter requests in writing to be removed from the permanent
14 early voting list.

15 2. The voter's registration or eligibility for registration is moved
16 to inactive status or canceled as otherwise provided by law.

17 3. The notice sent by the county recorder or other officer in charge
18 of elections is returned undeliverable and the county recorder or officer in
19 charge of elections is unable to contact the voter to determine the voter's
20 continued desire to remain on the list.

21 I. A voter may make a written request at any time to be removed from
22 the permanent early voting list. The request shall include the voter's name,
23 residence address, date of birth and signature. On receipt of a completed
24 request to remove a voter from the permanent early voting list, the county
25 recorder or other officer in charge of elections shall remove the voter's
26 name from the list as soon as practicable.

27 J. An absent uniformed services voter or overseas voter as defined in
28 the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410;
29 42 United States Code section 1973ff-6) is eligible to be placed on the
30 permanent early voting list pursuant to this section.

31 K. A voter's failure to vote an early ballot once received does not
32 constitute grounds to remove the voter from the permanent early voting list.

33 Sec. 7. Section 16-548, Arizona Revised Statutes, is amended to read:
34 16-548. Preparation and transmission of ballot

35 A. The early voter shall make and sign the affidavit and shall then
36 mark his ballot in such a manner that his vote cannot be seen. The early
37 voter shall fold the ballot, if a paper ballot, so as to conceal the vote and
38 deposit the voted ballot in the envelope provided for that purpose, which
39 shall be securely sealed and, together with the affidavit, delivered or
40 mailed to the county recorder or other officer in charge of elections of the
41 political subdivision in which the elector is registered or deposited by the
42 voter or A MEMBER OF the voter's ~~agent~~ HOUSEHOLD at any polling place in the
43 county. In order to be counted and valid, the ballot must be received by the
44 county recorder or other officer in charge of elections or deposited at any
45 polling place in the county no later than 7:00 p.m. on election day.

1 B. If the early voter is an overseas citizen, a qualified elector
2 absent from the United States or in the United States service, a spouse or
3 dependent residing with the early voter or a qualified elector of a special
4 district mail ballot election as provided in article 8.1 of this chapter, the
5 early voter may subscribe to the affidavit before and obtain the signature
6 and military identification number or passport number, if available, of any
7 person who is a United States citizen eighteen years of age or older.

8 Sec. 8. Section 16-579, Arizona Revised Statutes, is amended to read:

9 16-579. Procedure for obtaining ballot by elector

10 A. Every qualified elector, before receiving a ballot, shall announce
11 the elector's name and place of residence in a clear, audible tone of voice
12 to the election official in charge of the signature roster or present the
13 elector's name and residence in writing. The election official in charge of
14 the signature roster shall comply with the following and the qualified
15 elector shall be allowed within the voting area:

16 1. The elector shall present any of the following:

17 (a) A valid form of identification that bears the photograph, name and
18 address of the elector that reasonably appears to be the same as the name and
19 address in the precinct register, including an Arizona driver license, an
20 Arizona nonoperating identification license, a tribal enrollment card or
21 other form of tribal identification or a United States federal, state or
22 local government issued identification. Identification is deemed valid
23 unless it can be determined on its face that it has expired.

24 (b) Two different items that contain the name and address of the
25 elector that reasonably appears to be the same as the name and address in the
26 precinct register, including a utility bill, a bank or credit union statement
27 that is dated within ninety days of the date of the election, a valid Arizona
28 vehicle registration, an Arizona vehicle insurance card, Indian census card,
29 tribal enrollment card or other form of tribal identification, a property tax
30 statement, a recorder's certificate, a voter registration card, a valid
31 United States federal, state or local government issued identification or any
32 mailing that is "official election material". Identification is deemed valid
33 unless it can be determined on its face that it has expired.

34 (c) A valid form of identification that bears the photograph, name and
35 address of the elector except that if the address on the identification does
36 not reasonably appear to be the same as the address in the precinct register
37 or the identification is a valid United States military identification card
38 or a valid United States passport and does not bear an address, the
39 identification must be accompanied by one of the items listed in subdivision
40 (b) of this paragraph.

41 2. If the elector does not present identification that complies with
42 paragraph 1 of this subsection, the elector is only eligible to vote a
43 provisional ballot as prescribed by section 16-584 or a conditional
44 provisional ballot as provided for in the secretary of state's instruction
45 and procedures manual adopted pursuant to section 16-452.

