

REFERENCE TITLE: **voting centers; board of supervisors**

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

## **HB 2770**

Introduced by  
Representatives Salman: Epstein, Fernandez B, Powers Hannley

### **AN ACT**

AMENDING SECTION 16-411, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-414; AMENDING SECTIONS 16-542, 16-558.02 AND 16-584, ARIZONA REVISED STATUTES; RELATING TO THE CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-411, Arizona Revised Statutes, is amended to  
3 read:

4 16-411. Designation of election precincts and polling places;  
5 voting centers; electioneering; wait times

6 A. The board of supervisors of each county, on or before October 1  
7 of each year preceding the year of a general election, by an order, shall  
8 establish a convenient number of election precincts in the county and  
9 define the boundaries of the precincts. The election precinct boundaries  
10 shall be established so as to be included within election districts  
11 prescribed by law for elected officers of the state and its political  
12 subdivisions including community college district precincts, except those  
13 elected officers provided for in titles 30 and 48.

14 B. At least twenty days before a general or primary election, and  
15 at least ten days before a special election, the board shall designate one  
16 polling place within each precinct where the election shall be held,  
17 except that:

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

22 2. Adjacent precincts may be combined if boundaries so established  
23 are included in election districts prescribed by law for state elected  
24 officials and political subdivisions including community college districts  
25 but not including elected officials prescribed by titles 30 and 48. The  
26 officer in charge of elections may also split a precinct for  
27 administrative purposes. The polling places shall be listed in separate  
28 sections of the order or resolution.

29 3. On a specific finding of the board that the number of persons  
30 who are listed as early voters pursuant to section 16-544 is likely to  
31 substantially reduce the number of voters appearing at one or more  
32 specific polling places at that election, adjacent precincts may be  
33 consolidated by combining polling places and precinct boards for that  
34 election. The board of supervisors shall ensure that a reasonable and  
35 adequate number of polling places will be designated for that election.  
36 Any consolidated polling places shall be listed in separate sections of  
37 the order or resolution of the board.

38 4. ONLY on a specific resolution of the board, the board may  
39 authorize the COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS TO  
40 use ~~of~~ ADDITIONAL TYPES OF VOTING AND TO DETERMINE ADDITIONAL VOTING  
41 LOCATIONS AS FOLLOWS:

42 (a) Voting centers in place of or in addition to specifically  
43 designated polling places. A voting center ~~shall allow~~ IS A PHYSICAL  
44 LOCATION THAT ALLOWS any voter in that county to receive the appropriate  
45 ballot for that voter ~~on election day~~ after presenting identification as

1 prescribed in section 16-579 and to lawfully cast the ballot FOR AN  
2 ELECTION. Voting centers may be established in coordination and  
3 consultation with the county recorder, ~~OR OTHER OFFICER IN CHARGE OF~~  
4 ELECTIONS at other county offices or at other locations in the county  
5 deemed appropriate. ON ELECTION DAY, A VOTING CENTER IS DEEMED TO BE A  
6 POLLING PLACE AND SECTIONS 13-3102, 16-515 AND 16-579 APPLY. A VOTING  
7 CENTER MAY BE USED AS AN EARLY VOTING LOCATION AS PRESCRIBED BY SECTION  
8 16-542 AND AS A BALLOT REPLACEMENT LOCATION AS PRESCRIBED BY SECTION  
9 16-588.02.

10 (b) EARLY VOTING DROP-OFF CENTERS IN ADDITION TO SPECIFICALLY  
11 DESIGNATED POLLING PLACES. AN EARLY VOTING DROP-OFF CENTER IS A FACILITY  
12 IN WHICH ANY VOTER IN THAT COUNTY MAY DELIVER A VOTED EARLY BALLOT TO A  
13 LAWFUL CUSTODIAN OF THE VOTED BALLOT.

14 5. On a specific resolution of the board of supervisors that is  
15 limited to a specific election date and that is voted on by a recorded  
16 vote, the board may authorize the county recorder or other officer in  
17 charge of elections to use emergency voting centers as follows:

18 (a) The board shall specify in the resolution the location and the  
19 hours of operation of the emergency voting centers.

