

Senate Engrossed  
early ballots; visually impaired voters

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

# SENATE BILL 1638

AN ACT

AMENDING SECTIONS 16-442.01 AND 16-541, ARIZONA REVISED STATUTES; RELATING  
TO EARLY VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-442.01, Arizona Revised Statutes, is amended  
3 to read:

4 16-442.01. Accessible voting technology; recommendations;  
5 certification; applicability

6 A. On completion of the certification process pursuant to this  
7 section and section 16-442, the secretary of state shall require that  
8 voting systems that are used by entities that are governed by section  
9 16-204, but not including cities and towns with a population of less than  
10 twenty thousand persons, provide persons who are blind or visually  
11 impaired with access to voting that is equivalent to that provided to  
12 persons who are not blind or visually impaired **AND SHALL PROVIDE A REMOTE**  
13 **ACCESSIBLE VOTE BY MAIL OPTION FOR PERSONS WHO ARE BLIND OR HAVE A VISUAL**  
14 **IMPAIRMENT.**

15 B. For the purposes of this section:

16 1. A voting system that provides the voter with the ability to cast  
17 and verify by both visual and nonvisual methods all of the selections that  
18 were made by that voter is deemed to provide equivalent access.

19 2. Nonvisual methods for casting and verifying a selection made on  
20 a voting system include the use of synthesized speech, braille and other  
21 output methods that do not require sight.

22 C. The secretary of state shall consult with and obtain  
23 recommendations regarding voting systems from nonprofit organizations that  
24 represent persons who are blind or visually impaired, persons with  
25 expertise in accessible software, hardware and other technology, county  
26 and local election officials and other persons deemed appropriate by the  
27 secretary of state. After receiving recommendations, the secretary of  
28 state shall submit to the committee established pursuant to section 16-442  
29 one or more voting systems that provide equivalent access pursuant to this  
30 section for possible certification for use in this state.

31 D. Subsection A of this section applies to voting systems that are  
32 purchased or upgraded on or after January 1, 2006.

33 Sec. 2. Section 16-541, Arizona Revised Statutes, is amended to  
34 read:

35 16-541. Early voting

36 A. Any election called pursuant to the laws of this state shall  
37 provide for early voting, **INCLUDING VOTING BY THE USE OF A REMOTE**  
38 **ACCESSIBLE VOTE BY MAIL OPTION FOR PERSONS WHO ARE BLIND OR HAVE A VISUAL**  
39 **IMPAIRMENT.** Any qualified elector may vote by early ballot.

40 B. A qualified elector of a special district organized pursuant to  
41 title 48 shall be permitted to vote early in any special district mail  
42 ballot election as provided in article 8.1 of this chapter.