

REFERENCE TITLE: voting; seventy-five foot limit; photographs

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2377

Introduced by
Representative Bolick

AN ACT

AMENDING SECTION 16-515, 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 16-515, Arizona Revised Statutes, is amended to
3 read:

4 16-515. "Seventy-five foot limit" notices; posting;
5 violation; classification

6 A. Except as prescribed in this section and section 16-580, a
7 person shall not be allowed to remain inside the seventy-five foot limit
8 while the polls are open, except for the purpose of voting, and except the
9 election officials, one representative at any one time of each political
10 party represented on the ballot who has been appointed by the county
11 chairman of that political party and the challengers allowed by law, and
12 ~~no~~ electioneering may NOT occur within the seventy-five foot
13 limit. Voters having cast their ballots shall promptly move outside the
14 seventy-five foot limit.

15 B. The board of supervisors shall furnish, with the ballots for
16 each polling place, three notices, printed in letters not less than two
17 inches high, with the heading: "Seventy-five foot limit" and underneath
18 that heading the following:

19 No person shall be allowed to remain inside these limits while
20 the polls are open, except for the purpose of voting, and
21 except the election officials, one representative at any one
22 time of each political party represented on the ballot who has
23 been appointed by the county chairman of such political party,
24 and the challengers allowed by law. Voters having cast their
25 ballots shall at once retire without the seventy-five foot
26 limit. A person violating any provision of this notice is
27 guilty of a class 2 misdemeanor.

28 C. A minor voting in a simulated election at a polling place is
29 subject to the same seventy-five foot limit restrictions prescribed for a
30 voter. Persons supervising or working in a simulated election in which
31 minors vote may remain within the seventy-five foot limit of the polling
32 place. The inspector for the polling place shall exercise authority over
33 all election and simulated election related activities at the polling
34 place.

35 D. For an election that is held by an Indian tribe and that is held
36 at a polling place at the same time and on the same date as any other
37 election, the following apply:

38 1. A person who is voting is subject to the same seventy-five foot
39 limit restrictions prescribed for other voters.

40 2. An election official for the tribal election may remain within
41 the seventy-five foot limit for the polling place.

42 E. With the permission of the voter, a minor may enter and remain
43 within the seventy-five foot limit in order to accompany a voter into a
44 polling place, an on-site early voting facility and a voting booth while
45 the voter is voting.

1 F. Notwithstanding any other law, an election official, a
2 representative of a political party who has been appointed by the county
3 chairman of that political party or a challenger who is authorized by law
4 to be within the seventy-five foot limit as prescribed by this section
5 shall not wear, carry or display materials that identify or express
6 support for or opposition to a candidate, a political party or
7 organization, a ballot question or any other political issue and shall not
8 electioneer within the seventy-five foot limit of a polling place.

9 G. Notwithstanding section 16-1018, **WHILE WITHIN THE SEVENTY-FIVE**
10 **FOOT LIMIT:**

11 1. A person may not take photographs or videos ~~while within the~~
12 ~~seventy-five foot limit~~ **OF OTHER VOTERS OR OTHER VOTERS' BALLOTS.**

13 2. **A PERSON MAY TAKE PHOTOGRAPHS OR VIDEOS OF HIMSELF, THAT**
14 **PERSON'S OWN BALLOT OR ANY ELECTION WORKER.**

15 H. Any person violating this section is guilty of a class 2
16 misdemeanor.

17 I. For the purposes of this section, electioneering occurs when an
18 individual knowingly, intentionally, by verbal expression and in order to
19 induce or compel another person to vote in a particular manner or to
20 refrain from voting expresses support for or opposition to a candidate who
21 appears on the ballot in that election, a ballot question that appears on
22 the ballot in that election or a political party with one or more
23 candidates who appear on the ballot in that election.