1 B. Any qualified elector who is listed as having applied for an early
 2 ballot but who states that the elector has not voted and will not vote an
 3 early ballot for this election or surrenders the early ballot to the precinct
 4 inspector on election day shall be allowed to vote pursuant to the procedure
 5 set forth in section 16-584. IF THAT QUALIFIED ELECTOR APPEARS AT THE
 6 CORRECT POLLING PLACE WITH THE ELECTOR'S VOTED EARLY BALLOT AND PRESENTS
 7 PROPER IDENTIFICATION AS PRESCRIBED IN THIS SECTION, THE PRECINCT INSPECTOR
 8 SHALL ALLOW THE ELECTOR TO REMOVE THE VOTED EARLY BALLOT FROM ITS ENVELOPE
 9 AND CAST THE EARLY BALLOT IN THE PRECINCT'S VOTING EQUIPMENT AFTER THE VOTER
 10 SIGNS THE SIGNATURE ROSTER.

11 C. Each qualified elector's name shall be numbered consecutively by
 12 the clerks, with the number on the stub of the ballot delivered to the
 13 elector, and in the order of applications for ballots. The election judge
 14 having charge of the ballots shall also write the elector's initials on the
 15 stub and the number of the qualified elector as it appears on the precinct
 16 register. The judge shall give the qualified elector only one ballot, and
 17 the elector's name shall be immediately checked on the precinct register.

18 D. Each qualified elector shall sign the elector's name in the
 19 signature roster prior to receiving a ballot, but an inspector or judge may
 20 sign the roster for an elector who is unable to sign because of physical
 21 disability, and in that event the name of the elector shall be written with
 22 red ink, and no attestation or other proof shall be necessary. The
 23 provisions of this subsection relating to signing the signature roster shall
 24 not apply to electors casting a ballot using early voting procedures.

25 E. A person offering to vote at a special district election for which
 26 no special district register has been supplied shall sign an affidavit
 27 stating the person's address and that the person resides within the district
 28 boundaries or proposed district boundaries and swearing that the person is a
 29 qualified elector and has not already voted at the election being held.

30 Sec. 9. Section 16-801, Arizona Revised Statutes, is amended to read:

31 16-801. Representation of new party on ballot at primary and
 32 general elections

33 A new political party may become eligible for recognition and shall be
 34 represented by an official party ballot at the next ensuing regular primary
 35 election and accorded a column on the official ballot at the succeeding
 36 general election ~~upon~~ ON filing with the secretary of state a petition signed
 37 by a number of qualified electors equal to not less than one and one-third
 38 per cent of the total votes cast for governor at the last preceding general
 39 election at which a governor was elected. ON RECOGNITION, THE NEW POLITICAL
 40 PARTY IS ENTITLED TO AN OFFICIAL PARTY BALLOT AND A COLUMN AT THE GENERAL
 41 ELECTION FOR THE NEXT TWO ENSUING GENERAL ELECTIONS AFTER SUBMISSION OF THE
 42 PETITION. The petition shall:

43 1. Bear the certification of the county recorder of each county that
 44 the signatures on the petition have been examined and that these are
 45 signatures of qualified electors of the county.

1 2. Be verified by the affidavit of ten qualified electors of the
2 state, asking that the signers thereof be recognized as a new political
3 party. The status as qualified electors of the signers of the affidavit
4 shall be certified by the county recorder of the county in which they reside.

5 3. Be in substantially the form prescribed by section 16-315.

6 4. Be captioned "petition for political party recognition".

7 Sec. 10. Section 16-905, Arizona Revised Statutes, is amended to read:
8 16-905. Contribution limitations; civil penalty; complaint

9 A. For an election other than for a statewide office, a contributor
10 shall not give and an exploratory committee, a candidate or a candidate's
11 campaign committee shall not accept contributions of more than:

12 1. For an election for a legislative office, four hundred eighty-eight
13 dollars from an individual.

14 2. For an election other than for a legislative office, three hundred
15 ninety dollars from an individual.

16 3. For an election for a legislative office, four hundred eighty-eight
17 dollars from a single political committee, excluding a political party, not
18 certified under subsection G of this section to make contributions at the
19 higher limits prescribed by paragraph 5 of this subsection and subsection B,
20 paragraph 3 of this section.

21 4. For an election other than for a legislative office, three hundred
22 ninety dollars from a single political committee, excluding a political
23 party, not certified under subsection G of this section to make contributions
24 at the higher limits prescribed by subsection B, paragraph 3 of this section.

