

Senate Engrossed

early ballots; identification; mailing

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# SENATE BILL 1713

AN ACT

AMENDING SECTIONS 16-547 AND 16-548, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-547, Arizona Revised Statutes, is amended to  
3 read:

4 16-547. Ballot affidavit; form

5 A. The early ballot shall be accompanied by an envelope bearing on  
6 the front the name, official title and post office address of the recorder  
7 or other officer in charge of elections and on the other side a printed  
8 affidavit **THAT IS DESIGNED TO FIT INSIDE THE RETURN ENVELOPE** in  
9 substantially the following form:

10 I declare the following under penalty of perjury: I am  
11 a registered voter in \_\_\_\_\_ county Arizona, I have not  
12 voted and will not vote in this election in any other county  
13 or state, I understand that knowingly voting more than once in  
14 any election is a class 5 felony and I voted the enclosed  
15 ballot and signed this affidavit personally unless noted  
16 below.

17 If the voter was assisted by another person in marking  
18 the ballot, complete the following:

19 I declare the following under penalty of perjury: At  
20 the registered voter's request I assisted the voter identified  
21 in this affidavit with marking the voter's ballot, I marked  
22 the ballot as directly instructed by the voter, I provided the  
23 assistance because the voter was physically unable to mark the  
24 ballot solely due to illness, injury or physical limitation  
25 and I understand that there is no power of attorney for voting  
26 and that the voter must be able to make their selection even  
27 if they cannot physically mark the ballot.

28 Name of voter assistant: \_\_\_\_\_

29 Address of voter assistant: \_\_\_\_\_

30 B. The face of each envelope in which a ballot is sent to a federal  
31 postcard applicant or in which a ballot is returned by ~~such~~ **THE** applicant  
32 to the recorder or other officer in charge of elections shall be in the  
33 form prescribed in accordance with the uniformed and overseas citizens  
34 absentee voting act of 1986 (P.L. 99-410; ~~42~~ **52** United States Code section  
35 ~~1973ff~~ **20301**). Otherwise, the envelopes shall be the same as those used to  
36 send ballots to, or receive ballots from, other early voters.

37 C. The county recorder or other officer in charge of elections  
38 shall supply printed instructions to early voters that direct them to  
39 **COMPLETE AND** sign the affidavit, mark the ballot and return ~~both~~ **THEM** in  
40 the enclosed self-addressed envelope that complies with section 16-545.  
41 The instructions shall include the following statement:

42 In order to be valid and counted, the ballot and  
43 affidavit, **COMPLETE WITH REQUIRED VOTER INFORMATION AND**  
44 **SIGNATURE**, must be delivered to the office of the county

1 recorder or other officer in charge of elections or may be  
2 deposited at any polling place in the county ~~no~~ NOT later than  
3 7:00 p.m. on election day.

4 WARNING—It is a felony to offer or receive any compensation  
5 for a ballot.

6 D. NOTWITHSTANDING SUBSECTIONS A AND C OF THIS SECTION, A SPECIAL  
7 DISTRICT THAT IS NOT PRIMARILY SUPPORTED BY TAXES MAY PROVIDE AN EARLY  
8 BALLOT AFFIDAVIT THAT IS NOT DESIGNED TO FIT INSIDE THE RETURN ENVELOPE.

9 Sec. 2. Section 16-548, Arizona Revised Statutes, is amended to  
10 read:

11 16-548. Preparation and transmission of ballot

12 A. The early voter shall make and sign the affidavit and shall then  
13 mark ~~his~~ THE ballot in ~~such~~ a manner that ~~his~~ THE VOTER'S vote cannot be  
14 seen. The early voter shall fold the ballot, if a paper ballot, so as to  
15 conceal the vote and deposit the voted ballot in the envelope provided for  
16 that purpose, ~~which~~ ALONG WITH THE AFFIDAVIT PROVIDED BY THE COUNTY  
17 RECORDER AND COMPLETED BY THE VOTER THAT CONTAINS THE VOTER'S DATE OF  
18 BIRTH AND EITHER OF THE FOLLOWING VOTER INFORMATION:

19 1. THE NUMBER FROM THE VOTER'S ARIZONA DRIVER LICENSE, ARIZONA  
20 NONOPERATING IDENTIFICATION LICENSE, TRIBAL ENROLLMENT CARD OR OTHER FORM  
21 OF TRIBAL IDENTIFICATION OR A COPY OF A UNITED STATES FEDERAL, STATE OR  
22 LOCAL GOVERNMENT ISSUED IDENTIFICATION.

23 2. THE VOTER'S VOTER REGISTRATION NUMBER AND AN ITEM THAT CONTAINS  
24 THE NAME AND ADDRESS OF THE VOTER THAT REASONABLY APPEARS TO BE THE SAME  
25 AS THE VOTER'S VOTER REGISTRATION ADDRESS, INCLUDING A COPY OF A UTILITY  
26 BILL, A BANK OR CREDIT UNION STATEMENT THAT IS DATED WITHIN NINETY DAYS OF  
27 THE DATE OF THE ELECTION, A VALID ARIZONA VEHICLE REGISTRATION, AN ARIZONA  
28 VEHICLE INSURANCE CARD, AN INDIAN CENSUS CARD, TRIBAL ENROLLMENT CARD OR  
29 OTHER FORM OF TRIBAL IDENTIFICATION, A PROPERTY TAX STATEMENT, A  
30 RECORDER'S CERTIFICATE, A VOTER REGISTRATION CARD OR ANY OTHER MAILING  
31 THAT IS LABELED AS "OFFICIAL ELECTION MATERIAL".

32 B. THE VOTER'S COMPLETED AFFIDAVIT THAT INCLUDES THE VOTER'S  
33 SIGNATURE AND IDENTIFICATION AS PRESCRIBED IN SUBSECTION A OF THIS SECTION  
34 AND THE VOTED BALLOT shall be securely sealed and, ~~together with the~~  
35 ~~affidavit,~~ delivered or mailed to the county recorder or other officer in  
36 charge of elections of the political subdivision in which the elector is  
37 registered or deposited by the voter or the voter's agent at any polling  
38 place in the county. In order to be counted and valid, the ballot AND  
39 COMPLETED AFFIDAVIT must be received by the county recorder or other  
40 officer in charge of elections or deposited at any polling place in the  
41 county ~~no~~ NOT later than 7:00 p.m. on election day.

42 ~~B.~~ C. If the early voter is an overseas citizen, a qualified  
43 elector absent from the United States or in the United States service, a  
44 spouse or dependent residing with the early voter or a qualified elector

1 of a special district mail ballot election as provided in article 8.1 of  
2 this chapter, the early voter may subscribe to the affidavit before and  
3 obtain the signature and military identification number or passport  
4 number, if available, of any person who is a United States citizen  
5 eighteen years of age or older.

6 D. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, A SPECIAL  
7 DISTRICT THAT IS NOT PRIMARILY SUPPORTED BY TAXES MAY PROVIDE AN EARLY  
8 BALLOT AFFIDAVIT IN A FORMAT THAT DOES NOT INCLUDE THE VOTER'S DATE OF  
9 BIRTH AND THE VOTER INFORMATION PRESCRIBED BY SUBSECTION A OF THIS  
10 SECTION.