20 (b) A qualified elector voting at an emergency voting center shall  
21 provide identification as prescribed in section 16-579, except that  
22 notwithstanding section 16-579, subsection A, paragraph 2, for any voting  
23 at an emergency voting center, the county recorder or other officer in  
24 charge of elections may allow a qualified elector to update the elector's  
25 voter registration information as provided for in the secretary of state's  
26 instructions and procedures manual adopted pursuant to section 16-452.

27 (c) If an emergency voting center established pursuant to this  
28 section becomes unavailable and there is not sufficient time for the board  
29 of supervisors to convene to approve an alternate location for that  
30 emergency voting center, the county recorder or other officer in charge of  
31 elections may make changes to the approved emergency voting center  
32 location and shall notify the public and the board of supervisors  
33 regarding that change as soon as practicable. The alternate emergency  
34 voting center shall be as close in proximity to the approved emergency  
35 voting center location as possible.

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

1 consolidate polling places and precinct boards and may consolidate the  
2 tabulation of results for that election if all of the following apply:

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

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

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

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

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

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

23 1. Space is not available at the school.

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

25 G. The board shall make available to the public as a public record  
26 a list of the polling places for all precincts in which the election is to  
27 be held.

28 H. Except in the case of an emergency, any facility that is used as  
29 a polling place on election day or that is used as an early voting site  
30 during the period of early voting shall allow persons to electioneer and  
31 engage in other political activity outside of the seventy-five foot limit  
32 prescribed by section 16-515 in public areas and parking lots used by  
33 voters. This subsection does not allow the temporary or permanent  
34 construction of structures in public areas and parking lots or the  
35 blocking or other impairment of access to parking spaces for voters. The  
36 county recorder or other officer in charge of elections shall post on its  
37 website at least two weeks before election day a list of those polling  
38 places in which emergency conditions prevent electioneering and shall  
39 specify the reason the emergency designation was granted and the number of  
40 attempts that were made to find a polling place before granting an  
41 emergency designation. If the polling place is not on the website list of  
42 polling places with emergency designations, electioneering and other  
43 political activity shall be allowed outside of the seventy-five foot  
44 limit. If an emergency arises after the county recorder or other officer  
45 in charge of elections' initial website posting, the county recorder or

1 other officer in charge of elections shall update the website as soon as  
2 is practicable to include any new polling places, shall highlight the  
3 polling place location on the website and shall specify the reason the  
4 emergency designation was granted and the number of attempts that were  
5 made to find a polling place before granting an emergency designation.

6 I. For the purposes of this section, a county recorder or other  
7 officer in charge of elections shall designate a polling place as an  
8 emergency polling place and thus prohibit persons from electioneering and  
9 engaging in other political activity outside of the seventy-five foot  
10 limit prescribed by section 16-515 but inside the property of the facility  
11 that is hosting the polling place if any of the following occurs:

12 1. An act of God renders a previously set polling place as  
13 unusable.

14 2. A county recorder or other officer in charge of elections has  
15 exhausted all options and there are no suitable facilities in a precinct  
16 that are willing to be a polling place unless a facility can be given an  
17 emergency designation.

18 J. The secretary of state shall provide through the instructions  
19 and procedures manual adopted pursuant to section 16-452 the maximum  
20 allowable wait time for any election that is subject to section 16-204 and  
21 provide for a method to reduce voter wait time at the polls in the primary  
22 and general elections. The method shall consider at least all of the  
23 following for primary and general elections in each precinct:

24 1. The number of ballots voted in the prior primary and general  
25 elections.

