

COMMITTEE ON GOVERNMENT & ELECTIONS
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2492
(Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 16-101, Arizona Revised Statutes, is amended to
3 read:

4 16-101. Qualifications of registrant; definition

5 A. Every resident of ~~the~~ THIS state is qualified to register to vote
6 if ~~he~~ THE RESIDENT:

7 1. Is a citizen of the United States AND HAS PROVIDED SATISFACTORY
8 EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166.

9 2. Will be eighteen years of age or more on or before the date of
10 the regular general election next following his registration.

11 3. ~~Will have been~~ IS a resident of ~~the~~ THIS state twenty-nine days
12 next preceding the election, except as provided in section 16-126.

13 4. Is able to write ~~his~~ THE RESIDENT'S name or make ~~his~~ THE
14 RESIDENT'S mark, unless prevented from so doing by physical disability.

15 5. Has not been convicted of treason or a felony, unless restored to
16 civil rights.

17 6. Has not been adjudicated an incapacitated person as defined in
18 section 14-5101.

19 B. For THE purposes of this title, "resident" means an individual
20 who has actual physical presence in this state, or for purposes of a
21 political subdivision actual physical presence in the political
22 subdivision, combined with an intent to remain. A temporary absence does
23 not result in a loss of residence if the individual has an intent to return

1 following his absence. An individual has only one residence for purposes
2 of this title."

3 Renumber to conform

4 Page 2, between lines 14 and 15, insert:

5 "Sec. 3. Section 16-121, Arizona Revised Statutes, is amended to
6 read:

7 16-121. Qualified elector; definition

8 A. A person who is qualified to register to vote pursuant to section
9 16-101 and who is properly registered to vote ~~shall~~, if ~~he~~ THE PERSON is at
10 least eighteen years of age on or before the date of the election AND HAS
11 PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION
12 16-166, SHALL be deemed a qualified elector for any purpose for which such
13 qualification is required by law, except as provided in section 16-126. A
14 person continues to be a qualified elector until that person's registration
15 is canceled pursuant to section 16-165 or until that person does not
16 qualify as a resident as ~~prescribed by~~ DEFINED IN section 16-101,
17 subsection B.

18 B. For purposes of subsection A of this section, a person who does
19 not reside at a fixed, permanent or private structure shall be properly
20 registered to vote if that person is qualified pursuant to section 16-101
21 and if that person's registration address is any of the following places
22 located in this state:

- 23 1. A homeless shelter to which the registrant regularly returns.
- 24 2. The place at which the registrant is a resident.
- 25 3. The county courthouse in the county in which the registrant
26 resides.
- 27 4. A general delivery address for a post office covering the
28 location where the registrant is a resident.

29 C. A person who is otherwise qualified to register to vote shall not
30 be refused registration or declared not qualified to vote because the
31 person does not live in a permanent, private or fixed structure.

1 D. ~~As used in~~ FOR THE PURPOSES OF this section, "homeless shelter"
2 means a supervised publicly or privately operated shelter designed to
3 provide temporary living accommodations to individuals who lack a fixed,
4 regular and adequate nighttime residence."

5 Renumber to conform

6 Page 2, line 17, after "registration" insert "; violation; classification"

7 Line 41, after the period insert "ANY APPLICATION THAT DOES NOT INCLUDE ALL OF
8 THE INFORMATION REQUIRED TO BE ON THE REGISTRATION FORM PURSUANT TO SECTION
9 16-152 AND ANY APPLICATION THAT IS NOT SIGNED SHALL BE REJECTED."

10 Page 3, line 40, strike "AS A FULL BALLOT VOTER"

11 Page 4, strike lines 8 and 9, insert "APPLICANT WILL NOT BE QUALIFIED TO VOTE IN
12 A PRESIDENTIAL ELECTION OR BY MAIL WITH AN EARLY BALLOT IN ANY ELECTION."

13 Page 5, after line 36, insert:

14 "Sec. 7. Title 16, chapter 1, article 3, Arizona Revised Statutes,
15 is amended by adding section 16-143, to read:

16 16-143. Federal only voters; attorney general; investigation;
17 report

18 A. THE SECRETARY OF STATE AND EACH COUNTY RECORDER SHALL MAKE
19 AVAILABLE TO THE ATTORNEY GENERAL A LIST OF ALL INDIVIDUALS WHO ARE
20 REGISTERED TO VOTE AND WHO HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF
21 CITIZENSHIP PURSUANT TO SECTION 16-166 AND SHALL PROVIDE, ON OR BEFORE
22 OCTOBER 31, 2022, THE APPLICATIONS OF INDIVIDUALS WHO ARE REGISTERED TO
23 VOTE AND WHO HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP
24 PURSUANT TO SECTION 16-166.

25 B. THE ATTORNEY GENERAL SHALL USE ALL AVAILABLE RESOURCES TO VERIFY
26 THE CITIZENSHIP STATUS OF THE APPLICANT AND AT A MINIMUM SHALL COMPARE THE
27 INFORMATION AVAILABLE ON THE APPLICATION FOR REGISTRATION WITH THE
28 FOLLOWING:

29 1. THE DEPARTMENT OF TRANSPORTATION DATABASES OF ARIZONA DRIVER
30 LICENSES OR NONOPERATING IDENTIFICATION LICENSES.

31 2. THE SOCIAL SECURITY ADMINISTRATION DATABASES.

1 3. THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC
2 ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM, IF PRACTICABLE.

3 4. A NATIONAL ASSOCIATION FOR PUBLIC HEALTH STATISTICS AND
4 INFORMATION SYSTEMS ELECTRONIC VERIFICATION OF VITAL EVENTS SYSTEM.

