

REFERENCE TITLE: in-person precinct voting; absentee voters

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HCR 2040**

Introduced by  
Representatives Jones: Harris, Heap, Parker J, Smith

### A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING  
TO PRECINCT AND ABSENTEE VOTERS.

(TEXT OF RESOLUTION BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,  
2 the Senate concurring:

3 1. Under the power of the referendum, as vested in the  
4 Legislature, the following measure, relating to precinct and absentee  
5 voters, is enacted to become valid as a law if approved by the voters and  
6 on proclamation of the Governor:

7 AN ACT

8 AMENDING SECTIONS 16-245, 16-246, 16-343, 16-405, 16-411,  
9 16-461, 16-510, 16-515, 16-541 AND 16-542, ARIZONA REVISED  
10 STATUTES; REPEALING SECTIONS 16-544 AND 16-545, ARIZONA  
11 REVISED STATUTES; AMENDING SECTIONS 16-547, 16-558.02, 16-1017  
12 AND 16-1018, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS  
13 AND ELECTORS.

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

15 Section 1. Section 16-245, Arizona Revised Statutes, is  
16 amended to read:

17 16-245. Form and content of ballot

18 A. Ballots and ballot labels for the presidential  
19 preference election shall be printed on different colored  
20 paper or white paper with a different colored stripe for each  
21 party represented on the presidential preference election  
22 ballot. Only one party may be represented on each ballot. At  
23 the top shall be printed "official ballot of the  
24 \_\_\_\_\_ party, presidential preference election (date),  
25 county of \_\_\_\_\_, state of Arizona".

26 B. The order of the names of certified candidates on  
27 the ballot shall be determined by lots drawn at a public  
28 meeting called by the secretary of state for that  
29 purpose. Rotation of candidate names is prohibited. The  
30 certified candidates shall be listed under the title  
31 "\_\_\_\_\_ party candidates for President of the United  
32 States". Immediately below shall be printed "vote for not  
33 more than one". The ballot may also contain printed  
34 instructions to voters as prescribed for other elections.

35 C. The officer in charge of elections shall provide a  
36 sample ballot proof to the state committee chairman of each  
37 qualified candidate's state committee ~~no~~ NOT later than five  
38 days after ~~receipt of~~ RECEIVING the certification from the  
39 secretary of state.

40 D. The officer in charge of elections shall mail one  
41 sample ballot of each party represented on the presidential  
42 preference election ballot to each household that contains a  
43 registered voter of that political party ~~unless that~~  
44 ~~registered voter is on the active early voting list~~  
45 ~~established pursuant to section 16-544~~. The return address on

1 the sample ballot mailer shall not contain the name of any  
2 elected or appointed official, and the name of an appointed or  
3 elected official shall not be used to indicate who produced  
4 the sample ballot.

5 E. The mailing face of each sample ballot shall be  
6 imprinted with the great seal of the state of Arizona with the  
7 words "official voting materials – presidential preference  
8 election". The polling place for that household may also be  
9 designated on the mailing face of the sample ballot.

10 Sec. 2. Section 16-246, Arizona Revised Statutes, is  
11 amended to read:

12 16-246. Absentee voting; additional procedures

13 ~~A. Within ninety-three days before the presidential~~  
14 ~~preference election and not later than 5:00 p.m. on the~~  
15 ~~eleventh day preceding the election, any elector who is~~  
16 ~~eligible to vote in the presidential preference election may~~  
17 ~~make a verbal or signed, written request for an official early~~  
18 ~~ballot to the county recorder or other officer in charge of~~  
19 ~~elections for the county in which the elector is registered to~~  
20 ~~vote. If the request is verbal, the requesting elector shall~~  
21 ~~provide the date of birth and birthplace or other information~~  
22 ~~that if compared to the voter registration records for that~~  
23 ~~elector would confirm the identity of the elector.~~

24 ~~B.~~ A. Absent uniformed services voters or overseas  
25 voters who are otherwise eligible to vote in the election may  
26 vote as prescribed by sections 16-543 and 16-543.02.

27 ~~C.~~ B. The county recorder or other officer in charge  
28 of elections may establish ELECTION DAY on-site ~~early~~ voting  
29 locations at the office of the county recorder or at other  
30 locations in the county deemed necessary or appropriate by the  
31 recorder. ~~Early voting shall begin within the time limits~~  
32 ~~prescribed in section 16-542 unless otherwise prescribed by~~  
33 ~~this section.~~

34 ~~D.~~ C. The county recorder or other officer in charge  
35 of elections shall send by nonforwardable mail that is marked  
36 with the statement required by the postmaster to receive an  
37 address correction notification any ~~early~~ ABSENTEE ballots  
38 that are requested pursuant to ~~subsections~~ SUBSECTION A ~~and B~~  
39 of this section and shall include a preaddressed envelope for  
40 the elector to return the completed ballot.