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

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

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

33 Sec. 2. Title 16, chapter 4, article 2, Arizona Revised Statutes,  
34 is amended by adding section 16-414, to read:

35 16-414. Appointment of voting center election boards;  
36 qualifications

37 A. WHEN AN ELECTION IS ORDERED AND VOTING CENTERS ARE USED, THE  
38 BOARD OF SUPERVISORS SHALL APPOINT A VOTING CENTER ELECTION BOARD FOR EACH  
39 VOTING CENTER CONSISTING OF AT LEAST ONE INSPECTOR, ONE MARSHAL AND AS  
40 MANY JUDGES OR CLERKS AS DEEMED NECESSARY. VOTING CENTER ELECTION BOARD  
41 WORKERS MAY BE HIRED TO WORK SHIFTS AS LONG AS THERE ARE ALWAYS SUFFICIENT  
42 WORKERS PRESENT TO ASSIST VOTERS. INSPECTORS, MARSHALS, JUDGES AND CLERKS  
43 SHALL BE QUALIFIED ELECTORS OF THE COUNTY, AND DIFFERENT POLITICAL PARTIES  
44 MUST BE REPRESENTED WITHIN EACH VOTING CENTER ELECTION BOARD. THERE SHALL

1 BE AN EQUAL NUMBER OF INSPECTORS IN THE VARIOUS VOTING CENTERS IN THE  
2 COUNTY WHO ARE MEMBERS OF THE TWO LARGEST POLITICAL PARTIES.

3 B. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS MAY  
4 APPOINT A PERSON WHO IS NOT ELIGIBLE TO VOTE TO A VOTING CENTER ELECTION  
5 BOARD TO SERVE AS A CLERK OF ELECTIONS ONLY IF ALL OF THE FOLLOWING APPLY:

6 1. THE PERSON IS A MINOR WHO WILL BE AT LEAST SIXTEEN YEARS OF AGE  
7 AT THE TIME OF THE ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE  
8 VOTING CENTER ELECTION BOARD.

9 2. THE PERSON IS A CITIZEN OF THE UNITED STATES AT THE TIME OF THE  
10 ELECTION FOR WHICH THE PERSON IS APPOINTED TO THE VOTING CENTER ELECTION  
11 BOARD.

12 3. THE PERSON IS SUPERVISED BY AN ADULT WHO HAS BEEN TRAINED AS A  
13 VOTING CENTER ELECTION BOARD WORKER.

14 4. THE PERSON HAS RECEIVED TRAINING PROVIDED BY THE OFFICER IN  
15 CHARGE OF ELECTIONS.

16 5. THE PERSON'S PARENT OR GUARDIAN HAS PROVIDED WRITTEN PERMISSION  
17 FOR THE PERSON TO SERVE.

18 C. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT BE REQUIRED TO  
19 REDUCE ITS AVERAGE DAILY MEMBERSHIP, AS DEFINED IN SECTION 15-901, FOR ANY  
20 PUPIL WHO IS ABSENT FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF  
21 THE PUPIL'S SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO  
22 SUBSECTION B OF THIS SECTION.

23 D. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT COUNT ANY PUPIL'S  
24 ABSENCE FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF THE PUPIL'S  
25 SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO SUBSECTION B OF THIS  
26 SECTION AGAINST ANY MANDATORY ATTENDANCE REQUIREMENTS FOR THE PUPIL.

27 E. THIS SECTION DOES NOT PREVENT THE BOARD OF SUPERVISORS OR  
28 OFFICER IN CHARGE OF ELECTIONS FROM REFUSING TO REAPPOINT FOR CAUSE, OR  
29 FROM REMOVING FOR CAUSE, A VOTING CENTER ELECTION BOARD MEMBER.

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

32 16-542. Request for ballot; civil penalties; violation;  
33 classification

34 A. Within ninety-three days before any election called pursuant to  
35 the laws of this state, an elector may make a verbal or signed request to  
36 the county recorder, or other officer in charge of elections for the  
37 applicable political subdivision of this state in whose jurisdiction the  
38 elector is registered to vote, for an official early ballot. In addition  
39 to name and address, the requesting elector shall provide the date of  
40 birth and state or country of birth or other information that if compared  
41 to the voter registration information on file would confirm the identity  
42 of the elector. If the request indicates that the elector needs a primary  
43 election ballot and a general election ballot, the county recorder or  
44 other officer in charge of elections shall honor the request. For any  
45 partisan primary election, if the elector is not registered as a member of

