

REFERENCE TITLE: election procedures; registrations; campaign finance

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

## **HB 2771**

Introduced by  
Representatives Salman: Butler, Fernandez B, Hernandez M, Liguori, Powers  
Hannley

### **AN ACT**

AMENDING SECTIONS 16-101 AND 16-112, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 16-113 AND 16-114; AMENDING SECTIONS 16-120 AND 16-121.01, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-123; AMENDING SECTIONS 16-152, 16-166 AND 16-182, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-406.01; AMENDING TITLE 16, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-414; AMENDING SECTIONS 16-542, 16-547, 16-548 AND 16-550, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-602.01; AMENDING SECTIONS 16-901, 16-912, 16-914, 16-917, 16-941, 16-945 AND 16-951, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-951.01; AMENDING SECTIONS 16-953, 16-954, 16-956 AND 16-961, 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 16-101, 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  
6 vote if ~~he~~ THE RESIDENT:

7 1. Is a citizen of the United States.

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

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

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

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

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

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

25 Sec. 2. Section 16-112, Arizona Revised Statutes, is amended to  
26 read:

27 16-112. Driver license voter registration

28 A. Every person who is applying for a driver license or renewal and  
29 who is otherwise qualified to register to vote ~~shall~~, at the same time and  
30 place, SHALL be ~~permitted~~ ALLOWED to register to vote by providing the  
31 information prescribed by section 16-152. The method used to register  
32 voters shall require only the minimum information necessary to prevent  
33 duplicate registrations, to enable elections officials to determine voter  
34 eligibility and to administer voter registration and election laws. A  
35 registration form shall be included for a person who is applying for a  
36 driver license renewal by mail. On completion of a form that contains at  
37 least the information prescribed by section 16-121.01, subsection A and  
38 that may contain the information prescribed by section 16-152 and on  
39 receipt of that form by the county recorder from the department of  
40 transportation as prescribed by subsection D of this section, the  
41 applicant is presumed to be properly registered to vote. That presumption  
42 may be rebutted as provided in section 16-121.01, subsection B.

43 B. The director of the department of transportation and the  
44 secretary of state shall consult at least every two years regarding voter  
45 registration at driver license offices. The director of the department of

1 transportation and the secretary of state shall, after consultation with  
2 all county recorders, adopt rules to implement a system ~~permitting~~  
3 ~~ALLOWING~~ driver license applicants to register to vote at the same time  
4 and place as they apply for driver licenses. ~~Such~~ ~~THE~~ rules shall:

5 1. Bring the license application and voter registration application  
6 forms into substantial conformity.

7 2. ~~Permit~~ ~~ALLOW~~ the transfer of driver license applications,  
8 including renewal and change of address, and voter registration  
9 information from the department of transportation to the voter  
10 registration rolls.

11 3. Respect all rules and statutes of this state concerning the  
12 confidentiality of driver license application information.

13 4. Provide for the manual or electronic generation and transmittal  
14 of voter registrations and provide for electronic generation of changes in  
15 voter registration information, including address, in conformity with the  
16 confidentiality requirements of the national voter registration act of  
17 1993 (P.L. 103-31; 107 Stat. 77; ~~42~~ 52 United States Code ~~section 394~~  
18 ~~SECTIONS 20501 THROUGH 20511~~).

19 C. The department of transportation shall provide to applicants a  
20 statement that provides each eligibility requirement for voting, including  
21 citizenship, an attestation that the applicant meets each requirement, for  
22 the signature of the applicant under penalty of perjury and, in print that  
23 is identical to that used in the attestation, the following:

24 1. A description of the penalties provided by law for the  
25 submission of a false voter registration application.

26 2. A statement that if an applicant declines to register to vote  
27 the fact that the applicant has declined to register will remain  
28 confidential and will be used only for voter registration purposes.

29 3. A statement that if an applicant does register to vote the  
30 office at which the applicant submits a voter registration application  
31 will remain confidential and will be used only for voter registration  
32 purposes.

33 D. The department of transportation shall return or mail completed  
34 registrations to the county recorder of the county in which the applicant  
35 resides within five days after receipt of a completed registration.

36 E. ANY PERSON WHO REPORTS A CHANGE OF RESIDENTIAL OR MAILING  
37 ADDRESS OR CHANGE OF NAME TO THE DEPARTMENT OF TRANSPORTATION AND WHO DID  
38 NOT PROVIDE AT THE TIME OF THE TRANSACTION A DOCUMENT DEMONSTRATING LACK  
39 OF UNITED STATES CITIZENSHIP, AT THE SAME TIME AND PLACE, SHALL BE ALLOWED  
40 TO REGISTER TO VOTE BY PROVIDING THE INFORMATION PRESCRIBED BY SECTION  
41 16-152. THE METHOD USED TO REGISTER TO VOTE SHALL REQUIRE ONLY THE  
42 MINIMUM INFORMATION NECESSARY TO PREVENT DUPLICATE REGISTRATION, TO ENABLE  
43 ELECTION OFFICIALS TO DETERMINE VOTER ELIGIBILITY AND TO ADMINISTER VOTER  
44 REGISTRATION AND ELECTION LAWS.

1           Sec. 3. Title 16, chapter 1, article 1.1, Arizona Revised Statutes,  
2 is amended by adding sections 16-113 and 16-114, to read:

3           16-113. Secure automatic electronic voter registration;  
4           rules; designated source agencies; opt-out  
5           procedure; voter education and publicity; annual  
6           report

7           A. FOR EVERY PERSON WHO PROVIDES PROOF OF UNITED STATES CITIZENSHIP  
8 PURSUANT TO SECTION 28-3158 OR 28-3165 AND IN COMPLIANCE WITH SECTION  
9 16-166, DURING THE COURSE OF APPLYING FOR, RENEWING OR CORRECTING A DRIVER  
10 LICENSE OR NONOPERATING IDENTIFICATION LICENSE, UPDATING THE PERSON'S  
11 EXISTING RESIDENCE ADDRESS OR NAME ON FILE WITH THE DEPARTMENT OF  
12 TRANSPORTATION OR OBTAINING A DUPLICATE, REISSUANCE OR REPLACEMENT OF A  
13 DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE, THE DEPARTMENT OF  
14 TRANSPORTATION, AT THE SAME TIME AND PLACE, SHALL ELECTRONICALLY COLLECT  
15 AND TRANSMIT VOTER REGISTRATION INFORMATION TO THE SECRETARY OF STATE FOR  
16 THE PURPOSE OF REGISTERING THE PERSON TO VOTE OR UPDATING AN EXISTING  
17 VOTER REGISTRATION RECORD. THIS INFORMATION SHALL INCLUDE AT LEAST THE  
18 PERSON'S NAME, RESIDENCE ADDRESS OR LOCATION, DATE OF BIRTH AND SIGNATURE.  
19 THE ELECTRONIC METHOD USED FOR COLLECTING AND TRANSMITTING VOTER  
20 REGISTRATION INFORMATION SHALL REQUIRE ONLY THE MINIMUM INFORMATION  
21 NECESSARY TO PREVENT DUPLICATE REGISTRATIONS, TO ENABLE ELECTIONS  
22 OFFICIALS TO DETERMINE VOTER ELIGIBILITY AND TO ADMINISTER VOTER  
23 REGISTRATION AND ELECTION LAWS. THE DEPARTMENT OF TRANSPORTATION SHALL  
24 ALSO COLLECT AND TRANSMIT ANY CHANGE OF RESIDENCE OR MAILING ADDRESS OR  
25 CHANGE OF NAME INFORMATION THE DEPARTMENT RECEIVES AS PART OF A DRIVER  
26 LICENSE OR NONOPERATING IDENTIFICATION LICENSE TRANSACTION TO THE  
27 SECRETARY OF STATE FOR THE PURPOSE OF UPDATING THE VOTER REGISTRATION OF  
28 ALREADY REGISTERED VOTERS. THE SYSTEM DESCRIBED IN THIS SUBSECTION SHALL  
29 BE KNOWN AS THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM.  
30 INDIVIDUALS WHO WERE NOT INCLUDED IN THE SECURE AUTOMATIC ELECTRONIC VOTER  
31 REGISTRATION SYSTEM AND WHO DID NOT PROVIDE AT THE TIME OF THE TRANSACTION  
32 A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP WILL RECEIVE  
33 THE OPPORTUNITIES AND PROCESSES TO REGISTER TO VOTE REQUIRED BY SECTIONS  
34 16-112, 16-140 AND 16-141.

35           B. THE SECRETARY OF STATE AND DIRECTOR OF THE DEPARTMENT OF  
36 TRANSPORTATION, AFTER CONSULTING WITH ALL COUNTY RECORDERS, SHALL ADOPT  
37 RULES TO IMPLEMENT A SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM  
38 THAT COLLECTS AND TRANSMITS VOTER REGISTRATION INFORMATION FOR PERSONS  
39 IDENTIFIED IN THIS SECTION TO THE SECRETARY OF STATE. THE RULES SHALL  
40 ALLOW THE ELECTRONIC TRANSFER OF DRIVER LICENSE AND NONOPERATING  
41 IDENTIFICATION LICENSE APPLICATIONS, INCLUDING RENEWAL AND CHANGE OF  
42 ADDRESS, AND VOTER REGISTRATION INFORMATION FROM THE DEPARTMENT OF  
43 TRANSPORTATION TO THE VOTER REGISTRATION ROLLS, IN CONFORMITY WITH THE  
44 CONFIDENTIALITY REQUIREMENTS OF THE NATIONAL VOTER REGISTRATION ACT OF

1 1993 (P.L. 103-31; 107 STAT. 77; 52 UNITED STATES CODE SECTIONS 20501  
2 THROUGH 20511).

3 C. THE SECRETARY OF STATE SHALL EVALUATE IMPLEMENTATION OF A SECURE  
4 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM AT OTHER AGENCIES,  
5 INCLUDING, AT A MINIMUM, THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
6 ADMINISTRATION. THE SECRETARY OF STATE MAY DESIGNATE AN AGENCY AS A  
7 SOURCE AGENCY IF, AS DETERMINED BY THE SECRETARY OF STATE, THE AGENCY IS  
8 ABLE TO COLLECT AND TRANSMIT THE VOTER REGISTRATION INFORMATION LISTED IN  
9 SUBSECTION A OF THIS SECTION. THE SECRETARY OF STATE SHALL CONSULT WITH  
10 THE HEADS OF OTHER AGENCIES AND ALL COUNTY RECORDERS BEFORE DESIGNATING AN  
11 AGENCY AS A SOURCE AGENCY. THIS SECTION DOES NOT ALTER ANY FEDERAL  
12 PRIVACY LAWS THAT APPLY TO HEALTH RECORDS.

13 D. ANY SOURCE AGENCY SHALL ACCEPT TRIBAL IDENTIFICATION NUMBERS AND  
14 NONTRADITIONAL RESIDENTIAL ADDRESSES, INCLUDING ADDRESSES THAT CAN BE  
15 IDENTIFIED BY MILE MARKERS OR GEOGRAPHIC OR OTHER IDENTIFYING FEATURES.  
16 ANY SOURCE AGENCY SHALL ATTAIN THE CAPABILITY OF COLLECTING AND  
17 TRANSMITTING THIS INFORMATION WITHIN THREE MONTHS AFTER BEING DESIGNATED.

18 E. ANY SOURCE AGENCY SHALL ACCEPT DIGITAL OR ELECTRONIC IMAGES OF  
19 SIGNATURES OR HAVE THE ABILITY TO CONVERT SIGNATURES INTO ELECTRONIC  
20 IMAGES OF SIGNATURES SO THAT THE SIGNATURE CAN BE USED BY A COUNTY  
21 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS TO CONDUCT A SIGNATURE  
22 MATCH OR OTHER VERIFICATION REQUIRED BY LAW. ANY AGENCY THAT IS  
23 DESIGNATED PURSUANT TO SUBSECTION C OF THIS SECTION SHALL ATTAIN THE  
24 CAPABILITY OF COLLECTING AND TRANSMITTING THIS INFORMATION WITHIN THREE  
25 MONTHS AFTER BEING DESIGNATED AS A SOURCE AGENCY.

26 F. IF AN AGENCY HAS BEEN DESIGNATED BY THE SECRETARY OF STATE AS A  
27 SOURCE AGENCY, THE AGENCY MAY NOT LOSE ITS STATUS AS A SOURCE AGENCY.

28 G. EACH SOURCE AGENCY SHALL TRANSMIT VOTER REGISTRATION INFORMATION  
29 TO THE SECRETARY OF STATE ON THE SAME DAY IT IS RECEIVED BY THE AGENCY.

30 H. IF THE SECRETARY OF STATE RECEIVES VOTER REGISTRATION  
31 INFORMATION FROM A SOURCE AGENCY, THE SECRETARY OF STATE SHALL PROMPTLY  
32 TRANSMIT THE INFORMATION TO THE APPROPRIATE COUNTY RECORDER. THE  
33 SECRETARY OF STATE MAY NOT TRANSMIT INFORMATION FOR ANY INDIVIDUAL  
34 ENROLLED IN THE ADDRESS CONFIDENTIALITY PROGRAM, OR ANY INDIVIDUAL FOR  
35 WHOM THE SECRETARY OF STATE HAS INFORMATION INDICATING THAT THE INDIVIDUAL  
36 IS DISQUALIFIED FROM REGISTERING TO VOTE, INCLUDING INDIVIDUALS WHO ARE  
37 IDENTIFIED PURSUANT TO THE REQUIREMENTS OF THE HELP AMERICA VOTE ACT OF  
38 2002 (P.L. 107-252; 116 STAT. 1666); AS DISQUALIFIED DUE TO FELONY  
39 CONVICTION AND WHOSE CIVIL RIGHTS HAVE NOT BEEN RESTORED. IN ADDITION,  
40 FOR ANY CHANGE OF RESIDENCE OR MAILING ADDRESS OR CHANGE OF NAME  
41 INFORMATION RECEIVED BY THE SECRETARY OF STATE UNDER THE PROCESS  
42 ESTABLISHED BY THIS SECTION FOR WHICH THE PERSON HAS NOT PROVIDED PROOF OF  
43 UNITED STATES CITIZENSHIP TO THE SOURCE AGENCY, THE SECRETARY OF STATE  
44 SHALL TRANSMIT NOTICE OF THE CHANGE OF NAME OR ADDRESS TO THE APPROPRIATE  
45 COUNTY RECORDER ONLY IF THE INFORMATION IS FOR A PERSON WHO IS ALREADY

1 REGISTERED TO VOTE. ON RECEIPT OF VOTER REGISTRATION INFORMATION FROM THE  
2 SECRETARY OF STATE, A COUNTY RECORDER SHALL:

3 1. FOR EACH PERSON WHOSE INFORMATION HAS BEEN TRANSMITTED,  
4 DETERMINE THAT THE PERSON IS ONE OF THE FOLLOWING:

5 (a) ALREADY REGISTERED AT THE CURRENT ADDRESS AND WITH THE PERSON'S  
6 CURRENT NAME.

7 (b) ALREADY REGISTERED AND REQUIRES AN ADDRESS OR NAME UPDATE  
8 REGARDLESS OF THE COUNTY IN WHICH THE PERSON IS CURRENTLY REGISTERED.

