



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**AMENDED**  
**FACT SHEET FOR S.B. 1595**

early ballots; identification; tabulation

Purpose

Prescribes additional requirements for an early ballot to be counted and valid. Requires a voter to present valid identification by the prescribed days after an election for a ballot that was delivered by a voter's agents or a voter who does not provide sufficient identification. Removes the requirement that the period of early voting must end at 5:00 p.m. on the Friday preceding the election.

Background

Any election called pursuant to Arizona law must provide for any qualified elector to vote by early ballot ([A.R.S. § 16-541](#)). An early ballot must be accompanied by an envelope containing a printed affidavit and an early voter must make and sign the affidavit. An early voter must mark the ballot, fold the ballot to conceal the vote and deposit the voted ballot into the envelope provided. In order to be counted and valid, an early ballot along with the ballot affidavit must be received by the county recorder or other officer in charge of elections or deposited at any polling place in the county by 7:00 p.m. on election day. The voter or voter's agent may deposit the completed ballot inside the ballot envelope at any polling place in the county ([A.R.S. §§ 16-547](#) and [16-548](#)).

A valid form of identification includes the individual's: 1) photograph; 2) name and address that reasonably appears to be the same as the name and address in the precinct register. A valid form of identification may be: 1) an Arizona driver license; 2) an Arizona nonoperating identification license; 3) a tribal identification; or 4) a U.S. federal, state or local government issue identification ([A.R.S. § 16-579](#)).

An elector who appears with the elector's voted early ballot at a voting location that allows for on-site tabulation of early ballots and who does not present valid identification must either: 1) deposit the elector's voted early ballot in the affidavit envelope in an official drop box; or 2) proceed to the area designated for election day voting to surrender the early ballot to the election board for retention. An elector that surrenders the elector's early ballot to an election board may vote a provisional ballot. For the on-site tabulation of early ballots under the observation of an election official, an elector must: 1) remove the early ballot from the completed affidavit envelope; 2) deposit the empty, completed affidavit envelope in the secured and labeled drop box; and 3) insert the early ballot into the tabulating machine ([A.R.S. § 16-579.02](#)).

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

Provisions

1. Requires, for an early ballot to be counted and valid, the early ballot to be:
  - a) delivered to the county recorder or other officer in charge of elections of the political subdivision in which the voter is registered and received by 7:00 p.m. on the Friday preceding election day;
  - b) deposited by the voter at a polling place after 7:00 p.m. on the Friday preceding election day after presenting valid identification and signing the signature roster or electronic pollbook;
  - c) tabulated on-site; or
  - d) received by the county recorder or other officer in charge of election by 7:00 p.m. on election day, if the ballot is mailed.
2. Removes the requirement that the period of early voting must end at 5:00 p.m. on the Friday preceding the election.
3. Prohibits a county recorder or other officer in charge of elections that is not able to revise precinct registers or other elections materials in a timely manner from operating on-site early voting after 7:00 p.m. on the Friday preceding the election.
4. Requires, for a ballot that is delivered by the voter's agent or a voter who does not have sufficient identification, the voter to present valid identification to the county recorder or other officer in charge of elections by the fifth business day after a primary, general or special election that includes a federal office or the third business day after any other election.
5. Removes the ability of an elector who appears at a voting center or polling place that provides on-site tabulation without valid identification from depositing the elector's voted early ballot into the official drop box and requires the elector to surrender the early ballot and instead, vote a provisional ballot.
6. Replaces a ballot drop box with a secured container for the purpose of depositing an empty completed ballot affidavit envelope during the process of on-site tabulation.
7. Defines a *voter's agent* as the voter's family member, household member, or caregiver.
8. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Removes the requirement that the period of early voting must end at 5:00 p.m. on the Friday preceding the election.
2. Prohibits a county recorder or other officer in charge of elections that is not able to revise precinct registers or other elections materials in a timely manner from operating on-site early voting after 7:00 p.m. on the Friday preceding the election.
3. Subjects a voter who does not have sufficient identification while at a polling place to the requirement that a voter present identification to the county recorder or other officer in charge of elections by the fifth business day after an election.
4. Makes technical and conforming changes.

FACT SHEET - AMENDED

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Senate Action

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

Prepared by Senate Research

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