25 5. Two thousand dollars from a single political committee, excluding a
26 political party, certified pursuant to subsection G of this section.

27 B. For an election for a statewide office, a contributor shall not
28 give and an exploratory committee, a candidate or a candidate's committee
29 shall not accept contributions of more than:

30 1. One thousand ten dollars from an individual.

31 2. One thousand ten dollars from a single political committee,
32 excluding a political party, not certified under subsection G of this section
33 to make contributions at the higher limits prescribed by subsection A,
34 paragraph 5 of this section and paragraph 3 of this subsection.

35 3. Five thousand ten dollars from a single political committee
36 excluding political parties certified pursuant to subsection G of this
37 section.

38 C. A candidate shall not accept contributions from all political
39 committees, excluding political parties, combined totaling more than:

40 1. For an election for a legislative office, sixteen thousand one
41 hundred fifty dollars.

42 2. For an office other than a legislative office or a statewide
43 office, ten thousand twenty dollars.

44 3. For a statewide office, one hundred thousand one hundred ten
45 dollars.

D. A nominee of a political party shall not accept contributions from all political parties or political organizations combined totaling more than ten thousand twenty dollars for an election for an office other than a statewide office, and one hundred thousand one hundred ten dollars for an election for a statewide office.

E. An individual shall not make contributions totaling more than five thousand six hundred ten dollars in a calendar year to state and local candidates and political committees contributing to state or local candidates. Contributions to political parties and contributions to independent expenditure committees are exempt from the limitations of this subsection.

F. A candidate's campaign committee or an individual's exploratory committee shall not make a loan and shall not transfer or contribute money to any other campaign or exploratory committee that is designated pursuant to this chapter or 2 United States Code section 431 except as follows:

1. An exploratory committee may transfer monies to a subsequent candidate's campaign committee of the individual designating the exploratory committee, subject to the limits of subsection B of this section.

2. A candidate's campaign committee may transfer or contribute monies to another campaign committee designated by the same candidate as follows:

(a) Subject to the contribution limits of this section, transfer or contribute monies from one committee to another if both committees have been designated for an election in the same year.

(b) Without application of the contribution limits of this section, transfer or contribute monies from one committee to another designated for an election in a subsequent year.

G. Only political committees that received monies from five hundred or more individuals in amounts of ten dollars or more in the one year period immediately before application to the secretary of state for qualification as a political committee pursuant to this section may make contributions to candidates under subsection A, paragraph 5 of this section and subsection B, paragraph 3 of this section. The secretary of state shall obtain information necessary to make the determination that a committee meets the requirements of this subsection and shall provide written certification of the fact to the committee. A political committee certification is valid for two years. A candidate's campaign committee shall not accept a contribution pursuant to this subsection unless it is accompanied by a copy of the certification. All political committees that do not meet the requirements of this subsection are subject to the individual campaign contribution limits of subsection A, paragraphs 1 and 2 of this section and subsection B, paragraph 1 of this section.

H. The secretary of state biennially shall adjust to the nearest ten dollars the amounts in subsections A through E of this section by the percentage change in the consumer price index and publish the new amounts for distribution to election officials, candidates and campaign committees. For

1 the purposes of this subsection, "consumer price index" means the consumer
2 price index for all urban consumers, United States city average, that is
3 published by the United States department of labor, bureau of labor
4 statistics.

5 I. The following specific limitations and procedures apply:

6 1. The limits of subsections A through E of this section apply to each
7 election for any office or offices ~~which~~ THAT the candidate seeks.

8 2. The limits of subsections A, B and C of this section apply to the
9 total contributions from all separate segregated funds established, as
10 provided in section 16-920, by a corporation, labor organization, trade
11 association, cooperative or corporation without capital stock.

12 3. A contribution by an unemancipated minor child shall be treated as
13 a contribution by the child's custodial parent or parents for determining
14 compliance with subsection A, paragraphs 1 and 2, subsection B, paragraph 1
15 and subsection E of this section.

16 4. A contribution by an individual or a single political committee to
17 two or more candidates in connection with a joint fund-raising effort shall
18 be divided among the candidates in direct proportion to each candidate
19 campaign committee's share of the expenses for the fund-raising effort.

20 5. A candidate shall sign and file with the candidate's nomination
21 paper a statement that the candidate has read all applicable laws relating to
22 campaign financing and reporting.