9 (c) NOT REGISTERED, AND THE INFORMATION RECEIVED INCLUDES AT LEAST  
10 THE INFORMATION LISTED IN SECTION 16-121.01, SUBSECTION A. A PERSON AS  
11 PRESCRIBED IN THIS SUBDIVISION IS AN ELIGIBLE PERSON.

12 2. FOR EACH ELIGIBLE PERSON PRESCRIBED BY PARAGRAPH 1, SUBDIVISION  
13 (c) OF THIS SUBSECTION OR PERSON WITH UPDATED REGISTRATION INFORMATION,  
14 ENTER THE NEW REGISTRATION OR UPDATED INFORMATION ON THE REGISTRATION  
15 LISTS. PENDING NOTIFICATION OF THE PERSON, THE EFFECTIVE DATE OF THE  
16 REGISTRATION OR UPDATE IS THE DATE THE SOURCE AGENCY RECEIVED THE  
17 INFORMATION.

18 3. FOR EACH ELIGIBLE PERSON OR PERSON WITH UPDATED REGISTRATION  
19 INFORMATION, MAIL TO THE PERSON A NONFORWARDABLE NOTICE THAT THE PERSON'S  
20 VOTER REGISTRATION OR REGISTRATION UPDATE IS PENDING AND A POSTAGE PAID  
21 PREAMBITTED RETURN FORM. A NOTICE TO AN ELIGIBLE PERSON MUST INCLUDE AN  
22 EXPLANATION OF THE ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND A  
23 STATEMENT THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD DECLINE  
24 TO REGISTER USING THE PREAMBITTED RETURN FORM. THE NOTICE MUST ALSO  
25 STATE THE PENALTIES FOR SUBMITTING A FALSE APPLICATION. A NOTICE TO AN  
26 ELIGIBLE PERSON MUST ALSO INCLUDE A STATEMENT THAT, IF THE PERSON DECLINES  
27 TO REGISTER TO VOTE, THE FACT THAT THE PERSON HAS DECLINED WILL REMAIN  
28 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES, AND A  
29 STATEMENT THAT, IF THE PERSON REGISTERS TO VOTE, THE OFFICE AT WHICH THE  
30 PERSON WAS REGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR  
31 VOTER REGISTRATION PURPOSES. THE RETURN FORM MUST:

32 (a) PROVIDE A MECHANISM FOR A PERSON TO DECLINE TO BE REGISTERED AS  
33 AN ELECTOR OR UPDATE THE PERSON'S REGISTRATION.

34 (b) PROVIDE A MECHANISM FOR A PERSON TO DESIGNATE A POLITICAL  
35 PARTY. IF THE REGISTRANT IS ALREADY REGISTERED AND MAKES NO AFFIRMATIVE  
36 CHANGE TO PARTY AFFILIATION, THE REGISTRANT'S PARTY AFFILIATION REMAINS  
37 UNCHANGED.

38 (c) PROVIDE A MECHANISM FOR A PERSON TO REQUEST TO BE INCLUDED ON  
39 THE ACTIVE EARLY VOTING LIST PURSUANT TO SECTION 16-544.

40 (d) PROVIDE INFORMATION TO A PERSON ABOUT THE ADDRESS  
41 CONFIDENTIALITY PROGRAM.

42 4. IF THE INFORMATION REQUIRED TO DETERMINE WHETHER A PERSON IS  
43 ELIGIBLE TO VOTE OR TO REGISTER THE PERSON TO VOTE IS INCOMPLETE, OR  
44 CLARIFICATION IS REQUIRED, MAIL A NONFORWARDABLE NOTICE TO THE PERSON THAT  
45 ADDITIONAL INFORMATION IS REQUIRED THAT CLEARLY STATES WHAT IS INCOMPLETE

1 OR WHAT ADDITIONAL INFORMATION IS REQUIRED AND PROVIDES A TELEPHONE NUMBER  
2 AND A POSTAGE PAID PREAMBITTED RETURN FORM THE PERSON MAY USE TO PROVIDE  
3 THE REQUIRED MISSING OR ADDITIONAL INFORMATION. IF THE PERSON PROVIDES  
4 THE ADDITIONAL INFORMATION BEFORE 7:00 P.M. ON ELECTION DAY AND THE COUNTY  
5 RECORDER DETERMINES ELIGIBILITY AS PRESCRIBED IN THIS SECTION, THE COUNTY  
6 RECORDER SHALL REGISTER THE PERSON TO VOTE IN ACCORDANCE WITH THIS SECTION  
7 AND THE PERSON'S VOTER REGISTRATION SHALL BE EFFECTIVE AS OF THE DATE THE  
8 APPLICATION IS SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION OR OTHER  
9 SOURCE AGENCY.

10 5. FOR ANY PERSON WHO IS REGISTERED AND ON THE INACTIVE VOTER LIST,  
11 CHANGE THE PERSON'S REGISTRATION STATUS FROM INACTIVE TO ACTIVE.

12 I. A COUNTY RECORDER MAY COMBINE THE NOTICES AND MECHANISMS  
13 PRESCRIBED IN SUBSECTION H OF THIS SECTION WITH ANY OTHER NOTICE THE  
14 COUNTY RECORDER IS REQUIRED TO SEND UNDER THIS TITLE. ANY NOTICE SENT BY  
15 THE COUNTY RECORDER SHALL COMPLY WITH THE VOTING RIGHTS ACT OF 1965  
16 (P.L. 89-110; 79 STAT. 437; 52 UNITED STATES CODE SECTION 10503). THE  
17 SECRETARY OF STATE SHALL ADOPT RULES REGARDING NOTICES AND PROCEDURES  
18 UNDER THIS SECTION.

19 J. A COUNTY RECORDER SHALL PROCESS RETURN FORMS SENT PURSUANT TO  
20 SUBSECTION H, PARAGRAPH 3 OF THIS SECTION AS FOLLOWS:

21 1. IF A RETURN FORM IS RETURNED AS UNDELIVERABLE WITHIN FOURTEEN  
22 DAYS AFTER THE COUNTY RECORDER MAILES THE FORM, THE PERSON'S REGISTRATION  
23 STATUS REVERTS TO THE STATUS BEFORE THE PERSON'S INTERACTION WITH THE  
24 SOURCE AGENCY.

25 2. IF A RETURN FORM IS RETURNED AS UNDELIVERABLE MORE THAN FOURTEEN  
26 DAYS AFTER THE COUNTY RECORDER MAILES THE FORM, THE COUNTY RECORDER SHALL  
27 SEND A FOLLOW-UP NOTICE AS REQUIRED BY SECTION 16-166, SUBSECTION A.

28 3. IF A RETURN FORM IS NOT RETURNED WITHIN FOURTEEN DAYS AFTER THE  
29 COUNTY RECORDER MAILES THE FORM, THE PERSON IS REGISTERED OR THE PERSON'S  
30 REGISTRATION STATUS IS UPDATED AS OF THE DATE THE SOURCE AGENCY RECEIVED  
31 THE INFORMATION. THE PERSON SHALL BE MARKED AS NO PARTY PREFERENCE IF NOT  
32 PREVIOUSLY REGISTERED, OTHERWISE THE PERSON'S PARTY PREFERENCE REMAINS  
33 UNCHANGED.

34 4. IF A RETURN FORM IS RETURNED INDICATING THE PERSON DOES NOT WISH  
35 TO BE REGISTERED, DOES NOT WISH TO UPDATE THE PERSON'S REGISTRATION  
36 STATUS, WISHES TO DESIGNATE PARTY AFFILIATION OR WISHES TO BE INCLUDED ON  
37 THE ACTIVE EARLY VOTING LIST, THE COUNTY RECORDER SHALL MAKE THE INDICATED  
38 CHANGE. IN THE CASE OF A PERSON WHO DOES NOT WISH TO UPDATE THE PERSON'S  
39 ADDRESS, OTHER COUNTY RECORDERS SHALL MAKE ANY NECESSARY CHANGES TO  
40 RESTORE THE PERSON'S PREVIOUS REGISTRATION STATUS.

41 5. FOR THE PERIOD BETWEEN A COUNTY RECORDER'S DETERMINATION ON  
42 RECEIVING A PERSON'S INFORMATION AND THE EXPIRATION OF THE FOURTEEN-DAY  
43 PERIOD AFTER MAILING A NOTICE UNDER THIS SECTION, ANY PERSON WHO IS MAILED  
44 OR SCHEDULED TO BE MAILED A NOTICE IS CONSIDERED A PENDING REGISTRANT.  
45 FOR ELECTIONS OCCURRING DURING THE PERIOD THAT A PERSON IS A PENDING

1 REGISTRANT, THE PERSON IS ENTITLED TO CAST A REGULAR BALLOT AND HAVE THAT  
2 BALLOT COUNTED IF THE PERSON IS OTHERWISE QUALIFIED TO VOTE IN THAT  
3 ELECTION.

4 K. ON OR BEFORE JANUARY 15 OF EACH YEAR, THE DEPARTMENT OF  
5 TRANSPORTATION, ANY SOURCE AGENCY AND COUNTY RECORDERS SHALL PROVIDE TO  
6 THE SECRETARY OF STATE INFORMATION ON THE OPERATION OF THE SECURE  
7 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM IN THE PRIOR YEAR. ON OR  
8 BEFORE JANUARY 31 OF EACH YEAR, THE SECRETARY OF STATE SHALL COMPILE AND  
9 PUBLISH THE DATA ON THE SECRETARY OF STATE'S WEBSITE. ANY REPORT PRODUCED  
10 UNDER THIS SUBSECTION SHALL EXCLUDE ANY PERSONAL IDENTIFYING INFORMATION.  
11 FOR EACH CATEGORY OF INFORMATION, THE REPORT SHALL PROVIDE A BREAKDOWN BY  
12 GENDER AND AGE OF THE INDIVIDUALS WHOSE INFORMATION IS INCLUDED, TO THE  
13 EXTENT SUCH INFORMATION IS AVAILABLE. PROGRAM INFORMATION PROVIDED TO AND  
14 ULTIMATELY REPORTED BY THE SECRETARY OF STATE SHALL AT A MINIMUM, INCLUDE  
15 THE FOLLOWING:

16 1. THE NUMBER OF RECORDS TRANSFERRED TO THE SECRETARY OF STATE  
17 UNDER THIS SECTION, BY EACH SOURCE AGENCY.

18 2. THE NUMBER OF PERSONS NEWLY ADDED TO THE STATEWIDE VOTER  
19 REGISTRATION LIST BECAUSE OF RECORDS TRANSFERRED BY EACH SOURCE AGENCY.

20 3. THE NUMBER OF PERSONS ON THE STATEWIDE VOTER REGISTRATION LIST  
21 WHOSE INFORMATION WAS UPDATED.

22 4. THE TOTAL NUMBER OF TRANSACTIONS IN THE SAME PERIOD OF TIME FOR  
23 WHICH RECORDS WERE COLLECTED, THE DATES THE RECORDS WERE COLLECTED AND A  
24 FULL ACCOUNTING OF RECORDS, INCLUDING RECORDS THAT WERE NOT TRANSFERRED TO  
25 A COUNTY RECORDER.

26 5. THE NUMBER OF PERSONS WHO OPTED OUT OF VOTER REGISTRATION OR OF  
27 UPDATING REGISTRATION INFORMATION, BY EACH SOURCE AGENCY.

28 6. INFORMATION ON IMPLEMENTATION OF AUDITS, SECURITY AND PRIVACY  
29 PROTOCOLS, BY EACH SOURCE AGENCY.

30 L. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY  
31 OTHER SOURCE AGENCY SHALL PROVIDE INFORMATION ON EACH ENTITY'S WEBSITE  
32 INFORMING THE PUBLIC ABOUT THE REGISTRATION PROCEDURES DESCRIBED IN THIS  
33 SECTION. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY  
34 OTHER SOURCE AGENCY SHALL DISPLAY SIGNAGE OR PROVIDE LITERATURE FOR THE  
35 PUBLIC CONTAINING INFORMATION ABOUT THE REGISTRATION PROCEDURES DESCRIBED  
36 IN THIS SECTION. ANY INFORMATION PUBLISHED PURSUANT TO THIS SUBSECTION,  
37 INCLUDING ANY EDUCATION AND OUTREACH CAMPAIGN INFORMING VOTERS ABOUT THE  
38 SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM CONDUCTED BY THE  
39 SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER SOURCE  
40 AGENCY, SHALL PROVIDE MATERIALS CREATED FOR THIS OUTREACH AND EDUCATION  
41 CAMPAIGN IN LANGUAGES OTHER THAN ENGLISH AS REQUIRED BY THE VOTING RIGHTS  
42 ACT OF 1965 (P.L. 89-110; 79 STAT. 437; 52 UNITED STATES CODE SECTION  
43 10503).



1 M. IF THE DEPARTMENT OF TRANSPORTATION OR OTHER SOURCE AGENCY  
2 RECEIVES A PAPER VOTER REGISTRATION FORM, THE AGENCY SHALL RETURN OR MAIL  
3 COMPLETED REGISTRATIONS TO THE COUNTY RECORDER OF THE COUNTY IN WHICH THE  
4 APPLICANT RESIDES WITHIN FIVE DAYS AFTER RECEIVING THE COMPLETED  
5 REGISTRATION FORM.

6 N. ANY STATE AGENCY SHALL, AND COUNTY RECORDERS AND OTHER OFFICERS  
7 IN CHARGE OF ELECTIONS MAY, REQUEST MONIES FROM THE CITIZENS' CLEAN  
8 ELECTIONS COMMISSION TO OFFSET THE COSTS OF IMPLEMENTING THE SECURE  
9 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM OR OTHER REQUIREMENTS OF  
10 THIS SECTION.

11 16-114. Proof of citizenship for online voter registration  
12 systems

13 BEGINNING NOT LATER THAN DECEMBER 31, 2022, ANY AGENCY THAT ALLOWS A  
14 PERSON TO AFFIRMATIVELY REGISTER TO VOTE OR TO UPDATE THE PERSON'S  
15 REGISTRATION THROUGH THE INTERNET MUST ALLOW THE PERSON TO COMPLETE THE  
16 REGISTRATION WITHOUT A DRIVER LICENSE OR NONOPERATING IDENTIFICATION  
17 LICENSE AND WITH ANY PROOF OF CITIZENSHIP THAT IS VALID UNDER THIS STATE'S  
18 LAWS. THE AGENCY SHALL ACCEPT NONTRADITIONAL RESIDENTIAL ADDRESSES,  
19 INCLUDING ADDRESSES THAT CAN BE IDENTIFIED BY MILE MARKERS, GEOGRAPHIC  
20 FEATURES OR OTHER IDENTIFYING FEATURES.

