

COMMITTEE ON MUNICIPAL OVERSIGHT & ELECTIONS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2101  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-181, Arizona Revised Statutes, is amended to  
3 read:

4 16-181. Return of registration; alteration; civil penalty;  
5 violation; classification

6 A. An intentional failure of an authorized person, INCLUDING A  
7 PERSON OR NONGOVERNMENTAL ORGANIZATION THAT RECEIVES BLANK VOTER  
8 REGISTRATION FORMS FROM THE SECRETARY OF STATE, COUNTY RECORDER OR OTHER  
9 AUTHORIZED ELECTION OFFICIAL, to return the completed registration  
10 materials as provided in this chapter is a class 2 misdemeanor. A  
11 NONGOVERNMENTAL ORGANIZATION THAT FAILS TO TIMELY RETURN COMPLETED  
12 REGISTRATION MATERIALS THAT ARE TIMELY RECEIVED FROM A REGISTRANT IS  
13 SUBJECT TO A CIVIL PENALTY OF \$50,000.

14 B. IF AN EMPLOYEE, CONTRACTOR OR VOLUNTEER OF A NONGOVERNMENTAL  
15 ORGANIZATION REGISTERS VOTERS ON BEHALF OF THE NONGOVERNMENTAL ORGANIZATION  
16 AND UNLAWFULLY ALTERS THE INFORMATION ON A VOTER REGISTRATION FORM, THE  
17 NONGOVERNMENTAL ORGANIZATION IS SUBJECT TO A CIVIL PENALTY OF \$1,500 FOR  
18 EACH UNLAWFULLY ALTERED VOTER REGISTRATION FORM IT RETURNS.

19 Sec. 2. Title 16, chapter 1.1, article 1, Arizona Revised Statutes,  
20 is amended by adding section 16-194, to read:

21 16-194. Primary and general elections; requirements

22 A. NOTWITHSTANDING ANY OTHER LAW, ALL PRIMARY AND GENERAL ELECTIONS  
23 IN THIS STATE SHALL BE CONDUCTED IN STRICT ADHERENCE TO THE FOLLOWING:

1           1. A VOTER MAY NOT RECEIVE OR VOTE A BALLOT UNLESS THE VOTER HAS  
2 PRESENTED VALID STATE-ISSUED IDENTIFICATION.

3           2. EXCEPT FOR ABSENTEE BALLOTS AS PRESCRIBED BY SECTION 16-541:

4           (a) ALL VOTING SHALL OCCUR ON ELECTION DAY ONLY.

5           (b) ALL BALLOTS SHALL BE CAST IN PERSON BY THE VOTER AT THE VOTER'S  
6 ELECTION PRECINCT POLLING PLACE.

7           3. ALL BALLOTS SHALL BE COUNTED BY HAND AND CANVASSED AND THE  
8 RETURNS MADE WITHIN TWENTY-FOUR HOURS AFTER THE POLLS ARE CLOSED.

9           B. EXCEPT AS REQUIRED BY SUBSECTION A OF THIS SECTION, ALL PRIMARY  
10 AND GENERAL ELECTIONS SHALL BE CONDUCTED AS OTHERWISE PROVIDED BY LAW.

11           Sec. 3. Title 16, chapter 4, article 1, Arizona Revised Statutes, is  
12 amended by adding sections 16-407.04 and 16-410.01, to read:

13           16-407.04. Ranked choice voting prohibited

14           AN ELECTION IN THIS STATE MAY NOT ALLOW THE RANKING OF CANDIDATES IN  
15 ANY MANNER OTHER THAN WITH A SINGLE VOTE FOR ONE CANDIDATE FOR EACH OFFICE  
16 TO BE FILLED.

17           16-410.01. County recorder; duties

18           NOTWITHSTANDING ANY OTHER LAW, THE COUNTY RECORDER IS RESPONSIBLE  
19 ONLY FOR PROVIDING AN ADEQUATE NUMBER AND TYPE OF BALLOTS, PENS, TABLES AND  
20 OTHER EQUIPMENT AS NECESSARY FOR THE VARIOUS POLLING PLACES LOCATED IN  
21 PRECINCTS AS DETERMINED BY THE NUMBER OF REGISTERED VOTERS IN THE  
22 PRECINCTS. THE COUNTY BOARD OF SUPERVISORS SHALL PERFORM OR SUPERVISE ALL  
23 OTHER ELECTION RELATED DUTIES.

24           Sec. 4. Section 16-515, Arizona Revised Statutes, is amended to  
25 read:

26           16-515. "Seventy-five foot limit" notices; posting; violation;  
27                           classification

28           A. Except as prescribed in this section and section 16-580, a person  
29 shall not be allowed to remain inside the seventy-five foot limit while the  
30 polls are open, except for the purpose of voting, and except the election  
31 officials, one representative at any one time of each political party  
32 represented on the ballot who has been appointed by the county chairman of

1 that political party and the challengers allowed by law, and ~~no~~  
2 electioneering may NOT occur within the seventy-five foot limit. Voters  
3 having cast their ballots shall promptly move outside the seventy-five foot  
4 limit.