1 a political party that is entitled to continued representation on the  
 2 ballot pursuant to section 16-804, the elector shall designate the ballot  
 3 of only one of the political parties that is entitled to continued  
 4 representation on the ballot and the elector may receive and vote the  
 5 ballot of only that one political party, which also shall include any  
 6 nonpartisan offices and ballot questions, or the elector shall designate  
 7 the ballot for nonpartisan offices and ballot questions only and the  
 8 elector may receive and vote the ballot that contains only nonpartisan  
 9 offices and ballot questions. The county recorder or other officer in  
 10 charge of elections shall process any request for an early ballot for a  
 11 municipal election pursuant to this subsection. The county recorder may  
 12 establish on-site early voting locations at the recorder's office, which  
 13 shall be open and available for use beginning the same day that a county  
 14 begins to send out the early ballots. ON A SPECIFIC RESOLUTION OF THE  
 15 BOARD OF SUPERVISORS, THE BOARD MAY AUTHORIZE the county recorder ~~may~~ OR  
 16 OTHER OFFICER IN CHARGE OF ELECTIONS TO also establish any other early  
 17 voting locations in the county ~~the recorder deems~~ DEEMED necessary. A  
 18 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY MAKE CHANGES  
 19 TO THE APPROVED EARLY VOTING LOCATIONS AND SHALL NOTIFY THE PUBLIC AND THE  
 20 BOARD OF SUPERVISORS REGARDING THESE CHANGES AS SOON AS IS PRACTICABLE.  
 21 NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR OTHER OFFICER IN  
 22 CHARGE OF ELECTIONS WHO ESTABLISHES EARLY VOTING LOCATIONS MAY CONTINUE TO  
 23 OPERATE THOSE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD  
 24 IMMEDIATELY PRECEDING ELECTION DAY, EXCEPT THAT ON-SITE EARLY VOTING SHALL  
 25 END AS NEEDED TO ENSURE THAT PRECINCT REGISTERS AND OTHER ELECTION  
 26 MATERIALS ARE REVISED FOR USE ON ELECTION DAY TO INDICATE WHICH VOTERS  
 27 HAVE REQUESTED AN EARLY BALLOT, WHICH VOTERS HAVE ALREADY VOTED AND WHICH  
 28 VOTERS ARE ON THE INACTIVE VOTER LIST. Any on-site early voting location  
 29 or other early voting location shall require each elector to present  
 30 identification as prescribed in section 16-579 before receiving a ballot.  
 31 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site  
 32 early voting location or other early voting location the county recorder  
 33 or other officer in charge of elections may provide for a qualified  
 34 elector to update the elector's voter registration information as provided  
 35 for in the secretary of state's instructions and procedures manual adopted  
 36 pursuant to section 16-452.

37 B. Notwithstanding subsection A of this section, a request for an  
 38 official early ballot from an absent uniformed services voter or overseas  
 39 voter as defined in the uniformed and overseas citizens absentee voting  
 40 act ~~of 1986~~ (P.L. 99-410; 52 United States Code section 20310) or a voter  
 41 whose information is protected pursuant to section 16-153 that is received  
 42 by the county recorder or other officer in charge of elections more than  
 43 ninety-three days before the election is valid. If requested by the  
 44 absent uniformed services or overseas voter, or a voter whose information  
 45 is protected pursuant to section 16-153, the county recorder or other

1 officer in charge of elections shall provide to the requesting voter early  
 2 ballot materials through the next regularly scheduled general election for  
 3 federal office immediately following receipt of the request unless a  
 4 different period of time, which does not exceed the next two regularly  
 5 scheduled general elections for federal office, is designated by the  
 6 voter.

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

17 D. Only the elector may be in possession of that elector's unvoted  
 18 early ballot. If a complete and correct request is made by the elector  
 19 within twenty-seven days before the election, the mailing must be made  
 20 within forty-eight hours after receipt of the request. Saturdays, Sundays  
 21 and other legal holidays are excluded from the computation of the  
 22 forty-eight hour period prescribed by this subsection. If a complete and  
 23 correct request is made by an absent uniformed services voter or an  
 24 overseas voter before the election, the regular early ballot shall be  
 25 transmitted by mail, by fax or by other electronic format approved by the  
 26 secretary of state within twenty-four hours after the early ballots are  
 27 delivered pursuant to section 16-545, subsection B, excluding Sundays.