21 Sec. 4. Section 16-120, Arizona Revised Statutes, is amended to  
22 read:

23 16-120. Eligibility to vote

24 ~~A.~~ An elector shall not vote in an election called pursuant to the  
25 laws of this state unless the elector ~~has been registered to vote as a~~  
26 ~~resident within the boundaries or the proposed boundaries of the election~~  
27 ~~district for which the election is being conducted and the registration~~  
28 ~~has been received by the county recorder or the recorder's designee~~  
29 ~~pursuant to section 16-134 before midnight of the twenty-ninth day~~  
30 ~~preceding the date of the election~~ IS REGISTERED TO VOTE AND RESIDES  
31 WITHIN THIS STATE AND THE BOUNDARIES OR PROPOSED BOUNDARIES OF THE  
32 ELECTION DISTRICT FOR WHICH THE ELECTION IS BEING CONDUCTED.

33 ~~B. If the twenty-ninth day preceding the date of the election falls~~  
34 ~~on a Saturday, Sunday or other legal holiday, voter registrations that are~~  
35 ~~received on the next business day immediately following the Saturday,~~  
36 ~~Sunday or other legal holiday are deemed to have been timely received for~~  
37 ~~purposes of voting in that election.~~

38 Sec. 5. Section 16-121.01, Arizona Revised Statutes, is amended to  
39 read:

40 16-121.01. Requirements for proper registration

41 A. A person is presumed to be properly registered to vote on  
42 completion of a registration form as prescribed by section 16-152 that  
43 contains at least the name, the residence address or the location, the  
44 date of birth and the signature or other statement of the registrant as  
45 prescribed by section 16-152, subsection A, paragraph 20 and a checkmark

1 or other appropriate indicator that the person answered "yes" to the  
2 question regarding citizenship. The completed registration form must also  
3 contain the person's Arizona driver license number, the nonoperating  
4 identification license number issued pursuant to section 28-3165, the last  
5 four digits of the person's social security number or the person's  
6 affirmation that if an Arizona driver license number, A nonoperating  
7 identification license number or the last four digits of the person's  
8 social security number is not provided, the person does not possess a  
9 valid Arizona driver or nonoperating identification license or a social  
10 security number and the person is hereby requesting that a unique  
11 identifying number be assigned by the secretary of state pursuant to  
12 section 16-152, subsection A, paragraph 12, subdivision (c).

13 B. The presumption in subsection A of this section may be rebutted  
14 only by clear and convincing evidence of any of the following:

15 1. That the registrant is not the person whose name appears on the  
16 register.

17 2. That the registrant ~~has IS not resided in this state for~~  
18 ~~twenty-nine days next preceding the election or other event for which the~~  
19 ~~registrant's status as properly registered is in question~~ A RESIDENT OF  
20 THIS STATE.

21 3. That the registrant is not properly registered at an address  
22 permitted by section 16-121.

23 4. That the registrant is not a qualified registrant under section  
24 16-101.

25 5. THAT THE PERSON DECLINED TO BE REGISTERED UNDER SECTION 16-113.

26 C. THE PRESUMPTION OF PROPER REGISTRATION AS PRESCRIBED IN  
27 SUBSECTION A OF THIS SECTION ATTACHES TO PERSONS WHO ARE REGISTERED TO  
28 VOTE THROUGH THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM  
29 PRESCRIBED IN SECTION 16-113. THIS PRESUMPTION MAY BE REBUTTED ONLY BY  
30 CLEAR AND CONVINCING EVIDENCE AS PRESCRIBED IN SUBSECTION B OF THIS  
31 SECTION.

32 Sec. 6. Title 16, chapter 1, article 2, Arizona Revised Statutes,  
33 is amended by adding section 16-123, to read:

34 16-123. Election day; same day registration

35 A. BEGINNING NOT LATER THAN THE 2022 PRIMARY ELECTION AND FOR EACH  
36 ELECTION THEREAFTER, EACH COUNTY RECORDER SHALL DESIGNATE AT LEAST ONE  
37 ELECTION OFFICIAL AT EACH POLLING PLACE, VOTING CENTER OR EARLY VOTING  
38 LOCATION IN THE COUNTY TO SERVE AS A REGISTRATION CLERK WHOSE DUTIES  
39 INCLUDE FACILITATING AND ENABLING ELIGIBLE PERSONS TO REGISTER TO VOTE ON  
40 SITE ON ELECTION DAY OR DURING EARLY VOTING. A REGISTRATION CLERK MUST BE  
41 PRESENT FOR ALL HOURS DURING WHICH A POLLING PLACE, VOTING CENTER OR EARLY  
42 VOTING LOCATION IS OPEN. THIS REQUIREMENT MAY BE SATISFIED BY DESIGNATING  
43 ONE OR MORE ELECTION BOARD MEMBERS AS REGISTRATION CLERKS, IF THERE ARE  
44 SUFFICIENT ELECTION BOARD MEMBERS TO ALLOW ELECTORS TO REGISTER AND TO  
45 VOTE IN A TIMELY MANNER.

1 B. ELIGIBLE PERSONS REGISTERING UNDER THIS SECTION MAY PROVE  
2 RESIDENCY AS REQUIRED BY SECTION 16-120 BY PRESENTING ANY ONE DOCUMENT  
3 LISTED IN SECTION 16-579, SUBSECTION A THAT SHOWS THE NAME AND CURRENT  
4 ADDRESS OF THE VOTER, A GOVERNMENT CHECK, PAYCHECK OR OTHER GOVERNMENT  
5 DOCUMENT THAT SHOWS THE NAME AND CURRENT ADDRESS OF THE VOTER OR A STUDENT  
6 IDENTIFICATION CARD FOR AN EDUCATIONAL INSTITUTION IN THIS STATE.

7 C. AFTER CONSULTING WITH ALL COUNTY RECORDERS, THE SECRETARY OF  
8 STATE SHALL ESTABLISH IN THE INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED  
9 PURSUANT TO SECTION 16-452 A VERIFICATION PROCESS FOR VOTERS WHO REGISTER  
10 ON OR IN CLOSE PROXIMITY TO ELECTION DAY TO ENSURE THAT QUICK AND  
11 EFFICIENT ELIGIBILITY VERIFICATION CAN BE ACCOMPLISHED BY THE ON-SITE  
12 REGISTRATION CLERKS ON ELECTION DAY OR DURING EARLY VOTING OR BY THE  
13 COUNTY RECORDER.

14 D. AN ELIGIBLE PERSON WHO REGISTERS ON OR IN CLOSE PROXIMITY TO  
15 ELECTION DAY SUCH THAT THE REGISTRATION INFORMATION HAS NOT YET BEEN  
16 VERIFIED SHALL BE ALLOWED TO VOTE A BALLOT THAT SHALL BE COUNTED AS VALID  
17 IN THAT ELECTION IF THE COUNTY RECORDER DOES NOT DETERMINE THAT THE PERSON  
18 WAS NOT QUALIFIED TO REGISTER AND VOTE AS PRESCRIBED IN SECTIONS 16-101  
19 AND 16-120. SUCH DETERMINATIONS SHALL BE MADE WITHIN THE PERIODS  
20 PRESCRIBED BY SECTION 16-135, SUBSECTION D FOR PROCESSING OF PROVISIONAL  
21 BALLOTS. IF THE REGISTRATION REQUIRES A CORRECTION OR CHANGE TO BE  
22 COMPLETE, THE CORRECTION OR CHANGE MUST BE ENABLED IN A MANNER PRESCRIBED  
23 BY THE SECRETARY OF STATE IN THE INSTRUCTIONS AND PROCEDURES MANUAL  
24 ADOPTED PURSUANT TO SECTION 16-452. THE CORRECTION AND CHANGE SHALL DATE  
25 BACK TO THE DAY OF INITIAL REGISTRATION, AND THE ELECTOR'S BALLOT SHALL BE  
26 COUNTED AS VALID IF ALL LEGAL REQUIREMENTS HAVE BEEN MET.

27 E. THIS SECTION ALLOWS A VOTER WITH NO PARTY PREFERENCE WHO APPEARS  
28 AT THE PRESIDENTIAL PREFERENCE ELECTION TO CHANGE THE VOTER'S PARTY  
29 PREFERENCE AND CAST A BALLOT. THE BALLOT SHALL BE COUNTED IF THE COUNTY  
30 RECORDER DETERMINES THAT THE VOTER IS OTHERWISE QUALIFIED TO VOTE IN THE  
31 PRESIDENTIAL PREFERENCE ELECTION.

32 F. THIS SECTION SHALL BE LIBERALLY CONSTRUED TO ENABLE QUALIFIED  
33 PERSONS TO REGISTER TO VOTE, CAST A BALLOT AND HAVE THAT BALLOT COUNTED.  
34 THIS SECTION MAY NOT BE DEFINED MORE NARROWLY AND THE REGISTRATION PROCESS  
35 MAY NOT BE MORE BURDENSOME THAN FOR A REGISTRANT WHO REGISTERS TO VOTE BY  
36 MEANS OTHER THAN ON ELECTION DAY OR IN CLOSE PROXIMITY TO AN ELECTION.

37 Sec. 7. Subject to the requirements of article IV, part 1,  
38 section 1, Constitution of Arizona, 2ection 16-152, Arizona Revised  
39 Statutes, is amended to read:

40 16-152. Registration form

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

- 42 1. The date the registrant signed the form.  
43 2. The registrant's given name, middle name, if any, and surname.

- 1           3. The complete address of the registrant's actual place of  
2 residence, including street name and number, apartment or space number,  
3 city or town and zip code, or such description of the location of the  
4 residence that it can be readily ascertained or identified.
- 5           4. The registrant's complete mailing address, if different from the  
6 residence address, including post office address, city or town, zip code  
7 or other designation used by the registrant for receiving mail. The form  
8 shall also include a line for the registrant's e-mail address (optional to  
9 registrant).
- 10          5. The registrant's party preference. The two largest political  
11 parties that are entitled to continued representation on the ballot shall  
12 be listed on the form in the order determined by calculating which party  
13 has the highest number of registered voters at the close of registration  
14 for the most recent general election for governor, then the second  
15 highest. The form shall allow the registrant to circle, check or  
16 otherwise mark the party preference and shall include a blank line for  
17 other party preference options.
- 18          6. The registrant's telephone number, unless unlisted.
- 19          7. The registrant's state or country of birth.
- 20          8. The registrant's date of birth.
- 21          9. The registrant's occupation.
- 22          10. The registrant's Indian census number (optional to registrant).
- 23          11. The registrant's father's name or mother's maiden name.
- 24          12. One of the following identifiers for each registrant:
- 25           (a) The Arizona driver license number of the registrant or  
26 nonoperating identification license number of the registrant that is  
27 issued pursuant to section 28-3165.
- 28           (b) If the registrant does not have an Arizona driver license or  
29 nonoperating identification license, the last four digits of the  
30 registrant's social security number.
- 31           (c) If the registrant does not have an Arizona driver license or  
32 nonoperating identification license or a social security number and the  
33 registrant attests to that, a unique identifying number consisting of the  
34 registrant's unique identification number to be assigned by the secretary  
35 of state in the statewide electronic voter registration database.
- 36          13. A statement as to whether or not the registrant is currently  
37 registered in another state, county or precinct, and if so, the name,  
38 address, county and state of previous registration.
- 39          14. The question to the registrant "Are you a citizen of the United  
40 States of America?", appropriate boxes for the registrant to check "yes"  
41 or "no" and a statement instructing the registrant not to complete the  
42 form if the registrant checked "no".

- 1           15. The question to the registrant "Will you be eighteen years of  
2 age on or before election day?", appropriate boxes for the registrant to  
3 check "yes" or "no" and a statement instructing the registrant not to  
4 complete the form if the registrant checked "no".
- 5           16. A statement that the registrant has not been convicted of  
6 treason or a felony, or if so, that the registrant's civil rights have  
7 been restored.
- 8           17. A statement that the registrant is a resident of this state and  
9 of the county in which the registrant is registering.
- 10          18. A statement that executing a false registration is a class 6  
11 felony.
- 12          19. The signature of the registrant.
- 13          20. If the registrant is unable to sign the form, a statement that  
14 the affidavit was completed according to the registrant's direction.
- 15          21. A statement that if an applicant declines to register to vote,  
16 the fact that the applicant has declined to register will remain  
17 confidential and will be used only for voter registration purposes.
- 18          22. A statement that if an applicant does register to vote, the  
19 office at which the applicant submits a voter registration application  
20 will remain confidential and will be used only for voter registration  
21 purposes.
- 22          23. A statement that the applicant shall submit evidence of United  
23 States citizenship with the application **IN ORDER TO BE ELIGIBLE TO VOTE A**  
24 **FULL BALLOT** and that ~~the registrar shall reject the application~~ if no  
25 evidence of citizenship is ~~attached~~ **PROVIDED, THE APPLICANT WILL BE**  
26 **ELIGIBLE TO BE REGISTERED FOR ONLY A BALLOT FOR AN ELECTION FOR FEDERAL**  
27 **OFFICE.**
- 28          B. A duplicate voter receipt shall be provided with the form that  
29 provides space for the name, street address and city of residence of the  
30 applicant, party preference and the date of signing. The voter receipt is  
31 evidence of valid registration for the purpose of casting a provisional  
32 ballot as prescribed in section 16-584, subsection B.
- 33          C. The state voter registration form shall be printed in a form  
34 prescribed by the secretary of state.
- 35          D. The county recorder may establish procedures to verify whether a  
36 registrant has successfully petitioned the court for an injunction against  
37 harassment pursuant to section 12-1809 or an order of protection pursuant  
38 to section 13-3602 and, if verified, to protect the registrant's residence  
39 address, telephone number or voting precinct number, if appropriate, from  
40 public disclosure.
- 41          E. Subsection A of this section does not apply to registrations  
42 received from the department of transportation pursuant to section 16-112.  
43 **SUBSECTIONS A AND B OF THIS SECTION DO NOT APPLY TO REGISTRATIONS RECEIVED**  
44 **FROM THE DEPARTMENT OF TRANSPORTATION OR OTHER SOURCE AGENCIES PURSUANT TO**  
45 **SECTION 16-113.**

1           Sec. 8. Subject to the requirements of article IV, part 1,  
2 section 1, Constitution of Arizona, section 16-166, Arizona Revised  
3 Statutes, is amended to read:

4           16-166. Verification of registration

5           A. Except for the mailing of sample ballots, a county recorder who  
6 mails an item to any elector shall send the mailing by nonforwardable  
7 first class mail marked with the statement required by the postmaster to  
8 receive an address correction notification. If the item is returned  
9 undelivered, the county recorder shall send a follow-up notice to that  
10 elector within three weeks of receipt of the returned notice. The county  
11 recorder shall send the follow-up notice to the address that appears in  
12 the general county register or to the forwarding address provided by the  
13 United States postal service. The follow-up notice shall include an  
14 appropriate internet address for revising voter registration information  
15 or a registration form and the information prescribed by section 16-131,  
16 subsection C and shall state that if the elector does not complete and  
17 return a new registration form with current information to the county  
18 recorder or make changes to the elector's voter registration information  
19 that is maintained online within thirty-five days, the elector's  
20 registration status shall be changed from active to inactive.

21           B. If the elector provides the county recorder with a new  
22 registration form or otherwise revises the elector's information, the  
23 county recorder shall change the general register to reflect the changes  
24 indicated on the new registration. If the elector indicates a new  
25 residence address outside that county, the county recorder shall forward  
26 the voter registration form or revised information to the county recorder  
27 of the county in which the elector's address is located. If the elector  
28 provides a new residence address that is located outside this state, the  
29 county recorder shall cancel the elector's registration.