41 ~~E.~~ D. The county recorder or other officer in charge  
42 of elections shall provide to each election board an  
43 appropriate alphabetized list of voters who have requested and  
44 have been sent an ~~early~~ ABSENTEE ballot. Any person who is on  
45 that list of voters and who was sent an ~~early~~ ABSENTEE ballot

1 shall not vote at the polling place for that election precinct  
2 except as prescribed by section 16-579, subsection B.

3 ~~F.~~ E. The county recorder or other officer in charge  
4 of elections may provide for ~~any of the following~~ SPECIAL  
5 ELECTION BOARDS in the same manner prescribed by law for other  
6 elections. ~~;~~

7 ~~1. Special election boards.~~

8 ~~2. Emergency balloting for persons who experience an~~  
9 ~~emergency after 5:00 p.m. on the Friday preceding the~~  
10 ~~presidential preference election and before 5:00 p.m. on the~~  
11 ~~Monday immediately preceding the presidential preference~~  
12 ~~election. Before receiving a ballot pursuant to this~~  
13 ~~paragraph, a person who experiences an emergency shall provide~~  
14 ~~identification as prescribed in section 16-579 and shall sign~~  
15 ~~a statement under penalty of perjury that states that the~~  
16 ~~person is experiencing or experienced an emergency after 5:00~~  
17 ~~p.m. on the Friday immediately preceding the election and~~  
18 ~~before 5:00 p.m. on the Monday immediately preceding the~~  
19 ~~election that would prevent the person from voting at the~~  
20 ~~polls. Signed statements received pursuant to this subsection~~  
21 ~~are not subject to inspection pursuant to title 39, chapter 1,~~  
22 ~~article 2.~~

23 ~~G. Notwithstanding section 16-579, subsection A,~~  
24 ~~paragraph 2, for emergency balloting pursuant to subsection F,~~  
25 ~~paragraph 2 of this section, the county recorder or other~~  
26 ~~officer in charge of elections may allow a qualified elector~~  
27 ~~to update the elector's voter registration information as~~  
28 ~~provided for in the secretary of state's instructions and~~  
29 ~~procedures manual adopted pursuant to section 16-452.~~

30 ~~H. Sections 16-550, 16-551 and 16-552 govern the use of~~  
31 ~~early balloting for the presidential preference election.~~

32 Sec. 3. Section 16-343, Arizona Revised Statutes, is  
33 amended to read:

34 16-343. Filling vacancy caused by death, incapacity or  
35 withdrawal of candidate

36 A. A vacancy occurring due to death, mental incapacity  
37 or voluntary withdrawal of a candidate after the close of  
38 petition filing but before a primary or general election shall  
39 be filled by the political party with which the candidate was  
40 affiliated as follows:

41 1. In the case of a United States senator or statewide  
42 candidate, the state executive committee of the candidate's  
43 political party shall nominate a candidate of the party's  
44 choice and shall file a nomination paper and declaration

1 complying with the requirements for candidates as stated in  
2 section 16-311 in order to fill the vacancy.

3 2. In the case of a vacancy for the office of United  
4 States representative or the legislature, the party precinct  
5 committeemen of that congressional or legislative district  
6 shall nominate a candidate of the party's choice and shall  
7 file a nomination paper and declaration complying with the  
8 requirements of section 16-311.

9 3. In the case of a vacancy for a county or precinct  
10 office, the party county committee of counties with a  
11 population of less than two hundred fifty thousand persons  
12 according to the most recent United States decennial census,  
13 and ~~and~~ in counties with a population of two hundred fifty  
14 thousand persons or more according to the most recent United  
15 States decennial census the county officers of the party  
16 together with the chairman of the party precinct committeemen  
17 in each legislative district of the county, shall nominate a  
18 candidate of the party's choice and shall file a nomination  
19 paper and declaration complying with the requirements of  
20 section 16-311 to fill such vacancy.

21 4. If the vacancy occurs in a candidate race for  
22 partisan nomination in which at least one candidate of the  
23 vacating candidate's political party remains on the ballot for  
24 the vacating candidate's office, the vacancy shall not be  
25 filled. For an office to which more than one candidate will  
26 be elected, the vacancy shall not be filled if at least one  
27 candidate of the vacating candidate's political party remains  
28 on the ballot for each of the multiple seats for the office  
29 sought by the vacating candidate.

30 B. The nomination paper and declaration required in  
31 subsection A of this section shall be filed with the office  
32 with which nomination petitions were to be filed at any time  
33 before the official ballots are printed.