28 E. In order to be complete and correct and to receive an early  
 29 ballot by mail, an elector's request that an early ballot be mailed to the  
 30 elector's residence or temporary address must include all of the  
 31 information prescribed by subsection A of this section and must be  
 32 received by the county recorder or other officer in charge of elections ~~no~~  
 33 NOT later than 5:00 p.m. on the eleventh day preceding the election. An  
 34 elector who appears personally ~~no~~ NOT later than 5:00 p.m. on the Friday  
 35 preceding the election at an on-site early voting location that is  
 36 established by the county recorder or other officer in charge of elections  
 37 shall be given a ballot after presenting identification as prescribed in  
 38 section 16-579 and shall be ~~permitted~~ ALLOWED to vote at the on-site  
 39 location. IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS  
 40 IS ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTIONS MATERIALS IN A  
 41 TIMELY MANNER FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF  
 42 THIS SECTION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS  
 43 MAY OPERATE THE ON-SITE EARLY VOTING LOCATIONS DURING THE THREE-DAY PERIOD  
 44 IMMEDIATELY PRECEDING ELECTION DAY. Notwithstanding section 16-579,  
 45 subsection A, paragraph 2, at any on-site early voting location the county



1 recorder or other officer in charge of elections may provide for a  
 2 qualified elector to update the elector's voter registration information  
 3 as provided for in the secretary of state's instructions and procedures  
 4 manual adopted pursuant to section 16-452. If an elector's request to  
 5 receive an early ballot is not complete and correct but complies with all  
 6 other requirements of this section, the county recorder or other officer  
 7 in charge of elections shall attempt to notify the elector of the  
 8 deficiency of the request.

9 F. Unless an elector specifies that the address to which an early  
 10 ballot is to be sent is a temporary address, the recorder may use the  
 11 information from an early ballot request form to update voter registration  
 12 records.

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

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

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

40 J. A candidate, political committee or other organization may  
 41 distribute early ballot request forms to voters. If the early ballot  
 42 request forms include a printed address for return, the addressee shall be  
 43 the political subdivision that will conduct the election. Failure to use  
 44 the political subdivision as the return addressee is punishable by a civil

1 penalty of up to three times the cost of the production and distribution  
2 of the request.

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

15 L. Except for a voter who is on the active early voting list  
16 prescribed by section 16-544, a voter who requests a onetime early ballot  
17 pursuant to ~~THIS~~ section ~~16-542~~ or for an election conducted pursuant to  
18 section 16-409 or article 8.1 of this chapter, a county recorder, city or  
19 town clerk or other election officer may not deliver or mail an early  
20 ballot to a person who has not requested an early ballot for that  
21 election. An election officer who knowingly violates this subsection is  
22 guilty of a class 5 felony.

23 Sec. 4. Section 16-558.02, Arizona Revised Statutes, is amended to  
24 read:

25 16-558.02. Replacement ballots

26 A. The county recorder or other officer in charge of elections  
27 shall determine ~~a central location~~ **ONE OR MORE LOCATIONS** in the ~~district~~  
28 **APPROPRIATE JURISDICTION** and shall provide for a ballot replacement center  
29 that is as near to ~~that~~ **EACH** location as is practicable for electors to  
30 obtain a replacement ballot. ~~The~~ **EACH** location shall be open from  
31 6:00 a.m. until 7:00 p.m. ~~of~~ **ON** the day of the election. An elector may  
32 obtain a replacement ballot until 7:00 p.m. on the day of the election on  
33 presenting a signed, sworn statement that the **ORIGINAL** ballot was ~~lost,~~  
34 ~~spoiled, destroyed or~~ not ~~received~~ **CAST**.

35 B. The recorder or other officer in charge of elections shall keep  
36 a record of each replacement ballot provided pursuant to this section.

37 C. If an elector to whom a replacement ballot is issued votes more  
38 than once, only the first ballot received shall be counted.