5 5. ANY OTHER STATE, CITY, TOWN, COUNTY OR FEDERAL DATABASE AND ANY
6 OTHER DATABASE RELATING TO VOTER REGISTRATION TO WHICH THE COUNTY RECORDER
7 OR OFFICER IN CHARGE OF ELECTIONS HAS ACCESS, INCLUDING AN ELECTRONIC
8 REGISTRATION INFORMATION CENTER DATABASE.

9 C. THE SECRETARY OF STATE SHALL PROVIDE THE ATTORNEY GENERAL ACCESS
10 TO THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC ALIEN
11 VERIFICATION FOR ENTITLEMENTS PROGRAM FOR THE PURPOSES OF THIS SECTION.

12 D. THE ATTORNEY GENERAL SHALL PROSECUTE INDIVIDUALS WHO ARE FOUND TO
13 NOT BE UNITED STATES CITIZENS.

14 E. THE ATTORNEY GENERAL SHALL SUBMIT A REPORT TO THE SECRETARY OF
15 STATE, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF
16 REPRESENTATIVES ON OR BEFORE MARCH 31, 2023 DETAILING ALL FINDINGS RELATING
17 TO THE CITIZENSHIP STATUS OF INDIVIDUALS WHO ARE REGISTERED TO VOTE AND WHO
18 HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION
19 16-166.

20 Sec. 8. Section 16-165, Arizona Revised Statutes, is amended to
21 read:

22 16-165. Causes for cancellation

23 A. The county recorder shall cancel a registration:

24 1. At the request of the person registered.

25 2. When the county recorder knows of the death of the person
26 registered.

27 3. If the person has been adjudicated an incapacitated person as
28 defined in section 14-5101.

29 4. When the person registered has been convicted of a felony, and
30 the judgment of conviction has not been reversed or set aside. The county
31 recorder shall cancel the registration on receipt of notice of a felony
32 conviction from the court or from the secretary of state or when reported

1 by the elector on a signed juror questionnaire that is completed pursuant
2 to section 21-314.

3 5. On production of a certified copy of a judgment directing a
4 cancellation to be made.

5 6. Promptly after the election if the person registered has applied
6 for a ballot pursuant to section 16-126.

7 7. When a person has been on the inactive voter list and has not
8 voted during the time periods prescribed in section 16-166, subsection C.

9 8. When the county recorder receives written information from the
10 person registered that the person has a change of residence within the
11 county and the person does not complete and return a new registration form
12 within twenty-nine days after the county recorder mails notification of the
13 need to complete and return a new registration form with current
14 information.

15 9. When the county recorder receives written information from the
16 person registered that the person has a change of address outside the
17 county.

18 10. WHEN THE COUNTY RECORDER RECEIVES INFORMATION THAT THE PERSON
19 REGISTERED IS NOT A UNITED STATES CITIZEN.

20 B. If the county recorder cancels a registration pursuant to
21 subsection A, paragraph 8 of this section, the county recorder shall send
22 the person notice that the registration has been cancelled and a
23 registration form with the information described in section 16-131,
24 subsection C attached to the form.

25 C. When proceedings in the superior court or the United States
26 district court result in a person being declared incapable of taking care
27 of himself and managing his property, and for whom a guardian of the person
28 and estate is appointed, result in such person being committed as an insane
29 person or result in a person being convicted of a felony, the clerk of the
30 superior court in the county in which those proceedings occurred shall file
31 with the secretary of state an official notice of that fact. The secretary
32 of state shall notify the appropriate county recorder and the recorder

1 shall cancel the name of the person on the register. Such notice shall
2 name the person covered, shall give the person's date and place of birth if
3 available, the person's social security number, if available, the person's
4 usual place of residence, the person's address and the date of the notice,
5 and shall be filed with the recorder of the county where the person last
6 resided.

7 D. Each month the department of health services shall transmit to
8 the secretary of state without charge a record of the death of every
9 resident of the state reported to the department within the preceding
10 month. This record shall include only the name of the decedent, the
11 decedent's date of birth, the decedent's date of death, the decedent's
12 social security number, if available, the decedent's usual legal residence
13 at the time of death and, if available, the decedent's father's name or
14 mother's maiden name. The secretary of state shall use the record for the
15 sole purpose of canceling the names of deceased persons from the statewide
16 voter registration database. In addition, the department of health
17 services shall annually provide to the secretary of state from the
18 statewide electronic death registration system without charge a record of
19 all deaths of residents of this state that are reported to the department
20 of health services. The records transmitted by the department of health
21 services shall include only the name of the decedent, the decedent's date
22 of birth, the decedent's social security number, if available, the
23 decedent's usual legal residence at the time of death and, if available,
24 the decedent's father's name or mother's maiden name. The secretary of
25 state shall compare the records of deaths with the statewide voter
26 registration database. Public access to the records is prohibited. Use of
27 information from the records for purposes other than those required by this
28 section is prohibited. The name of each deceased person shall promptly be
29 canceled from the statewide voter registration database and the secretary
30 of state shall notify the appropriate county recorder and the recorder
31 shall cancel the name of the person from the register.

1 Sec. 9. Severability

2 If a provision of this act or its application to any person or
3 circumstance is held invalid, the invalidity does not affect other
4 provisions or applications of the act that can be given effect without the
5 invalid provision or application, and to this end the provisions of this
6 act are severable."

7 Amend title to conform

And, as so amended, it do pass

JOHN KAVANAGH
CHAIRMAN

2492GOVERNMENT ELECTIONS
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