5 B. The board of supervisors shall furnish, with the ballots for each  
6 polling place, three notices, printed in letters not less than two inches  
7 high, with the heading: "Seventy-five foot limit" and underneath that  
8 heading the following:

9 No person shall be allowed to remain inside these limits while  
10 the polls are open, except for the purpose of voting, and  
11 except the election officials, one representative at any one  
12 time of each political party ~~represented on the ballot~~ who has  
13 been appointed by the county chairman of such political party,  
14 and the challengers allowed by law. Voters having cast their  
15 ballots shall at once retire without the seventy-five foot  
16 limit. A person violating any provision of this notice is  
17 guilty of a class 2 misdemeanor.

18 C. ~~A minor voting in a simulated election at a polling place is~~  
19 ~~subject to the same seventy-five foot limit restrictions prescribed for a~~  
20 ~~voter. Persons supervising or working in a simulated election in which~~  
21 ~~minors vote may remain within the seventy-five foot limit of the polling~~  
22 ~~place.~~ The inspector for the polling place shall exercise authority over  
23 all election ~~and simulated election~~ related activities at the polling  
24 place.

25 D. For an election that is held by an Indian tribe and that is held  
26 at a polling place at the same time and on the same date as any other  
27 election, the following apply:

28 1. A person who is voting is subject to the same seventy-five foot  
29 limit restrictions prescribed for other voters.

30 2. An election official for the tribal election may remain within  
31 the seventy-five foot limit for the polling place.

1 E. With the permission of the voter, a minor may enter and remain  
2 within the seventy-five foot limit in order to accompany a voter into a  
3 polling place, an on-site ~~early~~ voting facility and a voting booth while  
4 the voter is voting.

5 F. Notwithstanding any other law, an election official, a  
6 representative of a political party who has been appointed by the county  
7 chairman of that political party or a challenger who is authorized by law  
8 to be within the seventy-five foot limit as prescribed by this section  
9 shall not wear, carry or display materials that identify or express support  
10 for or opposition to a candidate, a political party or organization, a  
11 ballot question or any other political issue and shall not electioneer  
12 within the seventy-five foot limit of a polling place.

13 G. Notwithstanding section 16-1018, a person may not take  
14 photographs or videos while within the seventy-five foot limit.

15 H. ~~Any~~ A person ~~violating~~ WHO VIOLATES this section is guilty of a  
16 class 2 misdemeanor.

17 I. For the purposes of this section, electioneering occurs when an  
18 individual knowingly, intentionally, by verbal expression and in order to  
19 induce or compel another person to vote in a particular manner or to  
20 refrain from voting expresses support for or opposition to a candidate who  
21 appears on the ballot in that election, a ballot question that appears on  
22 the ballot in that election or a political party with one or more  
23 candidates who appear on the ballot in that election.

24 Sec. 5. Title 16, chapter 4, article 9, Arizona Revised Statutes, is  
25 amended by adding section 16-575, to read:

26 16-575. Mask mandate; vaccination; testing prohibition

27 THE BOARD OF SUPERVISORS, COUNTY RECORDER AND OFFICER IN CHARGE OF  
28 ELECTIONS MAY NOT REQUIRE THAT A VOTER, A BOARD WORKER OR ANY OTHER PERSON  
29 WEAR A FACIAL MASK AT A POLLING PLACE OR OTHER VOTING OR TABULATING  
30 LOCATION OR BE VACCINATED AGAINST OR TESTED FOR A VIRUS AS A CONDITION OF  
31 ENTERING A POLLING PLACE OR OTHER VOTING OR TABULATING LOCATION.

1           Sec. 6. Section 16-1011, Arizona Revised Statutes, is amended to  
2 read:

3           16-1011. Counterfeiting election returns; violation;  
4                           classification

5           A. A person who knowingly forges or counterfeits returns of an  
6 election purporting to have been held at a precinct or place where no  
7 election was in fact held, or who knowingly substitutes, forges or  
8 counterfeits returns of election instead of the true returns for a precinct  
9 or place where an election was actually held, is guilty of a class 3  
10 felony.

11           B. A person who knowingly substitutes, forges, counterfeits or  
12 tampers with ballot tabulations or totals or election results by electronic  
13 means or through the use of a computer, machine or other device is guilty  
14 of a class ~~3~~ 2 felony. This subsection does not apply to the casting or  
15 tallying of ballots as provided by law or to the substitution or  
16 duplication of ballots as prescribed by sections 16-573, ~~AND~~ 16-574 ~~and~~  
17 ~~16-621~~.

18           C. Notwithstanding sections 13-907 and 13-908, a person who is  
19 convicted under this section shall not be automatically restored the right  
20 to vote."

21 Amend title to conform

And, as so amended, it do pass

JACQUELINE PARKER  
CHAIRMAN

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02/16/2023  
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C: MR