30           C. The county recorder shall maintain on the inactive voter list  
31 the names of electors who have been removed from the general register  
32 pursuant to subsection A ~~or E~~ of this section for a period of four years  
33 or through the date of the second general election for federal office  
34 following the date of the notice from the county recorder that is sent  
35 pursuant to subsection E of this section.

36           D. On notice that a government agency has changed the name of any  
37 street, route number, post office box number or other address designation,  
38 the county recorder shall revise the registration records and shall send a  
39 new verification of registration notice to the electors whose records were  
40 changed.

41           E. The county recorder on or before May 1 of each year preceding a  
42 state primary and general election or more frequently as the recorder  
43 deems necessary may use the change of address information supplied by the  
44 postal service through its licensees to identify registrants whose  
45 addresses may have changed. If it appears from information provided by

1 the postal service that a registrant has moved to a different residence  
 2 address in the same county, the county recorder shall change the  
 3 registration records to reflect the new address and shall send the  
 4 registrant a notice of the change by forwardable mail and a postage  
 5 prepaid preaddressed return form or an appropriate internet address for  
 6 revising voter registration information by which the registrant may verify  
 7 or correct the registration information. ~~If the registrant fails to~~  
 8 ~~revise the information or return the form postmarked not later than~~  
 9 ~~thirty-five days after the mailing of the notice, the elector's~~  
 10 ~~registration status shall be changed from active to inactive. If the~~  
 11 ~~notice sent by the recorder is not returned, the registrant may be~~  
 12 ~~required to provide affirmation or confirmation of the registrant's~~  
 13 ~~address in order to vote. If the registrant does not vote in an election~~  
 14 ~~during the period after the date of the notice from the recorder through~~  
 15 ~~the date of the second general election for federal office following the~~  
 16 ~~date of that notice, the registrant's name shall be removed from the list~~  
 17 ~~of inactive voters.~~ If the registrant has changed residence to a new  
 18 county, the county recorder shall provide information on how the  
 19 registrant can continue to be eligible to vote.

20 F. The county recorder shall reject any application for  
 21 registration that is not accompanied by satisfactory evidence of United  
 22 States citizenship. Satisfactory evidence of citizenship shall include  
 23 any of the following:

24 1. The number of the applicant's driver license or nonoperating  
 25 identification license issued after October 1, 1996 by the department of  
 26 transportation or the equivalent governmental agency of another state  
 27 within the United States if the agency indicates on the applicant's driver  
 28 license or nonoperating identification license that the person has  
 29 provided satisfactory proof of United States citizenship.

30 2. A legible photocopy of the applicant's birth certificate that  
 31 verifies citizenship to the satisfaction of the county recorder.

32 3. A legible photocopy of pertinent pages of the applicant's United  
 33 States passport identifying the applicant and the applicant's passport  
 34 number or presentation to the county recorder of the applicant's United  
 35 States passport.

36 4. A presentation to the county recorder of the applicant's United  
 37 States naturalization documents or the number of the certificate of  
 38 naturalization. If only the number of the certificate of naturalization  
 39 is provided, the applicant shall not be included in the registration rolls  
 40 until the number of the certificate of naturalization is verified with the  
 41 United States ~~immigration and naturalization service~~ **CITIZENSHIP AND**  
 42 **IMMIGRATION SERVICES** by the county recorder.

43 5. Other documents or methods of proof that are established  
 44 pursuant to the immigration reform and control act of 1986.

1           6. The applicant's bureau of Indian affairs card number, tribal  
2 treaty card number or tribal enrollment number.

3           7. AN OFFICIAL NOTIFICATION FROM ANY GOVERNMENT AGENCY IN THIS  
4 STATE THAT THE GOVERNMENT AGENCY HAS RECEIVED SATISFACTORY EVIDENCE OF  
5 CITIZENSHIP FOR THE VOTER REGISTRATION APPLICANT.

6           G. Notwithstanding subsection F of this section, any person who is  
7 registered in this state on ~~the effective date of this amendment to this~~  
8 ~~section~~ DECEMBER 8, 2004 is deemed to have provided satisfactory evidence  
9 of citizenship and shall not be required to resubmit evidence of  
10 citizenship ~~unless the person is changing voter registration from one~~  
11 ~~county to another.~~

12           H. For the purposes of this section, proof of voter registration  
13 from another state ~~or county~~ is not satisfactory evidence of citizenship.

14           I. A person who modifies voter registration records with a new  
15 residence ballot shall not be required to submit evidence of citizenship.  
16 After citizenship has been demonstrated to the county recorder, the person  
17 is not required to resubmit satisfactory evidence of citizenship in that  
18 county.

19           J. After a person has submitted satisfactory evidence of  
20 citizenship, the county recorder shall indicate this information in the  
21 person's permanent voter file. After two years the county recorder may  
22 destroy all documents that were submitted as evidence of citizenship.

23           Sec. 9. Section 16-182, Arizona Revised Statutes, is amended to  
24 read:

25           16-182. False registration; violation; classification;  
26 cancellation of registration

27           A. A person who knowingly ~~causes, procures or allows himself to be~~  
28 ~~registered~~ REGISTERS as an elector of any county, city, town, district or  
29 precinct, knowing that ~~he~~ THE PERSON is not entitled to such registration,  
30 or a person who knowingly causes or procures another person to be  
31 registered as an elector of any county, city, town, district or precinct,  
32 knowing that such other person is not entitled to such registration, or an  
33 officer who knowingly enters the name of any person not entitled to  
34 registration ~~upon~~ ON the register or roll of electors, is guilty of a  
35 class 6 felony. FAILURE TO RETURN THE RETURN FORM PRESCRIBED UNDER  
36 SECTION 16-113 DOES NOT CONSTITUTE KNOWINGLY REGISTERING AS AN ELECTOR.

37           B. If on the trial of a person charged with an offense under this  
38 section, it appears that the accused is registered as an elector of any  
39 county, city, town or precinct, without being qualified for such  
40 registration, the court shall order ~~his~~ THE ACCUSED'S registration  
41 canceled.

42           C. UNLESS A PERSON WHO IS INELIGIBLE TO REGISTER TO VOTE  
43 INTENTIONALLY TAKES ACTION TO REGISTER TO VOTE KNOWING THAT THE PERSON IS  
44 NOT ELIGIBLE TO REGISTER, THE TRANSFER OF THE PERSON'S ELECTRONIC RECORD  
45 UNDER SECTION 16-113 DOES NOT CONSTITUTE THE COMPLETION OF A VOTER



1 REGISTRATION FORM BY THAT PERSON AND THAT PERSON SHALL NOT BE CONSIDERED  
2 TO HAVE REGISTERED TO VOTE. NOTWITHSTANDING SECTION 16-1016, IF SUCH A  
3 PERSON VOTES OR ATTEMPTS TO VOTE AFTER THE EFFECTIVE DATE OF THAT PERSON'S  
4 REGISTRATION, THAT PERSON IS NOT GUILTY OF ANY CRIME UNLESS THAT PERSON  
5 VOTES OR ATTEMPTS TO VOTE KNOWING THAT THE PERSON IS NOT ELIGIBLE TO DO  
6 SO. IF SUCH A REGISTRATION IS PROCESSED BY THIS STATE, THE REGISTRATION  
7 IS PRESUMED TO HAVE BEEN OFFICIALLY AUTHORIZED BY THIS STATE AND THE  
8 PERSON IS NOT SUBJECT TO ANY PENALTY.

9 Sec. 10. Title 16, chapter 4, article 1, Arizona Revised Statutes,  
10 is amended by adding section 16-406.01, to read:

11 16-406.01. Right to vote secret ballot

12 EVERY CITIZEN OF THE UNITED STATES WHO IS A QUALIFIED ELECTOR IN  
13 THIS STATE SHALL HAVE THE RIGHT, AFTER REGISTERING TO VOTE, TO VOTE A  
14 SECRET BALLOT IN ALL ELECTIONS CALLED PURSUANT TO THE LAWS OF THIS STATE  
15 FOR WHICH THE CITIZEN IS ELIGIBLE TO VOTE.

16 Sec. 11. Title 16, chapter 4, article 2, Arizona Revised Statutes,  
17 is amended by adding section 16-414, to read:

18 16-414. Polling places on Indian lands; minimum required;  
19 notice and comment; interactive processes with  
20 Indian tribes; procedure; private right of action;  
21 definitions

22 A. WHEN DETERMINING PRECINCT BOUNDARIES, POLLING PLACES AND VOTING  
23 CENTER LOCATIONS, EARLY VOTING LOCATIONS AND HOURS OF OPERATION, THE BOARD  
24 OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS OF EACH COUNTY SHALL  
25 PROVIDE NOTICE TO THE INDIAN TRIBES WITHIN THE COUNTY, PROVIDE AN  
26 OPPORTUNITY FOR COMMENT FROM THE INDIAN TRIBES WITHIN THE COUNTY AND  
27 COOPERATE AND COORDINATE ALL ASPECTS OF THE DETERMINATIONS WITH AGENTS AND  
28 REPRESENTATIVES OF THE INDIAN TRIBES WITHIN THE COUNTY. THE NOTICE,  
29 COMMENT AND INTERACTIVE PROCESSES ARE SUBJECT TO OPEN MEETING AND PUBLIC  
30 RECORDS REQUIREMENTS. THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF  
31 ELECTIONS OF EACH COUNTY SHALL PLACE AT LEAST ONE PRECINCT AND AT LEAST  
32 ONE POLLING PLACE, EARLY VOTING LOCATION OR VOTING CENTER ON THE INDIAN  
33 LANDS OF EACH INDIAN TRIBE WITHIN THE COUNTY AT A LOCATION SELECTED BY THE  
34 INDIAN TRIBE, UNLESS THE TRIBE CERTIFIES TO THE COUNTY THAT IT HAS NO  
35 MEMBERS RESIDING IN THE COUNTY.

36 B. THIS SECTION DOES NOT DENY THE RIGHT OF ELDERLY PERSONS OR  
37 PERSONS WITH DISABILITIES TO CAST A BALLOT IN AN ACCESSIBLE MANNER. THE  
38 BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS, TO THE EXTENT  
39 POSSIBLE, SHALL ENSURE ACCESSIBILITY OF THE LOCATIONS CHOSEN ON EITHER A  
40 PERMANENT OR TEMPORARY BASIS. IF CHOSEN LOCATIONS CANNOT BE MADE  
41 ACCESSIBLE ON AT LEAST A TEMPORARY BASIS, THE BOARD OF SUPERVISORS OR  
42 OFFICER IN CHARGE OF ELECTIONS SHALL PROVIDE ALTERNATIVE VOTING PROCEDURES  
43 PURSUANT TO SECTION 16-581.

1 C. ANY INDIAN TRIBE, MEMBER OF A TRIBE, INTERESTED PARTY OR  
2 QUALIFIED ELECTOR MAY FILE A CIVIL ACTION IN SUPERIOR COURT CHALLENGING  
3 THE LEGAL SUFFICIENCY OF THE DETERMINATIONS MADE, PROCESS OR PROCEDURES  
4 PURSUANT TO THIS SECTION OR SECTION 16-411, INCLUDING SEEKING AN  
5 INJUNCTION OR A MANDAMUS ACTION. WITHIN TEN DAYS AFTER THE FILING OF THE  
6 ACTION, THE SUPERIOR COURT SHALL HEAR AND RENDER A DECISION ON THE MATTER.  
7 THE DECISION IS APPEALABLE ONLY TO THE SUPREME COURT, AND NOTICE OF APPEAL  
8 SHALL BE FILED WITHIN FIVE DAYS AFTER THE DECISION OF THE SUPERIOR COURT  
9 IN THE ACTION. THE SUPREME COURT SHALL HEAR AND RENDER A DECISION ON THE  
10 APPEAL PROMPTLY.

11 D. FOR THE PURPOSES OF THIS SECTION:

12 1. "INDIAN LANDS" HAS THE SAME MEANING PRESCRIBED IN SECTION  
13 5-601.02.

14 2. "INDIAN TRIBE" HAS THE SAME MEANING PRESCRIBED IN SECTION  
15 5-601.02.

16 Sec. 12. Section 16-542, Arizona Revised Statutes, is amended to  
17 read:

18 16-542. Request for ballot; civil penalties; violation;  
19 classification

20 A. Within ninety-three days before any election called pursuant to  
21 the laws of this state, an elector may make a verbal or signed request to  
22 the county recorder, or other officer in charge of elections for the  
23 applicable political subdivision of this state in whose jurisdiction the  
24 elector is registered to vote, for an official early ballot. In addition  
25 to name and address, the requesting elector shall provide the date of  
26 birth and state or country of birth or other information that if compared  
27 to the voter registration information on file would confirm the identity  
28 of the elector. If the request indicates that the elector needs a primary  
29 election ballot and a general election ballot, the county recorder or  
30 other officer in charge of elections shall honor the request. For any  
31 partisan primary election, if the elector is not registered as a member of  
32 a political party that is entitled to continued representation on the  
33 ballot pursuant to section 16-804, the elector shall designate the ballot  
34 of only one of the political parties that is entitled to continued  
35 representation on the ballot and the elector may receive and vote the  
36 ballot of only that one political party, which also shall include any  
37 nonpartisan offices and ballot questions, or the elector shall designate  
38 the ballot for nonpartisan offices and ballot questions only and the  
39 elector may receive and vote the ballot that contains only nonpartisan  
40 offices and ballot questions. The county recorder or other officer in  
41 charge of elections shall process any request for an early ballot for a  
42 municipal election pursuant to this subsection. The county recorder may  
43 establish on-site early voting locations at the recorder's office, which  
44 shall be open and available for use beginning the same day that a county  
45 begins to send out the early ballots. The county recorder may also

1 establish any other early voting locations in the county the recorder  
 2 deems necessary. Any on-site early voting location or other early voting  
 3 location shall require each elector to present identification as  
 4 prescribed in section 16-579 before receiving a ballot. Notwithstanding  
 5 section 16-579, subsection A, paragraph 2, at any on-site early voting  
 6 location or other early voting location the county recorder or other  
 7 officer in charge of elections may provide for a qualified elector to  
 8 update the elector's voter registration information as provided for in the  
 9 secretary of state's instructions and procedures manual adopted pursuant  
 10 to section 16-452. NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR  
 11 OTHER OFFICER IN CHARGE OF ELECTIONS WHO ESTABLISHES EARLY VOTING  
 12 LOCATIONS MAY CONTINUE TO OPERATE THOSE EARLY VOTING LOCATIONS AND ON-SITE  
 13 EARLY VOTING LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY PRECEDING  
 14 ELECTION DAY, EXCEPT THAT EARLY VOTING SHALL END FOR EARLY VOTING  
 15 LOCATIONS OR ON-SITE EARLY VOTING LOCATIONS AS NEEDED TO ENSURE THAT  
 16 PRECINCT REGISTERS AND OTHER ELECTION MATERIALS ARE REVISED FOR USE ON  
 17 ELECTION DAY TO INDICATE WHICH VOTERS HAVE REQUESTED AN EARLY BALLOT,  
 18 WHICH VOTERS HAVE ALREADY VOTED AND WHICH VOTERS ARE ON THE INACTIVE VOTER  
 19 LIST.