23 6. An individual or political committee shall not use economic
24 influence to induce members of an organization to make contributions to a
25 candidate, collect contributions from members of an organization for
26 transmittal to a candidate, make payments to candidates for public
27 appearances or services ~~which~~ THAT are ordinarily uncompensated or use any
28 similar device to circumvent any of the limitations of this section.

29 7. A CONTRIBUTION BY AN INDIVIDUAL OR SINGLE POLITICAL COMMITTEE TO
30 THREE OR MORE CANDIDATES OR A POLITICAL PARTY IN ANY COMBINATION MAY BE
31 ALLOCATED AMONG THE RECIPIENTS AS DETERMINED BY THE PAYOR AND MAY BE
32 ASSESSED, AS DETERMINED BY THE RECIPIENT, AND ONLINE DONATION FEE OF FIVE PER
33 CENT TO BE ALLOCATED BY THE RECIPIENT.

34 J. A person who violates this section is subject to a civil penalty
35 imposed as prescribed in section 16-924 of three times the amount of money
36 that has been received, expended or promised in violation of this section or
37 three times the value in money for an equivalent of money or other things of
38 value that have been received, expended or promised in violation of this
39 section.

40 K. Any qualified elector may file a sworn complaint with the attorney
41 general or the county attorney of the county in which a violation of this
42 section is believed to have occurred, and the attorney general or the county
43 attorney shall investigate the complaint for possible action.

44 L. If the filing officer, attorney general or county attorney fails to
45 institute an action within forty-five working days after receiving a

1 complaint under subsection K of this section, the individual filing the
 2 complaint may bring a civil action in the individual's own name and at the
 3 individual's own expense, with the same effect as if brought by the filing
 4 officer, attorney general or county attorney. The individual shall execute a
 5 bond payable to the defendant if the individual fails to prosecute the action
 6 successfully. The court shall award to the prevailing party costs and
 7 reasonable attorney fees.

8 M. If a provision of this section or its application to any person or
 9 circumstance is held invalid, the invalidity does not affect other provisions
 10 or applications of the section ~~which~~ THAT can be given effect without the
 11 invalid provision or application, and to this end the provisions of this
 12 section are severable.

13 N. The use of a candidate's personal monies, or the use of personal
 14 monies by an individual who designates an exploratory committee, is not
 15 subject to the limitations of this section.

16 Sec. 11. Section 16-912, Arizona Revised Statutes, is amended to read:

17 16-912. Candidates and independent expenditures; campaign
 18 literature and advertisement sponsors;
 19 identification; civil penalty

20 A. A political committee that makes an expenditure for campaign
 21 literature or advertisements that expressly advocate the election or defeat
 22 of any candidate or that make any solicitation of contributions to any
 23 political committee shall be registered pursuant to this chapter at the time
 24 of distribution, placement or solicitation and shall include on the
 25 literature or advertisement the words "paid for by" followed by the name of
 26 the committee that appears on its statement of organization or five hundred
 27 dollar exemption statement.

28 B. If the expenditure for the campaign literature or advertisements by
 29 a political committee is an independent expenditure, the political committee,
 30 in addition to the disclosures required by subsection A of this section,
 31 shall include on the literature or advertisement the names and telephone
 32 numbers of the three political committees making the largest contributions to
 33 the political committee making the independent expenditure. If an acronym is
 34 used to name any political committee outlined in this section, the name of
 35 any sponsoring organization of the political committee shall also be printed
 36 or spoken. For purposes of determining the three contributors to be
 37 disclosed, the contributions of each political committee to the political
 38 committee making the independent expenditure during the one year period
 39 before the election being affected are aggregated.

40 C. ~~The provisions of~~ Subsection A of this section ~~do~~ DOES not apply to
 41 bumper stickers, pins, buttons, pens and similar small items on which the
 42 statements required in subsection A of this section cannot be conveniently
 43 printed or to signs paid for by a candidate with campaign monies or by a
 44 candidate's campaign committee or to a solicitation of contributions by a

1 separate segregated fund from those persons it may solicit pursuant to
2 sections 16-920 and 16-921.

3 D. The disclosures required pursuant to this section shall be printed
4 clearly and legibly in a conspicuous manner or, if the advertisement is
5 broadcast on a telecommunications system, the disclosure shall be spoken.
6 FOR PRINTED MATERIAL THAT IS DELIVERED OR PROVIDED BY HAND OR BY MAIL, THE
7 DISCLOSURE SHALL BE PRINTED IN THE AREA USED FOR A RETURN ADDRESS.

