PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2492

(Reference to printed bill)


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

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

3 read:

4    16-101.  Qualifications of registrant; definition

5   A.  Every resident of ~~the~~ THIS state is qualified to register to vote

6 if ~~he~~ THE RESIDENT:

7   1.  Is a citizen of the United States AND HAS PROVIDED SATISFACTORY

8 EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166.

9   2.  Will be eighteen years of age or more on or before the date of

10 the regular general election next following his registration.

11   3.  ~~Will have been~~ IS a resident of ~~the~~ THIS state twenty-nine days

12 next preceding the election, except as provided in section 16-126.

13   4.  Is able to write ~~his~~ THE RESIDENT'S name or make ~~his~~ THE

14 RESIDENT'S mark, unless prevented from so doing by physical disability.

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

16 civil rights.

17   6.  Has not been adjudicated an incapacitated person as defined in

18 section 14-5101.

19   B.  For THE purposes of this title, "resident" means an individual

20 who has actual physical presence in this state, or for purposes of a

21 political subdivision actual physical presence in the political

22 subdivision, combined with an intent to remain.  A temporary absence does

23 not result in a loss of residence if the individual has an intent to return

1   following his absence.  An individual has only one residence for purposes
2   of this title."
3 Renumber to conform
4 Page 2, between lines 14 and 15, insert:
5       "Sec. 3.  Section 16-121, Arizona Revised Statutes, is amended to
6   read:
7       16-121.  Qualified elector; definition
8       A.  A person who is qualified to register to vote pursuant to section
9   16-101 and who is properly registered to vote ~~shall~~, if ~~he~~ THE PERSON is at
10  least eighteen years of age on or before the date of the election AND HAS
11  PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION
12  16-166, SHALL be deemed a qualified elector for any purpose for which such
13  qualification is required by law, except as provided in section 16-126.  A
14  person continues to be a qualified elector until that person's registration
15  is canceled pursuant to section 16-165 or until that person does not
16  qualify as a resident as ~~prescribed by~~ DEFINED IN section 16-101,
17  subsection B.
18      B.  For purposes of subsection A of this section, a person who does
19  not reside at a fixed, permanent or private structure shall be properly
20  registered to vote if that person is qualified pursuant to section 16-101
21  and if that person's registration address is any of the following places
22  located in this state:
23      1.  A homeless shelter to which the registrant regularly returns.
24      2.  The place at which the registrant is a resident.
25      3.  The county courthouse in the county in which the registrant
26  resides.
27      4.  A general delivery address for a post office covering the
28  location where the registrant is a resident.
29      C.  A person who is otherwise qualified to register to vote shall not
30  be refused registration or declared not qualified to vote because the
31  person does not live in a permanent, private or fixed structure.

1          D.   ~~As used in~~ FOR THE PURPOSES OF this section, "homeless shelter"

2     means a supervised publicly or privately operated shelter designed to

3     provide temporary living accommodations to individuals who lack a fixed,

4     regular and adequate nighttime residence."

5   Renumber to conform

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

7     Line 41, after the period insert "ANY APPLICATION THAT DOES NOT INCLUDE ALL OF

8        THE INFORMATION REQUIRED TO BE ON THE REGISTRATION FORM PURSUANT TO SECTION

9        16-152 AND ANY APPLICATION THAT IS NOT SIGNED SHALL BE REJECTED."

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

11  Page 4, strike lines 8 and 9, insert "APPLICANT WILL NOT BE QUALIFIED TO VOTE IN

12     A PRESIDENTIAL ELECTION OR BY MAIL WITH AN EARLY BALLOT IN ANY ELECTION."

13  Page 5, after line 36, insert:

14          "Sec. 7.  Title 16, chapter 1, article 3, Arizona Revised Statutes,

15     is amended by adding section 16-143, to read:

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

17                   report

18     A.   THE  SECRETARY  OF  STATE  AND  EACH  COUNTY  RECORDER  SHALL  MAKE

19     AVAILABLE  TO  THE  ATTORNEY  GENERAL  A  LIST  OF  ALL  INDIVIDUALS  WHO  ARE

20     REGISTERED  TO  VOTE  AND  WHO  HAVE  NOT  PROVIDED  SATISFACTORY  EVIDENCE  OF

21     CITIZENSHIP  PURSUANT  TO  SECTION  16-166  AND  SHALL  PROVIDE,  ON  OR  BEFORE

22     OCTOBER  31,  2022,  THE  APPLICATIONS  OF  INDIVIDUALS  WHO  ARE  REGISTERED  TO

23     VOTE  AND  WHO  HAVE  NOT  PROVIDED  SATISFACTORY  EVIDENCE  OF  CITIZENSHIP

24     PURSUANT TO SECTION 16-166.

25     B.   THE ATTORNEY GENERAL SHALL USE ALL AVAILABLE RESOURCES TO VERIFY

26     THE CITIZENSHIP STATUS OF THE APPLICANT AND AT A MINIMUM SHALL COMPARE THE

27     INFORMATION  AVAILABLE  ON  THE  APPLICATION  FOR  REGISTRATION  WITH  THE

28     FOLLOWING:

29     1.   THE  DEPARTMENT  OF  TRANSPORTATION  DATABASES  OF  ARIZONA  DRIVER

30     LICENSES OR NONOPERATING IDENTIFICATION LICENSES.

31     2.   THE SOCIAL SECURITY ADMINISTRATION DATABASES.

1    3.  THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC

2    ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM, IF PRACTICABLE.