20 B. Notwithstanding subsection A of this section, a request for an  
 21 official early ballot from an absent uniformed services voter or overseas  
 22 voter as defined in the uniformed and overseas citizens absentee voting  
 23 act ~~of 1986~~ (P.L. 99-410; 52 United States Code section 20310) or a voter  
 24 whose information is protected pursuant to section 16-153 that is received  
 25 by the county recorder or other officer in charge of elections more than  
 26 ninety-three days before the election is valid. If requested by the  
 27 absent uniformed services or overseas voter, or a voter whose information  
 28 is protected pursuant to section 16-153, the county recorder or other  
 29 officer in charge of elections shall provide to the requesting voter early  
 30 ballot materials through the next regularly scheduled general election for  
 31 federal office immediately following receipt of the request unless a  
 32 different period of time, which does not exceed the next two regularly  
 33 scheduled general elections for federal office, is designated by the  
 34 voter.

35 C. The county recorder or other officer in charge of elections  
 36 shall mail the early ballot and the envelope for its return postage  
 37 prepaid to the address provided by the requesting elector within five days  
 38 after receipt of the official early ballots from the officer charged by  
 39 law with the duty of preparing ballots pursuant to section 16-545, except  
 40 that early ballot distribution shall not begin more than twenty-seven days  
 41 before the election. If an early ballot request is received on or before  
 42 the thirty-first day before the election, the early ballot shall be  
 43 distributed not earlier than the twenty-seventh day before the election  
 44 and not later than the twenty-fourth day before the election.

1 D. Only the elector may be in possession of that elector's unvoted  
 2 early ballot. If a complete and correct request is made by the elector  
 3 within twenty-seven days before the election, the mailing must be made  
 4 within forty-eight hours after receipt of the request. Saturdays, Sundays  
 5 and other legal holidays are excluded from the computation of the  
 6 forty-eight hour period prescribed by this subsection. If a complete and  
 7 correct request is made by an absent uniformed services voter or an  
 8 overseas voter before the election, the regular early ballot shall be  
 9 transmitted by mail, by fax or by other electronic format approved by the  
 10 secretary of state within twenty-four hours after the early ballots are  
 11 delivered pursuant to section 16-545, subsection B, excluding Sundays.

12 E. In order to be complete and correct and to receive an early  
 13 ballot by mail, an elector's request that an early ballot be mailed to the  
 14 elector's residence or temporary address must include all of the  
 15 information prescribed by subsection A of this section and must be  
 16 received by the county recorder or other officer in charge of elections ~~no~~  
 17 NOT later than 5:00 p.m. on the eleventh day preceding the election. An  
 18 elector who appears personally ~~no~~ NOT later than 5:00 p.m. on the Friday  
 19 preceding the election at an on-site early voting location OR OTHER EARLY  
 20 VOTING LOCATION that is established by the county recorder or other  
 21 officer in charge of elections shall be given a ballot after presenting  
 22 identification as prescribed in section 16-579 and shall be ~~permitted~~  
 23 ALLOWED to vote at the on-site location OR OTHER EARLY VOTING LOCATION,  
 24 EXCEPT THAT IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS  
 25 IS ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTION MATERIALS IN A  
 26 TIMELY MANNER FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF  
 27 THIS SECTION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS  
 28 MAY OPERATE THE ON-SITE EARLY VOTING LOCATIONS OR OTHER EARLY VOTING  
 29 LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY PRECEDING ELECTION  
 30 DAY. Notwithstanding section 16-579, subsection A, paragraph 2, at any  
 31 on-site early voting location the county recorder or other officer in  
 32 charge of elections may provide for a qualified elector to update the  
 33 elector's voter registration information as provided for in the secretary  
 34 of state's instructions and procedures manual adopted pursuant to section  
 35 16-452. If an elector's request to receive an early ballot is not  
 36 complete and correct but complies with all other requirements of this  
 37 section, the county recorder or other officer in charge of elections shall  
 38 attempt to notify the elector of the deficiency of the request.

39 F. Unless an elector specifies that the address to which an early  
 40 ballot is to be sent is a temporary address, the recorder may use the  
 41 information from an early ballot request form to update voter registration  
 42 records.

43 G. The county recorder or other officer in charge of early  
 44 balloting shall provide an alphabetized list of all voters in the precinct  
 45 who have requested and have been sent an early ballot to the election

1 board of the precinct in which the voter is registered not later than the  
2 day before the election.

3 H. As a result of experiencing an emergency between 5:00 p.m. on  
4 the Friday preceding the election and 5:00 p.m. on the Monday preceding  
5 the election, qualified electors may request to vote in the manner  
6 prescribed by the board of supervisors of their respective county. Before  
7 voting pursuant to this subsection, an elector who experiences an  
8 emergency shall provide identification as prescribed in section 16-579 and  
9 shall sign a statement under penalty of perjury that states that the  
10 person is experiencing or experienced an emergency after 5:00 p.m. on the  
11 Friday immediately preceding the election and before 5:00 p.m. on the  
12 Monday immediately preceding the election that would prevent the person  
13 from voting at the polls. Signed statements received pursuant to this  
14 subsection are not subject to inspection pursuant to title 39, chapter 1,  
15 article 2. For the purposes of this subsection, "emergency" means any  
16 unforeseen circumstances that would prevent the elector from voting at the  
17 polls.

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

24 J. A candidate, political committee or other organization may  
25 distribute early ballot request forms to voters. If the early ballot  
26 request forms include a printed address for return, the addressee shall be  
27 the political subdivision that will conduct the election. Failure to use  
28 the political subdivision as the return addressee is punishable by a civil  
29 penalty of up to three times the cost of the production and distribution  
30 of the request.

31 K. All original and completed early ballot request forms that are  
32 received by a candidate, political committee or other organization shall  
33 be submitted within six business days after receipt by a candidate,  
34 political committee or other organization or eleven days before the  
35 election day, whichever is earlier, to the political subdivision that will  
36 conduct the election. Any person, political committee or other  
37 organization that fails to submit a completed early ballot request form  
38 within the prescribed time is subject to a civil penalty of up to \$25 per  
39 day for each completed form withheld from submittal. Any person who  
40 knowingly fails to submit a completed early ballot request form before the  
41 submission deadline for the election immediately following the completion  
42 of the form is guilty of a class 6 felony.

43 L. Except for a voter who is on the active early voting list  
44 prescribed by section 16-544, a voter who requests a onetime early ballot  
45 pursuant to **THIS** section ~~16-542~~ or for an election conducted pursuant to

1 section 16-409 or article 8.1 of this chapter, a county recorder, city or  
2 town clerk or other election officer may not deliver or mail an early  
3 ballot to a person who has not requested an early ballot for that  
4 election. An election officer who knowingly violates this subsection is  
5 guilty of a class 5 felony.

6 Sec. 13. Section 16-547, Arizona Revised Statutes, is amended to  
7 read:

8 16-547. Ballot affidavit; form

9 A. The early ballot shall be accompanied by an envelope bearing on  
10 the front the name, official title and post office address of the recorder  
11 or other officer in charge of elections and on the other side a printed  
12 affidavit in substantially the following form:

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

20 If the voter was assisted by another person in marking  
21 the ballot, complete the following:

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

31 Name of voter assistant: \_\_\_\_\_

32 Address of voter assistant: \_\_\_\_\_

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

40 C. The officer charged by law with the duty of preparing ballots at  
41 any election shall ensure that the early ballot is sent in an envelope  
42 that states substantially the following:

43 If the addressee does not reside at this address, mark  
44 the unopened envelope "return to sender" and deposit it in the  
45 United States mail.

1 D. The county recorder or other officer in charge of elections  
2 shall supply printed instructions to early voters that direct them to sign  
3 the affidavit, mark the ballot and return both in the enclosed  
4 self-addressed envelope that complies with section 16-545. The  
5 instructions shall include the following statement:

6 In order to be valid and counted, the ballot and  
7 affidavit must be delivered to the office of the county  
8 recorder or other officer in charge of elections or may be  
9 deposited at any polling place in the county ~~no~~ NOT later than  
10 7:00 p.m. on election day OR POSTMARKED BEFORE THE CLOSE OF  
11 THE POLLS ON ELECTION DAY. The ballot will not be counted  
12 without the voter's signature on the envelope.

13 (WARNING—It is a felony to offer or receive any compensation for a  
14 ballot.)

15 Sec. 14. Section 16-548, Arizona Revised Statutes, is amended to  
16 read:

17 16-548. Preparation and transmission of ballot

18 A. The early voter shall make and sign the affidavit and shall then  
19 mark ~~his~~ THE ballot in ~~such~~ a manner that ~~his~~ THE VOTER'S vote cannot be  
20 seen. The early voter shall fold the ballot, if a paper ballot, so as to  
21 conceal the vote and deposit the voted ballot in the envelope provided for  
22 that purpose, which shall be securely sealed and, together with the  
23 affidavit, delivered or mailed to the county recorder or other officer in  
24 charge of elections of the political subdivision in which the elector is  
25 registered or deposited by the voter or the voter's agent at any polling  
26 place in the county. A PERSON DEPOSITING OR RETURNING AN EARLY BALLOT  
27 SHALL NOT BE SUBJECT TO ANY ADDITIONAL REQUIREMENTS BEYOND THOSE FOR EARLY  
28 BALLOTS RETURNED BY MAIL. NOTWITHSTANDING ANY OTHER LAW, in order to be  
29 counted and valid, the ballot must be received by the county recorder or  
30 other officer in charge of elections or deposited at any polling place in  
31 the county ~~no~~ NOT later than 7:00 p.m. on election day OR POSTMARKED OR  
32 OTHERWISE INDICATED BY THE UNITED STATES POSTAL SERVICE TO HAVE BEEN  
33 MAILED ON OR BEFORE THE CLOSE OF THE POLLS AND RECEIVED BY THE COUNTY  
34 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN FIVE  
35 BUSINESS DAYS AFTER A GENERAL ELECTION THAT INCLUDES AN ELECTION FOR A  
36 FEDERAL OFFICE AND WITHIN THREE BUSINESS DAYS AFTER ANY OTHER ELECTION.

37 B. If the early voter is an overseas citizen, a qualified elector  
38 absent from the United States or in the United States service, a spouse or  
39 dependent residing with the early voter or a qualified elector of a  
40 special district mail ballot election as provided in article 8.1 of this  
41 chapter, the early voter may subscribe to the affidavit before and obtain  
42 the signature and military identification number or passport number, if  
43 available, of any person who is a United States citizen eighteen years of  
44 age or older.

1           Sec. 15. Section 16-550, Arizona Revised Statutes, is amended to  
2 read:

3           16-550. Receipt of voter's ballot; cure period

4           A. On receipt of the envelope containing the early ballot and the  
5 ballot affidavit ~~WHETHER DEPOSITED AT ANY POLLING PLACE, VOTING CENTER,~~  
6 ~~EARLY VOTING CENTER OR COUNTY RECORDER'S OFFICE IN THE COUNTY, RETURNED BY~~  
7 ~~MAIL OR RETURNED IN ANY OTHER MANNER ESTABLISHED BY A COUNTY RECORDER OR~~  
8 ~~OTHER OFFICER IN CHARGE OF ELECTIONS~~, the county recorder or other officer  
9 in charge of elections shall compare the signatures thereon with the  
10 signature of the elector on the elector's registration record. If the  
11 signature is ~~MISSING OR~~ inconsistent with the elector's signature on the  
12 elector's registration record, the county recorder or other officer in  
13 charge of elections shall make reasonable efforts to contact the voter,  
14 advise the voter of the ~~inconsistent signature~~ DEFICIENCY and allow the  
15 voter to correct or the county to confirm the ~~inconsistent signature~~  
16 DEFICIENCY. The county recorder or other officer in charge of elections  
17 shall allow ~~signatures~~ DEFICIENCIES to be corrected not later than the  
18 fifth business day after a primary, general or special election that  
19 includes a federal office or the third business day after any other  
20 election. ~~If the signature is missing, the county recorder or other~~  
21 ~~officer in charge of elections shall make reasonable efforts to contact~~  
22 ~~the elector, advise the elector of the missing signature and allow the~~  
23 ~~elector to add the elector's signature not later than 7:00 p.m. on~~  
24 ~~election day.~~ If satisfied that the signatures correspond, the recorder  
25 or other officer in charge of elections shall hold the envelope containing  
26 the early ballot and the completed affidavit unopened in accordance with  
27 the rules of the secretary of state.

28           B. The recorder or other officer in charge of elections shall  
29 thereafter safely keep the affidavits and early ballots in the recorder's  
30 or other officer's office and may deliver them for tallying pursuant to  
31 section 16-551. Tallying of ballots may begin immediately after the  
32 envelope and completed affidavit are processed pursuant to this section  
33 and delivered to the early election board.

34           C. The county recorder shall send a list of all voters who were  
35 issued early ballots to the election board of the precinct in which the  
36 voter is registered.

37           D. This section does not apply to:

38           1. A special taxing district that is authorized pursuant to section  
39 16-191 to conduct its own elections.

40           2. A special district mail ballot election that is conducted  
41 pursuant to article 8.1 of this chapter.



1           Sec. 16. Title 16, chapter 4, article 10, Arizona Revised Statutes,  
2 is amended by adding section 16-602.01, to read:

3           16-602.01. Risk-limiting audits; definitions

4           A. NOT LATER THAN DECEMBER 31, 2024, THE SECRETARY OF STATE, COUNTY  
5 RECORDERS AND OTHER OFFICERS IN CHARGE OF ELECTIONS SHALL EVALUATE  
6 INCORPORATING RISK-LIMITING AUDIT PROTOCOLS INTO THE HAND COUNT PROCEDURES  
7 PRESCRIBED IN THIS TITLE, INCLUDING IN SECTION 16-602.

8           B. WHEN ADOPTING THE RULES FOR RISK-LIMITING AUDITS IN THE  
9 INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-542, THE  
10 SECRETARY OF STATE SHALL CONSULT RECOGNIZED STATISTICAL EXPERTS, EQUIPMENT  
11 VENDORS AND COUNTY RECORDERS AND SHALL CONSIDER BEST PRACTICES FOR  
12 CONDUCTING RISK-LIMITING AUDITS.

13           C. FOR THE PURPOSES OF THIS SECTION:

14           1. "INCORRECT OUTCOME" MEANS AN OUTCOME THAT IS INCONSISTENT WITH  
15 THE ELECTION OUTCOME THAT WOULD BE OBTAINED BY CONDUCTING A FULL HAND  
16 RECOUNT.

17           2. "LIMIT" MEANS THE LARGEST STATISTICAL PROBABILITY THAT AN  
18 INCORRECT REPORTED TABULATION OUTCOME IS NOT DETECTED AND CORRECTED IN A  
19 RISK-LIMITING AUDIT.