8 E. A person who violates this section is subject to a civil penalty of
9 up to three times the cost of producing and distributing the literature or
10 advertisement. This civil penalty shall be imposed as prescribed in section
11 16-924.

12 Sec. 12. Section 16-912.01, Arizona Revised Statutes, is amended to
13 read:

14 16-912.01. Ballot measure committees; campaign literature and
15 advertising funding; identification; disclosure;
16 civil penalty; definition

17 A. A political committee that makes an expenditure in connection with
18 any literature or advertisement to support or oppose a ballot proposition
19 shall disclose and, after November 2, 2010, shall include on the literature
20 or advertisement the words "paid for by", followed by the name of the
21 committee that appears on its statement of organization or five hundred
22 dollar threshold exemption statement, and shall also include in such
23 literature or advertisement the four largest of its major funding sources as
24 of the time the literature or advertisement is printed, recorded or otherwise
25 produced for dissemination. If a political committee has fewer than four
26 major funding sources, the committee shall disclose all major funding
27 sources.

28 B. For THE purposes of this section, a major funding source of a
29 political committee is any contributor that is not an individual person and
30 that has made cumulative contributions of either:

31 1. Ten thousand dollars or more for an expenditure in support of or
32 opposition to a statewide ballot proposition or a ballot proposition of a
33 political subdivision with a population of one hundred thousand persons or
34 more.

35 2. Five thousand dollars or more for an expenditure in support of or
36 opposition to a ballot proposition of a political subdivision with a
37 population of less than one hundred thousand persons.

38 C. If an out-of-state contributor or group of out-of-state
39 contributors is a major funding source to a political committee disclosed
40 pursuant to subsection A, the political committee shall state the contributor
41 is an out-of-state contributor on its literature or advertisement in support
42 of or in opposition to a ballot proposition.

43 D. Contributors that make contributions to more than one political
44 committee that supports or opposes the same ballot proposition shall notify
45 each political committee of the cumulative total of these contributions.

1 Cumulative totals must be disclosed by each political committee that received
2 contributions from the same contributor if the cumulative totals qualify as a
3 major funding source to be disclosed pursuant to subsection A.

4 E. Any disclosure statement required by this section shall be printed
5 clearly and legibly in a conspicuous manner in type at least as large as the
6 majority of the printed text. **FOR PRINTED MATERIAL THAT IS DELIVERED OR**
7 **PROVIDED BY HAND OR BY MAIL, THE DISCLOSURE SHALL BE PRINTED IN THE AREA USED**
8 **FOR A RETURN ADDRESS.** If the communication is broadcast on radio, the
9 information shall be spoken at the end of the communication. If the
10 communication is broadcast on a telecommunications system, the information
11 shall be both written and spoken at the end of the communication, except that
12 if the disclosure statement is written for at least five seconds of a thirty
13 second advertisement broadcast or ten seconds of a sixty second advertisement
14 broadcast, a spoken disclosure statement is not required. If the
15 communication is broadcast on a telecommunications system, the written
16 disclosure statement shall be printed in letters equal to or larger than four
17 per cent of the vertical picture height.

18 F. Subsection A does not apply to bumper stickers, pins, buttons, pens
19 and similar small items on which the statements required in subsection A
20 cannot be conveniently printed or to a communication by an organization
21 solely to its members.

22 G. A committee shall change future literature and advertisements to
23 reflect any change in funding sources that must be disclosed pursuant to
24 subsection A.

25 H. This section only applies to advertisements the contents of which
26 are more than fifty per cent devoted to one or more ballot propositions or
27 proposed measures on the same subject.

28 I. Any committee that violates this section is liable in a civil
29 action brought by the attorney general, county attorney or city or town
30 attorney, as appropriate, or by any other person for a civil penalty of three
31 times the total cost of the advertisement. A donor who does not accurately
32 disclose its contributions is liable for a civil penalty of three times the
33 amount donated.

34 J. For the purposes of this section, "advertisement" means general
35 public advertising through the print and electronic media, signs, billboards
36 and direct mail.