3    4.  A NATIONAL ASSOCIATION FOR PUBLIC HEALTH STATISTICS AND

4    INFORMATION SYSTEMS ELECTRONIC VERIFICATION OF VITAL EVENTS SYSTEM.

5    5.  ANY OTHER STATE, CITY, TOWN, COUNTY OR FEDERAL DATABASE AND ANY

6    OTHER DATABASE RELATING TO VOTER REGISTRATION TO WHICH THE COUNTY RECORDER

7    OR OFFICER IN CHARGE OF ELECTIONS HAS ACCESS, INCLUDING AN ELECTRONIC

8    REGISTRATION INFORMATION CENTER DATABASE.

9    C.  THE SECRETARY OF STATE SHALL PROVIDE THE ATTORNEY GENERAL ACCESS

10   TO THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC ALIEN

11   VERIFICATION FOR ENTITLEMENTS PROGRAM FOR THE PURPOSES OF THIS SECTION.

12   D.  THE ATTORNEY GENERAL SHALL PROSECUTE INDIVIDUALS WHO ARE FOUND TO

13   NOT BE UNITED STATES CITIZENS.

14   E.  THE ATTORNEY GENERAL SHALL SUBMIT A REPORT TO THE SECRETARY OF

15   STATE, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF

16   REPRESENTATIVES ON OR BEFORE MARCH 31, 2023 DETAILING ALL FINDINGS RELATING

17   TO THE CITIZENSHIP STATUS OF INDIVIDUALS WHO ARE REGISTERED TO VOTE AND WHO

18   HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION

19   16-166.

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

21   read:

22   16-165.  Causes for cancellation

23   A.  The county recorder shall cancel a registration:

24   1.  At the request of the person registered.

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

26   registered.

27   3.  If the person has been adjudicated an incapacitated person as

28   defined in section 14-5101.

29   4.  When the person registered has been convicted of a felony, and

30   the judgment of conviction has not been reversed or set aside.  The county

31   recorder shall cancel the registration on receipt of notice of a felony

32   conviction from the court or from the secretary of state or when reported

1   by the elector on a signed juror questionnaire that is completed pursuant
2   to section 21-314.
3       5. On production of a certified copy of a judgment directing a
4   cancellation to be made.
5       6. Promptly after the election if the person registered has applied
6   for a ballot pursuant to section 16-126.
7       7. When a person has been on the inactive voter list and has not
8   voted during the time periods prescribed in section 16-166, subsection C.
9       8. When the county recorder receives written information from the
10  person registered that the person has a change of residence within the
11  county and the person does not complete and return a new registration form
12  within twenty-nine days after the county recorder mails notification of the
13  need to complete and return a new registration form with current
14  information.
15      9. When the county recorder receives written information from the
16  person registered that the person has a change of address outside the
17  county.
18      10. WHEN THE COUNTY RECORDER RECEIVES INFORMATION THAT THE PERSON
19  REGISTERED IS NOT A UNITED STATES CITIZEN.
20      B. If the county recorder cancels a registration pursuant to
21  subsection A, paragraph 8 of this section, the county recorder shall send
22  the person notice that the registration has been cancelled and a
23  registration form with the information described in section 16-131,
24  subsection C attached to the form.
25      C. When proceedings in the superior court or the United States
26  district court result in a person being declared incapable of taking care
27  of himself and managing his property, and for whom a guardian of the person
28  and estate is appointed, result in such person being committed as an insane
29  person or result in a person being convicted of a felony, the clerk of the
30  superior court in the county in which those proceedings occurred shall file
31  with the secretary of state an official notice of that fact. The secretary
32  of state shall notify the appropriate county recorder and the recorder

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1     shall cancel the name of the person on the register.  Such notice shall

2     name the person covered, shall give the person's date and place of birth if

3     available, the person's social security number, if available, the person's

4     usual place of residence, the person's address and the date of the notice,

5     and shall be filed with the recorder of the county where the person last

6     resided.

7         D.  Each month the department of health services shall transmit to

8     the secretary of state without charge a record of the death of every

9     resident of the state reported to the department within the preceding

10    month.  This record shall include only the name of the decedent, the

11    decedent's date of birth, the decedent's date of death, the decedent's

12    social security number, if available, the decedent's usual legal residence

13    at the time of death and, if available, the decedent's father's name or

14    mother's maiden name.  The secretary of state shall use the record for the

15    sole purpose of canceling the names of deceased persons from the statewide

16    voter registration database.  In addition, the department of health

17    services shall annually provide to the secretary of state from the

18    statewide electronic death registration system without charge a record of

19    all deaths of residents of this state that are reported to the department

20    of health services.  The records transmitted by the department of health

21    services shall include only the name of the decedent, the decedent's date

22    of birth, the decedent's social security number, if available, the

23    decedent's usual legal residence at the time of death and, if available,

24    the decedent's father's name or mother's maiden name.  The secretary of

25    state shall compare the records of deaths with the statewide voter

26    registration database.  Public access to the records is prohibited.  Use of

27    information from the records for purposes other than those required by this

28    section is prohibited.  The name of each deceased person shall promptly be

29    canceled from the statewide voter registration database and the secretary

30    of state shall notify the appropriate county recorder and the recorder

31    shall cancel the name of the person from the register.

1            Sec. 9.  Severability

2            If a provision of this act or its application to any person or

3      circumstance is held invalid, the invalidity does not affect other

4      provisions or applications of the act that can be given effect without the

5      invalid provision or application, and to this end the provisions of this

6      act are severable."

7 Amend title to conform

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