20           3. "RISK-LIMITING AUDIT" MEANS AN AUDIT PROTOCOL THAT USES  
21 STATISTICAL METHODS AND THAT IS DESIGNED TO LIMIT TO ACCEPTABLE LEVELS THE  
22 RISK OF CERTIFYING A PRELIMINARY ELECTION OUTCOME THAT CONSTITUTES AN  
23 INCORRECT OUTCOME.

24           Sec. 17. Section 16-901, Arizona Revised Statutes, is amended to  
25 read:

26           16-901. Definitions

27           In this chapter, unless the context otherwise requires:

28           1. "Advertisement" means information or materials, other than  
29 nonpaid social media messages, that are mailed, ~~e-mailed~~ EMAILED, posted,  
30 distributed, published, displayed, delivered, broadcasted or placed in a  
31 communication medium and that are for the purpose of influencing an  
32 election.

33           2. "Affiliate" means any organization that controls, is controlled  
34 by or is under common control with a corporation, limited liability  
35 company or labor organization.

36           3. "Agent" means any person who has actual authority, either  
37 express or implied, to represent or make decisions on behalf of another  
38 person.

39           4. "Ballot measure expenditure" means an expenditure made by a  
40 person that expressly advocates the support or opposition of a clearly  
41 identified ballot measure.

42           5. "Best effort" means that a committee treasurer or treasurer's  
43 agent makes at least one written effort, including an attempt by ~~e-mail~~  
44 EMAIL, text message, private message through social media or other similar

1 communication, or at least one oral effort that is documented in writing  
2 to identify the contributor of an incomplete contribution.

3 6. "Calendar quarter" means a period of three consecutive calendar  
4 months ending on March 31, June 30, September 30 or December 31.

5 7. "Candidate" means an individual who receives contributions or  
6 makes expenditures or who gives consent to another person to receive  
7 contributions or make expenditures on behalf of that individual in  
8 connection with the candidate's nomination, election or retention for any  
9 public office.

10 8. "Candidate committee" includes the candidate.

11 9. "Clearly identified candidate" means that the name or a  
12 description, image, photograph or drawing of the candidate appears or the  
13 identity of the candidate is otherwise apparent by unambiguous reference.

14 10. "Committee" means a candidate committee, a political action  
15 committee or a political party.

16 11. "Contribution" means any money, advance, deposit or other thing  
17 of value that is made to a person for the purpose of influencing an  
18 election. Contribution includes:

19 (a) A contribution that is made to retire campaign debt from a  
20 previous election cycle.

21 (b) Money or the fair market value of anything that is directly or  
22 indirectly provided to an elected official for the specific purpose of  
23 defraying the expense of communications with constituents.

24 (c) The full purchase price of any item from a committee.

25 (d) A loan that is made to a committee for the purpose of  
26 influencing an election, to the extent the loan remains outstanding.

27 12. "Control" means to possess, directly or indirectly, the power  
28 to direct or to cause the direction of the management or policies of  
29 another organization, whether through voting power, ownership, contract or  
30 otherwise.

31 13. "Coordinate", "coordinated" or "coordination" means the  
32 coordination of an expenditure as prescribed by section 16-922.

33 14. "Coordinated party expenditures" means expenditures that are  
34 made by a political party to directly pay for goods or services on behalf  
35 of its nominee.

36 15. "District office" means an elected office established or  
37 organized pursuant to title 15 or 48.

38 16. "Earmarked" means a designation, instruction or encumbrance  
39 between the transferor of a contribution and a transferee that requires  
40 the transferee to make a contribution to a clearly identified candidate.

41 17. "Election" means any election for any ballot measure in this  
42 state or any candidate election during a primary, general, recall, special  
43 or runoff election for any office in this state other than a federal  
44 office and a political party office prescribed by chapter 5, article 2 of  
45 this title.

1           18. "Election cycle" means the ~~two-year~~ period beginning on January  
2 1 in the year after a ~~statewide~~ general election and ending on December 31  
3 in the year of ~~a statewide~~ THE NEXT SUCCESSIVE general election FOR A  
4 PARTICULAR ELECTED OFFICE, or, for cities and towns, the ~~two-year~~ period  
5 beginning on the first day of the calendar quarter after the calendar  
6 quarter in which the city's or town's second, runoff or general election  
7 is scheduled and ending on the last day of the calendar quarter in which  
8 the city's or town's immediately following second, runoff or general  
9 election is scheduled, however that election is designated by the city or  
10 town FOR EACH ELECTED OFFICE. For the purposes of a:

11           (a) Recall election, "election cycle" means the period between  
12 issuance of a recall petition serial number and the latest of the  
13 following:

14           (i) The date of the recall election that is called pursuant to  
15 section 19-209.

16           (ii) The date that a resignation is accepted pursuant to section  
17 19-208.

18           (iii) The date that the receiving officer provides notice pursuant  
19 to section 19-208.01 that the number of signatures is insufficient.

20           (b) Special election, "election cycle" means the period between the  
21 date of issuance of a proclamation or order calling the special election  
22 and the last day of the calendar quarter in which the special election is  
23 held.

24           19. "Employee" means an individual who is entitled to compensation  
25 for labor or services performed for the individual's employer.

26           20. "Employer" means any person that pays compensation to and  
27 directs the labor or services of any individual in the course of  
28 employment.

29           21. "Enforcement officer" means the attorney general or the county,  
30 city or town attorney with authority to collect fines or issue penalties  
31 with respect to a given election pursuant to section 16-938.

32           22. "Entity" means a corporation, limited liability company, labor  
33 organization, partnership, trust, association, organization, joint  
34 venture, cooperative, unincorporated organization or association or other  
35 organized group that consists of more than one individual.

36           23. "Excess contribution" means a contribution that exceeds the  
37 applicable contribution limits for a particular election.

38           24. "Exclusive insurance contract" means an insurance producer's  
39 contract with an insurer that does either of the following:

40           (a) Prohibits the producer from soliciting insurance business for  
41 any other insurer.

42           (b) Requires a right of first refusal on all lines of insurance  
43 business written by the insurer and solicited by the producer.

44           25. "Expenditure" means any purchase, payment or other thing of  
45 value that is made by a person for the purpose of influencing an election.

1           26. "Family contribution" means any contribution that is provided  
2 to a candidate's committee by the parent, grandparent,  ~~aunt, uncle,~~ child  
3 or sibling of the candidate or the candidate's spouse, including the  
4 spouse of any of the listed family members, regardless of whether the  
5 relation is established by marriage or adoption.

6           27. "Filing officer" means the secretary of state or the county,  
7 city or town officer in charge of elections for that jurisdiction who  
8 accepts statements and reports for those elections pursuant to section  
9 16-928.

10          28. "Firewall" means a written policy that precludes one person  
11 from sharing information with another person.

12          29. "Identification" or "identify" means:

13           (a) For an individual, the individual's first and last name,  
14 residence location or street address and occupation and the name of the  
15 individual's primary employer.

16           (b) For any other person, the person's full name and physical  
17 location or street address.

18          30. "Incomplete contribution" means any contribution that is  
19 received by a committee for which the contributor's complete  
20 identification has not been obtained.

21          31. "Independent expenditure" means an expenditure by a person,  
22 other than a candidate committee, that complies with both of the  
23 following:

24           (a) Expressly advocates the election or defeat of a clearly  
25 identified candidate.

26           (b) Is not made in cooperation or consultation with or at the  
27 request or suggestion of the candidate or the candidate's agent.

28          32. "In-kind contribution" means a contribution of goods, services  
29 or anything of value that is provided without charge or at less than the  
30 usual and normal charge.

31          33. "Insurance producer" means a person that:

32           (a) Is required to be licensed to sell, solicit or negotiate  
33 insurance.

34           (b) Has an exclusive insurance contract with an insurer.

35          34. "Itemized" means that each contribution received or expenditure  
36 made is set forth separately.

37          35. "Labor organization" means any employee representation  
38 organization that exists for the purpose of dealing with employers  
39 concerning grievances, labor disputes, wages, rates of pay, hours of  
40 employment or other conditions of employment.

41          36. "Legislative office" means the office of representative in the  
42 state house of representatives or senator in the state senate.

43          37. "Mega PAC status" means official recognition that a political  
44 action committee has received contributions from five hundred or more

1 individuals in amounts of ~~ten dollars~~ \$10 or more in the four-year period  
2 immediately before application to the secretary of state.

3 38. "Nominee" means a candidate who prevails in a primary election  
4 for partisan office and includes the nominee's candidate committee.

5 39. "Person" means an individual or a candidate, nominee,  
6 committee, corporation, limited liability company, labor organization,  
7 partnership, trust, association, organization, joint venture, cooperative  
8 or unincorporated organization or association.

9 40. "Personal monies" means any of the following:

10 (a) Assets to which the individual or individual's spouse has  
11 either legal title or an equitable interest.

12 (b) Salary and other earned income from bona fide employment of the  
13 individual or individual's spouse.

14 (c) Dividends and proceeds from the sale of investments of the  
15 individual or individual's spouse.

16 (d) Bequests to the individual or individual's spouse.

17 (e) Income to the individual or individual's spouse from revocable  
18 trusts for which the individual or individual's spouse is a beneficiary.

19 (f) Gifts of a personal nature to the individual or individual's  
20 spouse that would have been given regardless of whether the individual  
21 became a candidate or accepted a contribution.

22 (g) The proceeds of loans obtained by the individual or  
23 individual's spouse that are secured by collateral or security provided by  
24 the individual or individual's spouse.

25 (h) Family contributions.

26 41. "Political action committee" means an entity that is required  
27 to register as a political action committee pursuant to section 16-905.

28 42. "Political party" means a committee that meets the requirements  
29 for recognition as a political party pursuant to chapter 5 of this title.

30 43. "Primary purpose" means an entity's predominant purpose.  
31 Notwithstanding any other law or rule, an entity is not organized for the  
32 primary purpose of influencing an election if all of the following apply  
33 at the time the contribution or expenditure is made:

34 (a) The entity has tax exempt status under section 501(a) of the  
35 internal revenue code.

36 (b) Except for a religious organization, assembly or institution,  
37 the entity has properly filed a form 1023 or form 1024 with the internal  
38 revenue service or the equivalent successor form designated by the  
39 internal revenue service.

40 (c) The entity's tax exempt status has not been denied or revoked  
41 by the internal revenue service.

42 (d) The entity has properly filed a form 990 with the internal  
43 revenue service or the equivalent successor form designated by the  
44 internal revenue service in compliance with the most recent filing  
45 deadline established by internal revenue service regulations or policies.

1 44. "Retention" means the election process by which a superior  
2 court judge, appellate court judge or supreme court justice is retained in  
3 office as prescribed by article VI, section 38 or 40, Constitution of  
4 Arizona.

5 45. "Separate segregated fund" means a fund established by a  
6 corporation, limited liability company, labor organization or partnership  
7 that is required to register as a political action committee.

8 46. "Social media messages" means forms of communication, including  
9 internet sites for social networking or blogging, through which users  
10 create a personal profile and participate in online communities to share  
11 information, ideas and personal messages.

12 47. "Sponsor" means ~~any person that establishes, administers or~~  
13 ~~contributes financial support to the administration of a political action~~  
14 ~~committee or that has common or overlapping membership or officers with~~  
15 ~~that political action committee~~ AN ENTITY THAT PAYS THE COSTS OF  
16 ESTABLISHING, ADMINISTERING AND SOLICITING CONTRIBUTIONS FROM ITS  
17 EMPLOYEES, MEMBERS, EXECUTIVES, STOCKHOLDERS AND RETIREES AND THEIR  
18 FAMILIES FOR ITS SEPARATE SEGREGATED FUND AND THAT ARE NOT CONTRIBUTIONS  
19 PURSUANT TO SECTION 16-911.

20 48. "Standing committee" means a political action committee or  
21 political party that is active in more than one reporting jurisdiction in  
22 this state and that files a statement of organization in a format  
23 prescribed by the secretary of state.

24 49. "Statewide office" means the office of governor, secretary of  
25 state, state treasurer, attorney general, superintendent of public  
26 instruction, corporation commissioner or mine inspector.

27 50. "Surplus monies" means those monies of a terminating committee  
28 that remain after all of the committee's expenditures have been made, all  
29 debts have been extinguished and the committee ceases accepting  
30 contributions.

31 Sec. 18. Section 16-912, Arizona Revised Statutes, is amended to  
32 read:

33 16-912. Individual contribution limits; requirements

34 A. An individual may not contribute more than the following amounts  
35 per election cycle:

36 1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
37 committee for city, town, county or district office.

38 2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
39 committee for legislative office.

40 3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate  
41 committee for statewide office.

42 B. An individual may make unlimited contributions to persons other  
43 than candidate committees.

1 C. An individual may only make contributions using personal monies,  
2 except that a contribution from an unemancipated minor child shall be  
3 treated as a contribution by the child's custodial parent or parents.

4 Sec. 19. Section 16-914, Arizona Revised Statutes, is amended to  
5 read:

6 16-914. Political action committee contribution limits;  
7 requirements

8 A. A political action committee without mega PAC status may not  
9 contribute more than the following amounts per election cycle:

10 1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
11 committee for city, town, county or district office.

12 2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
13 committee for legislative office.

14 3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate  
15 committee for statewide office.

16 B. A political action committee with mega PAC status may contribute  
17 twice the amounts prescribed in subsection A of this section per election  
18 cycle if the political action committee provides the recipient candidate  
19 committee a copy of the political action committee's certification of mega  
20 PAC status.

21 C. A political action committee may only contribute to a candidate  
22 committee using monies contributed by an individual, a partnership, a  
23 candidate committee, a political action committee or a political party.

24 D. A political action committee may make unlimited contributions to  
25 persons other than candidate committees.

26 Sec. 20. Section 16-917, Arizona Revised Statutes, is amended to  
27 read:

28 16-917. Partnership contribution limits; requirements

29 A. A partnership may not contribute more than the following amounts  
30 per election cycle:

31 1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
32 committee for city, town, county or district office.

33 2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate  
34 committee for legislative office.

35 3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate  
36 committee for statewide office.

37 B. A partnership may make unlimited contributions to persons other  
38 than candidate committees.

39 C. Partnership contributions are subject to the following:

40 1. Partnership contributions shall be attributed to each  
41 contributing partner as designated by the partnership. The partnership  
42 shall provide the recipient committee written notice identifying the  
43 contributing partners and the amount attributed to each.

1           2. Partnership contributions shall count against both the  
2 partnership's and the individual partners' contribution limits to a  
3 recipient. The portion attributed to each partner shall be aggregated  
4 with the individual partner's nonpartnership contributions to that  
5 recipient and shall not exceed the individual partner's contribution  
6 limit.

7           3. The partnership shall not attribute any contribution to a  
8 partner that is a corporation, limited liability company or labor  
9 organization.

10          4. Partnership contributions need not be accompanied by the  
11 signature of each contributing partner.