39 Sec. 5. Section 16-584, Arizona Revised Statutes, is amended to  
40 read:

41 16-584. Qualified elector not on precinct register;  
42 recorder's certificate; verified ballot; procedure

43 A. A qualified elector whose name is not on the precinct register  
44 and who presents a certificate from the county recorder showing that the  
45 elector is entitled by law to vote in the precinct shall be entered on the

1 signature roster on the blank following the last printed name and shall be  
2 given the next consecutive register number, and the qualified elector  
3 shall sign in the space provided.

4 B. A qualified elector whose name is not on the precinct register,  
5 on presentation of identification verifying the identity of the elector  
6 that includes the voter's given name and surname and the complete  
7 residence address that is verified by the election board to be in the  
8 precinct or on signing an affirmation that states that the elector is a  
9 registered voter in that jurisdiction and is eligible to vote in that  
10 jurisdiction, shall be allowed to vote a provisional ballot.

11 C. If a voter has moved to a new address within the county and has  
12 not notified the county recorder of the change of address before the date  
13 of an election, the voter shall be ~~permitted~~ ALLOWED to correct the voting  
14 records for purposes of voting in future elections at the appropriate  
15 polling place for the voter's new address. The voter shall be ~~permitted~~  
16 ALLOWED to vote a provisional ballot. The voter shall present a form of  
17 identification that includes the voter's given name and surname and the  
18 voter's complete residence address. The residence address must be within  
19 the precinct in which the voter is attempting to vote, and the voter shall  
20 affirm in writing that the voter is registered in that jurisdiction and is  
21 eligible to vote in that jurisdiction.

22 D. On completion of the ballot, the VOTER OR THE election official  
23 shall place the ballot in a provisional ballot envelope and shall deposit  
24 the envelope in the ballot box. Within ten calendar days after a general  
25 election that includes an election for a federal office and within five  
26 business days after any other election or no later than the time at which  
27 challenged early voting ballots are resolved, the signature shall be  
28 compared to the precinct signature roster of the former precinct where the  
29 voter was registered. If the voter's name is not signed on the roster and  
30 if there is no indication that the voter voted an early ballot, the  
31 provisional ballot envelope shall be opened and the ballot shall be  
32 counted. If there is information showing the person did vote, the  
33 provisional ballot shall remain unopened and shall not be counted. When  
34 provisional ballots are confirmed for counting, the county recorder shall  
35 use the information supplied on the provisional ballot envelope to correct  
36 the address record of the voter.

37 E. When a voter is allowed to vote a provisional ballot, the  
38 elector's name shall be entered on a separate signature roster page at the  
39 end of the signature roster. Voters' names shall be numbered  
40 consecutively beginning with the number V-1. The elector shall sign in  
41 the space provided. The ballot shall be placed in a separate envelope,  
42 the outside of which shall contain the precinct name or number, a sworn or  
43 attested statement of the elector that the elector resides in the  
44 precinct, is eligible to vote in the election and has not previously voted  
45 in the election, the signature of the elector and the voter registration

1 number of the elector, if available. The ballot shall be verified for  
2 proper registration of the elector by the county recorder before being  
3 counted. The verification shall be made by the county recorder within ten  
4 calendar days after a general election that includes an election for a  
5 federal office and within five business days following any other election.  
6 Verified ballots shall be counted by depositing the ballot in the ballot  
7 box and showing on the records of the election that the elector has  
8 voted. If registration is not verified the ballot shall remain unopened  
9 and shall be retained in the same manner as voted ballots.

10 F. For any person who votes a provisional ballot, the county  
11 recorder or other officer in charge of elections shall provide for a  
12 method of notifying the provisional ballot voter at no cost to the voter  
13 whether the voter's ballot was verified and counted and, if not counted,  
14 the reason for not counting the ballot. The notification may be in the  
15 form of notice by mail to the voter, establishment of a ~~toll-free~~  
16 TOLL-FREE telephone number, internet access or other similar method to  
17 allow the voter to have access to this information. The method of  
18 notification shall provide reasonable restrictions that are designed to  
19 limit transmittal of the information only to the voter.