



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1140

~~elections; voting centers prohibited~~
(NOW: elections voting centers; polling places)

Purpose

Requires a state, county, city, town or school district office and public school with a gymnasium to provide sufficient space for use as a polling place for any election when requested by the officer in charge of elections. Removes the ability of a school principal to deny a request for use as a polling place. Requires public schools to close on an election day.

Background

Statute outlines the authorization, establishment and use of voting centers and emergency voting centers. A county board of supervisors (county BOS) must establish a convenient number of election precincts in the county and define the boundaries of the precincts. A county BOS, on a specific resolution, may authorize the use of voting centers in place of, or in addition to, specifically designated polling places. A voting center must allow any voter in the county to receive the appropriate ballot for the voter on election day after presenting identification. A county BOS may pass a resolution authorizing the county recorder or other officer in charge of elections to establish emergency voting centers ([A.R.S. § 16-411](#)).

Schools must close on: 1) July 4; 2) Veterans' Day; 3) December 25; and 4) Thanksgiving Day. During the closure, the compensation of teachers may not be diminished. School district governing boards may declare a recess during the Christmas holiday season that does not exceed two weeks and teachers must receive compensation during the recess ([A.R.S. § 15-801](#)).

A person may excuse themselves from their service or employment to vote at the primary or general election on election day if: 1) there are less than three hours between the opening of the polls and the beginning of their shift; or 2) if there are less than three hours between the end of their shift and the closing of the polls. If a person qualifies to be excused, then the person may be absent for up to three consecutive hours. An application for the absence must be made prior to an election day and the employer may specify the hours during which an employee may excuse themselves. A person may not be penalized or have their salary or wages reduced due to the absence ([A.R.S § 16-402](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Removes the authority of the county BOS to use voting centers in place of specifically designated polling places.

2. Requires a state, county, city, town or school district office and public school with a gymnasium to provide sufficient space for use as a polling place for any election when requested by the officer in charge of elections.
3. Removes the ability of the principal of a school to deny a request to provide space for use as a polling place for an election by providing a written statement indicating that:
 - a) space is not available at the school; or
 - b) the safety or welfare of the children would be jeopardized.
4. Requires public schools to close on a primary election day and a general election day.
5. Exempts a public school that is requested for use as a polling place from any state, local or school district requirements that would restrict the use of the public school and its gymnasium as a polling place.
6. Requires teachers and staff to receive or conduct in-service training or development activities on a primary election day and a general election day.
7. Prohibits teachers and staff from using personal, vacation or other leave time on a primary and general election day.
8. Specifies that the prohibition relating to teachers and staff taking time off on an election day does not apply to a school district providing an employee time off to vote as required by statute.
9. Defines *gymnasium* as an indoor room or facility suitable for sporting events, including basketball or volleyball and excludes a cafeteria or an auditorium.
10. Makes technical and conforming changes.
11. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Reinserts the ability of the county BOS to authorize, establish and use a voting center.
2. Removes the authority of the county BOS to use voting centers in place of specifically designated polling places.
3. Requires a state, county, city, town or school district office and public school with a gymnasium to provide sufficient space for use as a polling place for any election when requested by the officer in charge of elections.
4. Removes the ability of the principal of a school to deny a request to provide space for use as a polling place for an election for outlined reasons.
5. Requires public schools to close on a primary election day and a general election day.

6. Exempts a public school that is requested for use as a polling place from any state, local or school district requirements that would restrict the use of the public school and its gymnasium as a polling place.
7. Requires teachers and staff to receive or conduct in-service training or development activities on a primary election day and a general election day.
8. Prohibits teachers and staff from using personal, vacation or other leave time on a primary and general election day.
9. Specifies that the prohibition relating to teachers and staff taking time off on an election day does not apply to a school district providing an employee time off to vote as required by statute.
10. Defines *gymnasium* as an indoor room or facility suitable for sporting events, including basketball or volleyball and excludes a cafeteria or an auditorium.
11. Makes technical and conforming changes.

Senate Action

ELEC 2/13/23 DP 5-3-0

Prepared by Senate Research

March 2, 2023

AN/slp