12          D. A partnership may establish a separate segregated fund as  
13 prescribed in section 16-916.

14          Sec. 21. Subject to the requirements of article IV, part 1,  
15 section 1, Constitution of Arizona, section 16-941, Arizona Revised  
16 Statutes, is amended to read:

17          16-941. Limits on spending and contributions for political  
18 campaigns

19          A. Notwithstanding any law to the contrary, a participating  
20 candidate:

21           1. Shall not accept any contributions, other than a limited number  
22 of ~~five-dollar~~ \$5 qualifying contributions as specified in section 16-946,  
23 SUPPLEMENTAL QUALIFYING CONTRIBUTIONS AS SPECIFIED IN SECTION 16-951.01  
24 and early contributions as specified in section 16-945, except in the  
25 emergency situation specified in section 16-954, subsection ~~F~~ D.

26           2. Shall not make expenditures of more than a total of ~~five hundred~~  
27 ~~dollars~~ \$500 of the candidate's personal monies for a candidate for the  
28 legislature or more than ~~one thousand dollars~~ \$1,000 for a candidate for  
29 statewide office.

30           3. Shall not make expenditures in the primary election period in  
31 excess of the adjusted primary election spending limit AND THE AMOUNT THE  
32 PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL  
33 FUNDING GRANTS UNDER SECTION 16-951.01.

34           4. Shall not make expenditures in the general election period in  
35 excess of the adjusted general election spending limit AND THE AMOUNT THE  
36 PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL  
37 FUNDING GRANTS UNDER SECTION 16-951.01.

38           5. Shall comply with section 16-948 regarding campaign accounts and  
39 section 16-953 regarding returning unused monies to the citizens clean  
40 elections fund described in this article.

41          B. Notwithstanding any law to the contrary, a nonparticipating  
42 candidate shall not accept contributions in excess of ~~an amount that is~~  
43 ~~twenty per cent less than~~ the limits specified in ~~section 16-905,~~  
44 ~~subsections A through E THIS TITLE~~, as adjusted by the secretary of state  
45 pursuant to section ~~16-905, subsection H~~ 16-931. Any violation of this



1 subsection shall be subject to the civil penalties and procedures set  
2 forth in section ~~16-905, subsections J through M and section 16-924~~  
3 16-942.

4 C. Notwithstanding any law to the contrary, a candidate, whether  
5 participating or nonparticipating:

6 1. If specified in a written agreement signed by the candidate and  
7 one or more opposing candidates and filed with the citizens clean  
8 elections commission, shall not make any expenditure in the primary or  
9 general election period exceeding an agreed-upon amount lower than  
10 spending limits otherwise applicable by statute.

11 2. Shall continue to be bound by all other applicable election and  
12 campaign finance statutes and rules, with the exception of those  
13 provisions in express or clear conflict with this article.

14 D. Notwithstanding any law to the contrary, any person who makes  
15 independent expenditures related to a particular office cumulatively  
16 exceeding ~~five hundred dollars~~ \$500 in an election cycle, with the  
17 exception of ~~any expenditure listed in section 16-920 and~~ any independent  
18 expenditure by an organization arising from a communication directly to  
19 the organization's members, shareholders, employees, affiliated persons  
20 and subscribers, shall file reports with the secretary of state in  
21 accordance with section 16-958 so indicating, identifying the office and  
22 the candidate or group of candidates whose election or defeat is being  
23 advocated and stating whether the person is advocating election or  
24 advocating defeat.

25 Sec. 22. Subject to the requirements of article IV, part 1,  
26 section 1, Constitution of Arizona, section 16-945, Arizona Revised  
27 Statutes, is amended to read:

28 16-945. Limits on early contributions

29 A. A participating candidate may accept early contributions only  
30 from individuals and only during the exploratory period and the qualifying  
31 period, subject to the following limitations:

32 1. Notwithstanding any law to the contrary, no contributor shall  
33 give, and no participating candidate shall accept, contributions from a  
34 contributor exceeding ~~one hundred dollars~~ \$100 during an election cycle.

35 2. Notwithstanding any law to the contrary, early contributions to  
36 a participating candidate from all sources for an election cycle shall not  
37 exceed, ~~for a candidate for governor, forty thousand dollars or, for other~~  
38 ~~candidates,~~ ten ~~per cent~~ PERCENT of the sum of the original primary  
39 election spending limit and the original general election spending limit.

40 3. Qualifying contributions specified in section 16-946 ~~AND~~  
41 ~~SUPPLEMENTAL QUALIFYING CONTRIBUTIONS AS SPECIFIED IN SECTION 16-951.01~~  
42 shall not be included in determining whether the limits in this subsection  
43 have been exceeded.

1           B. ~~Early contributions specified in subsection A of this section~~  
2 ~~and~~ The candidate's personal monies specified in section 16-941,  
3 subsection A, paragraph 2 may be spent only during the exploratory period  
4 and the qualifying period. ~~Any early contributions not spent by the end~~  
5 ~~of the qualifying period shall be paid to the fund~~ EARLY CONTRIBUTIONS  
6 PRESCRIBED IN SUBSECTION A OF THIS SECTION MAY BE SPENT AT ANY TIME DURING  
7 THE CANDIDATE'S CANDIDACY.

8           C. If a participating candidate has a debt from an election campaign  
9 in this state during a previous election cycle in which the candidate was  
10 not a participating candidate, then, during the exploratory period only,  
11 the candidate may accept, in addition to early contributions specified in  
12 subsection A of this section, contributions subject to the limitations in  
13 section 16-941, subsection B, or may exceed the limit on personal monies  
14 in section 16-941, subsection A, paragraph 2, provided that such  
15 contributions and monies are used solely to retire such debt.

16           Sec. 23. Subject to the requirements of article IV, part 1,  
17 section 1, Constitution of Arizona, section 16-951, Arizona Revised  
18 Statutes, is amended to read:

19           16-951. Clean elections funding

20           A. At the beginning of the primary election period, the commission  
21 shall pay from the fund to the campaign account of each candidate who  
22 qualifies for clean elections funding:

23           1. For a candidate who qualifies for clean elections funding for a  
24 party primary election, an amount equal to the original primary election  
25 spending limit.

26           2. For an independent candidate who qualifies for clean elections  
27 funding, an amount equal to seventy percent of the sum of the original  
28 primary election spending limit and the original general election spending  
29 limit.

30           3. For a qualified participating candidate who is unopposed for an  
31 office in that candidate's primary, in the primary of any other party and  
32 by any opposing independent candidate, an amount equal to ~~five dollars~~ \$5  
33 times the number of qualifying contributions for that candidate certified  
34 by the commission.

35           B. At any time after the first day of January of an election year,  
36 any candidate who has met the requirements of section 16-950 may sign and  
37 cause to be filed a nomination paper in the form specified by section  
38 16-311, subsection A, with a nominating petition and signatures, instead  
39 of filing such papers after the earliest time set for filing specified by  
40 that subsection. ~~Upon~~ ON such filing and verification of the signatures,  
41 the commission shall pay the amount specified in subsection A of this  
42 section AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS  
43 QUALIFIED FOR immediately, rather than waiting for the beginning of the  
44 primary election period.

1 C. At the beginning of the general election period, the commission  
2 shall pay from the fund to the campaign account of each candidate who  
3 qualifies for clean elections funding for the general election, except  
4 those candidates identified in subsection A, paragraph 2 or subsection D  
5 of this section, an amount equal to the original general election spending  
6 limit AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS  
7 QUALIFIED FOR PURSUANT TO SECTION 16-951.01, SUBSECTION F.

8 D. At the beginning of the general election period, the commission  
9 shall pay from the fund to the campaign account of a qualified  
10 participating candidate who has not received ~~funds~~ MONIES pursuant to  
11 subsection A, paragraph 3 of this section and who is unopposed by any  
12 other party nominee or any opposing independent candidate an amount equal  
13 to ~~five dollars~~ \$5 times the number of qualifying contributions for that  
14 candidate certified by the commission.

15 E. The special original general election spending limit, for a  
16 candidate who has received ~~funds~~ MONIES pursuant to subsection A,  
17 ~~paragraphs~~ PARAGRAPH 2 or 3 or subsection D of this section, shall be  
18 equal to the amount that the commission is obligated to pay to that  
19 candidate.

20 Sec. 24. Subject to the requirements of article IV, part 1,  
21 section 1, Constitution of Arizona, title 16, chapter 6, article 2,  
22 Arizona Revised Statutes, is amended by adding section 16-951.01, to read:

23 16-951.01. Supplemental clean elections funding

24 A. DURING OR AFTER THE QUALIFYING PERIOD, A QUALIFIED PARTICIPATING  
25 CANDIDATE MAY QUALIFY FOR SUPPLEMENTAL CLEAN ELECTIONS FUNDING BY  
26 PRESENTING TO THE SECRETARY OF STATE A LIST OF NAMES OF PERSONS WHO HAVE  
27 MADE SUPPLEMENTAL QUALIFYING CONTRIBUTIONS ON BEHALF OF THE CANDIDATE.  
28 THE METHOD FOR MAKING AND COLLECTING SUPPLEMENTAL QUALIFYING CONTRIBUTIONS  
29 SHALL BE THE SAME AS FOR INITIAL QUALIFYING CONTRIBUTIONS PURSUANT TO  
30 SECTION 16-946, INCLUDING THAT SUPPLEMENTAL QUALIFYING CONTRIBUTIONS SHALL  
31 BE DEPOSITED IN THE CANDIDATE'S CAMPAIGN COMMITTEE'S ACCOUNT AND PAID TO  
32 THE FUND NOTWITHSTANDING SECTION 16-948, SUBSECTION A.

33 B. TO QUALIFY FOR ONE SUPPLEMENTAL FUNDING GRANT, A QUALIFIED  
34 PARTICIPATING CANDIDATE MUST HAVE OBTAINED AN AMOUNT OF QUALIFYING  
35 CONTRIBUTIONS EQUAL TO TWENTY PERCENT OF THE AMOUNT NEEDED FOR INITIAL  
36 QUALIFICATION UNDER SECTION 16-950.

37 C. THE SECRETARY OF STATE SHALL APPROVE CANDIDATES FOR SUPPLEMENTAL  
38 FUNDING GRANTS IN THE SAME MANNER PROVIDED IN SECTION 16-950 FOR INITIAL  
39 FUNDING APPROVAL, EXCEPT THAT THE RANDOM SAMPLE OF NONDUPLICATIVE NAMES  
40 DRAWN FOR A SUPPLEMENTAL FUNDING APPLICATION MAY NOT BE FEWER THAN TWENTY  
41 NAMES. IF IN ORDER TO COMPLY WITH THIS REQUIREMENT, THE SECRETARY OF  
42 STATE SELECTS A PERCENTAGE OF THE NONDUPLICATIVE NAMES THAT DEVIATES FROM  
43 THE PERCENTAGES PROVIDED IN SECTION 16-950, THE SECRETARY OF STATE SHALL  
44 MAKE A CORRESPONDING ADJUSTMENT TO THE NUMBER FOR MULTIPLICATION UNDER  
45 THAT SECTION.

1 D. THE COMMISSION SHALL PAY FROM THE FUND TO THE CAMPAIGN ACCOUNT  
2 OF A CANDIDATE APPROVED FOR A SUPPLEMENTAL FUNDING GRANT AN AMOUNT EQUAL  
3 TO TEN PERCENT OF THE SUM OF THE ORIGINAL PRIMARY ELECTION SPENDING LIMIT  
4 FOR THE APPROPRIATE OFFICE.

5 E. A CANDIDATE FOR STATEWIDE OFFICE MAY RECEIVE NOT MORE THAN TEN  
6 SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE AND NOT MORE THAN  
7 SIX SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD. A  
8 CANDIDATE FOR LEGISLATIVE OFFICE MAY RECEIVE NOT MORE THAN TWENTY  
9 SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE AND NOT MORE THAN  
10 TWELVE SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD.  
11 NOT LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE COMMISSION MAY  
12 ADOPT RULES CHANGING THE NUMBER OF SUPPLEMENTAL GRANTS AVAILABLE FOR ANY  
13 OFFICE, FOR THE ELECTION CYCLE OR THE PRIMARY ELECTION PERIOD, BY NOT MORE  
14 THAN TWENTY PERCENT OF THE NUMBER APPLICABLE FOR THE PRECEDING ELECTION.

15 F. A CANDIDATE WHO HAS RECEIVED THE MAXIMUM NUMBER OF SUPPLEMENTAL  
16 FUNDING GRANTS FOR THE PRIMARY ELECTION PERIOD MAY CONTINUE TO QUALIFY FOR  
17 ADDITIONAL SUPPLEMENTAL FUNDING GRANTS TO BE RECEIVED AT THE BEGINNING OF  
18 THE GENERAL ELECTION PERIOD IF THE CANDIDATE ADVANCES TO THE GENERAL  
19 ELECTION, EXCEPT THAT A CANDIDATE WHO IS UNOPPOSED IN THE GENERAL ELECTION  
20 MAY NOT RECEIVE SUPPLEMENTAL FUNDING GRANTS DURING THE GENERAL ELECTION  
21 PERIOD.

22 G. NOT LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE  
23 COMMISSION SHALL DETERMINE AND PUBLICIZE DEADLINES FOR SUBMITTING  
24 APPLICATIONS FOR SUPPLEMENTAL FUNDING GRANTS FOR THE PRIMARY AND GENERAL  
25 ELECTION PERIODS.

26 Sec. 25. Subject to the requirements of article IV, part 1,  
27 section 1, Constitution of Arizona, section 16-953, Arizona Revised  
28 Statutes, is amended to read:

29 16-953. Return of monies to the citizens clean elections fund

30 A. At the end of the primary election period, a participating  
31 candidate who has received monies pursuant to section 16-951, subsection  
32 A, paragraph 1 shall return to the fund all monies in the candidate's  
33 campaign account above an amount sufficient to pay any unpaid bills for  
34 expenditures made during the primary election period and for goods or  
35 services directed to the primary election. THIS SUBSECTION DOES NOT APPLY  
36 TO THE UNSPENT AMOUNT OF ANY EARLY CONTRIBUTIONS AND SUPPLEMENTAL FUNDING  
37 GRANTS RECEIVED PURSUANT TO SECTION 16-951.01 IF THE PARTICIPATING  
38 CANDIDATE IS A PARTY NOMINEE OR INDEPENDENT CANDIDATE.

39 B. At the end of the general election period, a participating  
40 candidate shall return to the fund all monies in the candidate's campaign  
41 account above an amount sufficient to pay any unpaid bills for  
42 expenditures made before the general election and for goods or services  
43 directed to the general election.

1 C. A participating candidate shall pay all uncontested and unpaid  
2 bills referenced in this section ~~to~~ NOT later than thirty days after the  
3 primary or general election. A participating candidate shall make monthly  
4 reports to the commission concerning the status of the dispute over any  
5 contested bills. Any monies in a candidate's campaign account after  
6 payment of bills shall be returned promptly to the fund.

7 D. If a participating candidate is replaced pursuant to section  
8 16-343, and the replacement candidate files an oath with the secretary of  
9 state certifying to section 16-947, subsection B, paragraph 3, the  
10 campaign account of the participating candidate shall be transferred to  
11 the replacement candidate and the commission shall certify the replacement  
12 candidate as a participating candidate without requiring compliance with  
13 section 16-950 or the remainder of section 16-947. If the replacement  
14 candidate does not file such an oath, the campaign account shall be  
15 liquidated and all remaining monies returned to the fund.