37 Sec. 13. Section 16-916.01, Arizona Revised Statutes, is amended to
38 read:

39 **16-916.01. Electronic filing; statements of contributions and**
40 **expenditures**

41 A. Statements, designations and reports that are filed pursuant to
42 this article in the office of the secretary of state in electronic format
43 shall be filed using computer programs that are provided or approved by the
44 secretary of state. The secretary of state shall provide computer programs
45 to accommodate electronic filings and shall implement and maintain a system

1 for the electronic collection, filing and dissemination of materials filed
 2 pursuant to section 16-916, subsection A, paragraph 1. BY JANUARY 2015, THE
 3 SECRETARY OF STATE SHALL ESTABLISH A METHOD THAT ALLOWS FOR THE DIRECT AND
 4 AUTOMATIC SUBMITTAL OF REPORTING INFORMATION TO THE SECRETARY OF STATE BY
 5 PERSONS WHO ARE MAKING CONTRIBUTIONS TO A POLITICAL COMMITTEE BY WAY OF THE
 6 INTERNET, INCLUDING A METHOD FOR THE POLITICAL COMMITTEE TO REJECT A DONATION
 7 AFTER IT HAS BEEN SUBMITTED BY AN AUTOMATIC PROCESS. A county officer in
 8 charge of elections may implement an electronic filing system for statements,
 9 designations and reports that are required by this article to be filed with
 10 the county officer in charge of elections. Subsections B through F of this
 11 section apply to an electronic filing program operated by a county.

12 B. If the filings are complete and correct, any statements,
 13 designations or reports that are filed in the secretary of state's electronic
 14 filing format are deemed to comply with:

- 15 1. The filing requirements of this chapter.
- 16 2. The requirement that a filing be made under oath or be submitted
 17 with a written signature.

18 C. A statement, designation or report that is filed in electronic
 19 format is deemed to be filed under penalty of perjury if the printed format
 20 version of that document is required to be filed under penalty of perjury.

21 D. A person or political committee that submits any statement,
 22 designation or report pursuant to this chapter that is not properly formatted
 23 or that does not contain the information prescribed by this chapter has not
 24 complied with the reporting requirements of this chapter and is subject to
 25 penalties and enforcement as otherwise provided by law.

26 E. During the implementation of an electronic filing system, the
 27 county officer in charge of elections may require that statements,
 28 designations or reports be filed with an additional written or printed copy.

29 F. For an electronic filing system implemented by the secretary of
 30 state or other filing officer, the filing officer shall designate one or more
 31 approved transmittal formats and methods.

32 Sec. 14. Section 16-917, Arizona Revised Statutes, is amended to read:

33 16-917. Independent expenditures; in-kind contribution; civil
 34 penalty

35 A. A political committee that makes independent expenditures for
 36 literature or an advertisement relating to any one candidate or office within
 37 ~~ten~~ SIXTY days before the day of any election to which the expenditures
 38 relate, shall send by certified mail a copy of the campaign literature or
 39 advertisement to each candidate named or otherwise referred to in the
 40 literature or advertisement twenty-four hours after depositing it at the post
 41 office for mailing, twenty-four hours after submitting it to a
 42 telecommunications system for broadcast or twenty-four hours after submitting
 43 it to a newspaper for printing.

1 B. The copy of the literature or advertisement sent to a candidate
2 pursuant to subsection A of this section shall be a reproduction that is
3 clearly readable, viewable or audible.

4 C. An expenditure by a political committee or a person that does not
5 meet the definition of an independent expenditure is an in-kind contribution
6 to the candidate and a corresponding expenditure by the candidate unless
7 otherwise exempted.

8 D. A person who violates this section is subject to a civil penalty of
9 three times the cost of the literature or advertisement that was distributed
10 in violation of this section. This civil penalty shall be imposed as
11 prescribed in section 16-924.

12 Sec. 15. Section 16-1018, Arizona Revised Statutes, is amended to
13 read:

14 16-1018. Additional unlawful acts by persons with respect to
15 voting; classification

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

18 1. Knowingly electioneers on election day within a polling place or in
19 a public manner within seventy-five feet of the main outside entrance of a
20 polling place or on-site early voting location established by a county
21 recorder pursuant to section 16-542, subsection A.

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

25 3. Knowingly removes an official ballot from a polling place before
26 closing the polls.

27 4. Shows the voter's ballot or the machine on which the voter has
28 voted to any person after it is prepared for voting in such a manner as to
29 reveal the contents, except to an authorized person lawfully assisting the
30 voter.

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

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

36 7. Knowingly delivers an official ballot to a voter, unless the voter
37 is an election official.

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

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

4 10. KNOWINGLY FAILS TO DELIVER A COMPLETED EARLY BALLOT TO A POLLING
5 PLACE OR ON-SITE EARLY VOTING LOCATION IF ENTRUSTED BY A VOTER WITH THAT
6 COMPLETED EARLY BALLOT.