16 E. If a participating candidate who has received monies pursuant to  
17 section 16-951, subsection A, paragraph 1 does not qualify for the ballot  
18 for the primary election, the participating candidate shall:

19 1. Return to the fund all monies in the candidate's campaign  
20 account above the amount sufficient to pay any unpaid bills for  
21 expenditures made before the date the candidate failed to qualify for the  
22 primary ballot.

23 2. Return to the commission, within fourteen days, all remaining  
24 assets purchased with public funds in that election cycle, including all  
25 political signs. The disqualified participating candidate is not required  
26 to return political signs purchased in a previous election cycle.

27 3. Repay any monies paid to a family member unless the  
28 participating candidate demonstrates that the payment made was for goods  
29 or services actually provided before disqualification of the candidate and  
30 the payment was for fair market value. For the purposes of this  
31 paragraph, "family member" means a parent, grandparent, spouse, child or  
32 sibling of the candidate or a parent or spouse of any of those persons.

33 Sec. 26. Subject to the requirements of article IV, part 1,  
34 section 1, Constitution of Arizona, section 16-954, Arizona Revised  
35 Statutes, is amended to read:

36 16-954. Disposition of excess monies

37 A. Beginning January 1, 1999, an additional surcharge of ten ~~per~~  
38 ~~cent~~ PERCENT shall be imposed on all civil and criminal fines and  
39 penalties collected pursuant to section 12-116.01 and shall be deposited  
40 into the fund.

41 B. At least once per year, the commission shall project the amount  
42 of monies that the fund will collect over the next four years and the time  
43 such monies shall become available. Whenever the commission determines  
44 that the fund contains more monies than the commission determines that it  
45 requires to meet current debts plus expected expenses, under the

1 assumption that expected expenses will be at the expenditure limit in  
2 section 16-949, subsection A, and taking into account the projections of  
3 collections, the commission shall designate such monies as excess monies  
4 and so notify the state treasurer, who shall thereupon transfer the excess  
5 monies to the general fund.

6 C. At least once per year, the commission shall project the amount  
7 of clean elections funding for which all candidates will have qualified  
8 pursuant to this article for the following calendar year. By the end of  
9 each year, the commission shall announce whether the amount that the  
10 commission plans to spend the following year pursuant to section 16-949,  
11 subsection A exceeds the projected amount of clean elections funding. If  
12 the commission determines that the fund contains insufficient monies or  
13 the spending cap would be exceeded were all candidates' accounts to be  
14 fully funded, the commission may include in the announcement  
15 specifications for decreases in the following parameters, based on the  
16 commission's projections of collections and expenses for the fund,  
17 including that the fund will provide monies under ~~section~~ SECTIONS 16-951  
18 AND 16-951.01 as a fraction of the amounts there specified.

19 D. If the commission cannot provide participating candidates with  
20 all monies specified under sections 16-951, 16-951.01 and 16-952, as  
21 decreased by any announcement pursuant to subsection C of this section,  
22 the commission shall allocate any reductions in payments proportionately  
23 among candidates entitled to monies and shall declare an emergency. ~~Upon~~  
24 ON declaration of an emergency, a participating candidate may accept  
25 private contributions to bring the total monies received by the candidate  
26 from the fund and from such private contributions up to the adjusted  
27 spending limits, as decreased by any announcement made pursuant to  
28 subsection C of this section.

29 E. FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2022, A  
30 TAXPAYER WHO FILES ON A STATE INCOME TAX RETURN FORM MAY DESIGNATE A \$5  
31 VOLUNTARY CONTRIBUTION PER TAXPAYER TO THE FUND BY MARKING AN OPTIONAL  
32 CHECK-OFF BOX. EVERY TAXPAYER WHO CHECKS THIS BOX SHALL RECEIVE A \$5  
33 REDUCTION IN THE AMOUNT OF TAX, AND \$5 FROM THE AMOUNT PAID BY THE  
34 TAXPAYER SHALL BE TRANSFERRED BY THE DEPARTMENT OF REVENUE TO THE FUND.  
35 THE DEPARTMENT OF REVENUE SHALL PROVIDE CHECK-OFF BOXES FOR DESIGNATIONS  
36 PURSUANT TO THIS SUBSECTION, IDENTIFIED AS THE CLEAN ELECTIONS FUND TAX  
37 REDUCTION, ON INCOME TAX RETURN FORMS IN THE SAME SECTION AS OTHER TAX  
38 REDUCTIONS. EVERY TWO YEARS, THE SECRETARY OF STATE SHALL MAKE A SIMILAR  
39 INFLATION ADJUSTMENT TO THOSE MADE IN SECTION 16-959, SUBSECTION A BY  
40 MODIFYING THE DOLLAR VALUES IN THIS SUBSECTION TO REFLECT CUMULATIVE  
41 INFLATION SINCE THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION,  
42 EXCEPT THAT AMOUNTS SHALL BE ADJUSTED TO THE NEAREST DOLLAR.

1           Sec. 27. Subject to the requirements of article IV, part 1,  
2 section 1, Constitution of Arizona, section 16-956, Arizona Revised  
3 Statutes, is amended to read:

4           16-956. Voter education and enforcement duties

5           A. The commission shall:

6           1. Develop a procedure for publishing a document or section of a  
7 document having a space of predefined size for a message chosen by each  
8 candidate. For the document that is delivered before the primary  
9 election, the document shall contain the names of every candidate for  
10 every statewide and legislative district office in that primary election  
11 without regard to whether the candidate is a participating candidate or a  
12 nonparticipating candidate. For the document that is delivered before the  
13 general election, the document shall contain the names of every candidate  
14 for every statewide and legislative district office in that general  
15 election without regard to whether the candidate is a participating  
16 candidate or a nonparticipating candidate. The commission shall deliver  
17 one copy of each document to every household that contains a registered  
18 voter. For the document that is delivered before the primary election,  
19 the delivery may be made over a period of days but shall be sent in time  
20 to be delivered to households before the earliest date for receipt by  
21 registered voters of any requested early ballots for the primary election.  
22 The commission may deliver the second document over a period of days but  
23 shall send the second document in order to be delivered to households  
24 before the earliest date for receipt by registered voters of any requested  
25 early ballots for the general election. The primary election and general  
26 election documents published by the commission shall comply with all of  
27 the following:

28           (a) For any candidate who does not submit a message pursuant to  
29 this paragraph, the document shall include with the candidate's listing  
30 the words "no statement submitted".

31           (b) The document shall have printed on its cover the words  
32 "citizens clean elections commission voter education guide" and the words  
33 "primary election" or "general election" and the applicable year. The  
34 document shall also contain at or near the bottom of the document cover in  
35 type that is no larger than one-half the size of the type used for  
36 "citizens clean elections commission voter education guide" the words  
37 "paid for by the citizens clean elections fund".

38           (c) In order to prevent voter confusion, the document shall be  
39 easily distinguishable from the publicity pamphlet that is required to be  
40 produced by the secretary of state pursuant to section 19-123.

41           2. Sponsor debates among candidates, in such manner as determined  
42 by the commission. The commission shall require participating candidates  
43 to attend and participate in debates and may specify by rule penalties for  
44 nonparticipation. The commission shall invite and permit nonparticipating  
45 candidates to participate in debates.

1           3. Prescribe forms for reports, statements, notices and other  
2 documents required by this article. The commission shall not require a  
3 candidate to use a reporting system other than the reporting system  
4 jointly approved by the commission and the office of the secretary of  
5 state.

6           4. Prepare and publish instructions setting forth methods of  
7 bookkeeping and preservation of records to facilitate compliance with this  
8 article and explaining the duties of persons and committees under this  
9 article.

10          5. Produce a yearly report describing the commission's activities  
11 and any recommendations for changes of law, administration or funding  
12 amounts and accounting for monies in the fund.

13          6. Adopt rules to implement the reporting requirements of section  
14 16-958, subsections D and E.

15          7. Enforce this article, ensure that money from the fund is placed  
16 in candidate campaign accounts or otherwise spent as specified in this  
17 article and not otherwise, monitor reports filed pursuant to this chapter  
18 and financial records of candidates as needed and ensure that money  
19 required by this article to be paid to the fund is deposited in the fund.  
20 The commission shall not take action on any external complaint that is  
21 filed more than ninety days after the postelection report is filed or  
22 ninety days after the completion of the canvass of the election to which  
23 the complaint relates, whichever is later.

24          B. The commission may subpoena witnesses, compel their attendance  
25 and testimony, administer oaths and affirmations, take evidence and  
26 require by subpoena the production of any books, papers, records or other  
27 items material to the performance of the commission's duties or the  
28 exercise of its powers.

29          C. The commission may adopt rules to carry out the purposes of this  
30 article and to govern procedures of the commission. **COMMISSION RULEMAKING  
31 IS EXEMPT FROM TITLE 41, CHAPTER 6.** The commission shall propose and  
32 adopt rules in public meetings, with at least sixty days allowed for  
33 interested parties to comment after the rules are proposed. The commission  
34 shall also file the proposed rule in the format prescribed in section  
35 41-1022 with the secretary of state's office for publication in the  
36 Arizona administrative register. After consideration of the comments  
37 received in the sixty day comment period, the commission may adopt the  
38 rule in an open meeting. Any rules given final approval in an open  
39 meeting shall be filed in the format prescribed in section 41-1022 with  
40 the secretary of state's office for publication in the Arizona  
41 administrative register. Any rules adopted by the commission shall only  
42 be applied prospectively from the date the rule was adopted.



1 D. Rules adopted by the commission are not effective until January  
2 1 in the year following the adoption of the rule, except that rules  
3 adopted by unanimous vote of the commission may be made immediately  
4 effective and enforceable.

5 E. If, in the view of the commission, the action of a particular  
6 candidate or committee requires immediate change to a commission rule, a  
7 unanimous vote of the commission is required. Any rule change made  
8 pursuant to this subsection that is enacted with less than a unanimous  
9 vote takes effect for the next election cycle.

10 F. Based on the results of the elections in any quadrennial  
11 election after 2002, and within six months after such election, the  
12 commission may adopt rules changing the number of qualifying contributions  
13 required for any office from those listed in section 16-950, subsection D  
14 by no more than twenty percent of the number applicable for the preceding  
15 election.

16 Sec. 28. Subject to the requirements of article IV, part 1,  
17 section 1, Constitution of Arizona, section 16-961, Arizona Revised  
18 Statutes, is amended to read:

19 16-961. Definitions

20 A. The terms ~~"candidate's campaign committee,"~~ "contribution,"  
21 "expenditures," ~~"exploratory committee,"~~ "independent expenditure,"  
22 "personal monies," ~~"political committee"~~ and "statewide office" ~~are~~  
23 ~~defined~~ HAVE THE SAME MEANINGS PRESCRIBED in section 16-901.

24 B. 1. "Election cycle" means the period between successive general  
25 elections for a particular office.

26 2. "Exploratory period" means the period beginning on the day after  
27 a general election and ending the day before the start of the qualifying  
28 period.

29 3. "Qualifying period" means the period beginning on the first day  
30 of August in a year preceding an election and ending one week before the  
31 primary election UNLESS THE COMMISSION SETS THE QUALIFYING PERIOD FOR ANY  
32 ELECTION CYCLE TO BEGIN EARLIER IN THE YEAR PRECEDING THE ELECTION AND  
33 MAKES REASONABLE EFFORTS TO PUBLICIZE ANY ALTERATION TO THE QUALIFYING  
34 PERIOD FOR ANY PARTICULAR ELECTION CYCLE.

35 4. "Primary election period" means the nine-week period ending on  
36 the day of the primary election.

37 5. "General election period" means the period beginning on the day  
38 after the primary election and ending on the day of the general election.

39 6. For any recall election, the qualifying period shall begin when  
40 the election is called and last for thirty days, there shall be no primary  
41 election period and the general election period shall extend from the day  
42 after the end of the qualifying period to the day of the recall election.  
43 For recall elections, any reference to "general election" in this article  
44 shall be treated as if referring to the recall election.

1 C. 1. "Participating candidate" means a candidate who becomes  
2 certified as a participating candidate pursuant to section 16-947.

3 2. "Nonparticipating candidate" means a candidate who does not  
4 become certified as a participating candidate pursuant to section 16-947.

5 3. Any limitation of this article that is applicable to a  
6 participating candidate or a nonparticipating candidate shall also apply  
7 to that candidate's campaign committee or exploratory committee.

8 D. "Commission" means the citizens clean elections commission  
9 established pursuant to section 16-955.

10 E. "Fund" means the citizens clean elections fund defined by this  
11 article.

12 F. 1. "Party nominee" means a person who has been nominated by a  
13 political party pursuant to section 16-301 or 16-343.

14 2. "Independent candidate" means a candidate who has properly filed  
15 nominating papers and nominating petitions with signatures pursuant to  
16 section 16-341.

17 3. "Unopposed" means with reference to an election for:  
18 (a) A member of the house of representatives, opposed by no more  
19 than one other candidate who has qualified for the ballot and who is  
20 running in the same district.

21 (b) A member of the corporation commission, opposed by a number of  
22 candidates who have qualified for the ballot that is fewer than the number  
23 of corporation commission seats open at that election and for which the  
24 term of office ends on the same date.

25 (c) All other offices, opposed by no other candidate who has  
26 qualified for the ballot and who is running in that district or running  
27 for that same office and term.

28 G. "Primary election spending limits" means:  
29 1. For a candidate for the legislature, ~~twelve thousand nine~~  
30 ~~hundred twenty-one dollars~~ \$22,651.

31 2. For a candidate for mine inspector, ~~forty-one thousand three~~  
32 ~~hundred forty-nine dollars~~ \$72,529.

33 3. For a candidate for treasurer, superintendent of public  
34 instruction or the corporation commission, ~~eighty-two thousand six hundred~~  
35 ~~eighty dollars~~ \$145,020.

36 4. For a candidate for secretary of state or attorney general, ~~one~~  
37 ~~hundred sixty-five thousand three hundred seventy-eight dollars~~ \$290,090.

38 5. For a candidate for governor, ~~six hundred thirty-eight thousand~~  
39 ~~two hundred twenty-two dollars~~ \$1,791,204.

40 H. "General election spending limits" means amounts fifty ~~per cent~~  
41 PERCENT greater than the amounts specified in subsection G of this  
42 section.

1 I. 1. "Original" spending limit means a limit specified in  
2 subsections G and H of this section, as adjusted pursuant to section  
3 16-959, or a special amount expressly set for a particular candidate by a  
4 provision of this title.

5 2. "Adjusted" spending limit means an original spending limit as  
6 further adjusted pursuant to section 16-952.

7 Sec. 29. Requirements for enactment; three-fourths vote

8 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
9 sections 16-152, 16-166, 16-941, 16-945, 16-951, 16-953, 16-954, 16-956  
10 and 16-961, Arizona Revised Statutes, as amended by this act, and section  
11 16-951.01, Arizona Revised Statutes, as added by this act, are effective  
12 only on the affirmative vote of at least three-fourths of the members of  
13 each house of the legislature.