34 C. Any meetings for the purpose of filing a nomination  
35 paper and declaration provided for in this section shall be  
36 called by the chairman of such committee or legislative  
37 district, except that in the case of multicounty legislative  
38 or congressional districts the party county chairman of the  
39 county having the largest geographic area within such district  
40 shall call such meeting. The chairman or in his absence the  
41 vice chairman calling such meeting shall preside. The call to  
42 such meeting shall be mailed or given in person to each person  
43 entitled to participate ~~no~~ NOT later than one day before such  
44 meeting. A majority of those present and voting shall be  
45 required to fill a vacancy pursuant to this section.

1 D. A vacancy that is due to voluntary or involuntary  
2 withdrawal of the candidate and that occurs following the  
3 printing of official ballots shall not be filled in accordance  
4 with this section, however, prospective candidates shall  
5 comply with section 16-312. A candidate running as a write-in  
6 candidate under this subsection shall file the nomination  
7 paper ~~no~~ NOT later than 5:00 p.m. on the fifth day before the  
8 election.

9 E. Candidates nominated pursuant to subsection A of  
10 this section or a candidate running as a write-in candidate  
11 under subsection D of this section may be a candidate who ran  
12 in the immediately preceding primary election for the office  
13 and failed to be nominated.

14 F. If a vacancy occurs as described in subsection A of  
15 this section for a state office, the secretary of state shall  
16 notify the various boards of supervisors as to the  
17 vacancy. The boards of supervisors shall notify the  
18 inspectors of the various precinct election boards in the  
19 county, district or precinct where a vacancy occurs. In the  
20 case of a city or town election, the city or town clerk shall  
21 notify the appropriate inspectors. A vacancy that occurs as  
22 prescribed in subsection D of this section due to the death or  
23 incapacity of the candidate shall not be filled, and the  
24 secretary of state shall notify the appropriate county board  
25 of supervisors to post a notice of the death or incapacity of  
26 the candidate in each polling place along with notice that any  
27 votes cast for that candidate will be tabulated.

28 G. The inspectors shall post the notice of vacancy in  
29 the same manner as posting official write-in candidates. In  
30 the case of a withdrawal of a candidate that occurs after the  
31 printing of official ballots, the inspectors shall post the  
32 notice of withdrawal in a conspicuous location in each polling  
33 place. Notice of withdrawal shall ~~also be posted at all early~~  
34 ~~voting locations and shall~~ be made available to ~~early~~ ABSENTEE  
35 voters by providing with the ~~early~~ ABSENTEE ballot  
36 instructions a website address at which prompt updates to  
37 information regarding write-in and withdrawn candidates are  
38 available.

39 Sec. 4. Section 16-405, Arizona Revised Statutes, is  
40 amended to read:

41 16-405. Preparation for elections

42 The board of supervisors or other authority in charge of  
43 elections shall provide voting or marking devices, voting  
44 booths, ballots, ~~early ballots as prescribed by section~~  
45 ~~16-545~~, ballot boxes and other supplies as required.

1           Sec. 5. Section 16-411, Arizona Revised Statutes, is  
2 amended to read:

3           16-411. Designation of election precincts and polling  
4           places; voting centers; electioneering; wait  
5           times

6           A. The board of supervisors of each county, on or  
7 before October 1 of each year preceding the year of a general  
8 election, by an order, shall establish a convenient number of  
9 election precincts in the county and define the boundaries of  
10 the precincts as follows:

11           1. The election precinct boundaries shall be  
12 established so as to be included within election districts  
13 prescribed by law for elected officers of the state and its  
14 political subdivisions, including community college district  
15 precincts, except those elected officers provided for in  
16 titles 30 and 48. **THE BOARD OF SUPERVISORS MAY NOT ESTABLISH**  
17 **AN ELECTION PRECINCT THAT CONTAINS MORE THAN ONE THOUSAND**  
18 **REGISTERED VOTERS ON THE DATE THE ELECTION PRECINCT'S**  
19 **BOUNDARIES ARE ESTABLISHED.**

20           2. If after October 1 of the year preceding the year of  
21 a general election the board of supervisors must further  
22 adjust precinct boundaries due to the redistricting of  
23 election districts as prescribed by law and to comply with  
24 this subsection, the board of supervisors shall adjust these  
25 precinct boundaries as soon as is practicable.

26           B. At least twenty days before a general or primary  
27 election, and at least ten days before a special election, the  
28 board shall designate one polling place within each precinct  
29 where the election shall be held, except that:

30           1. On a specific finding of the board, included in the  
31 order or resolution designating polling places pursuant to  
32 this subsection, that no suitable polling place is available  
33 within a precinct, a polling place for that precinct may be  
34 designated within an adjacent precinct.

35           2. Adjacent precincts may be combined if boundaries so  
36 established are included in election districts prescribed by  
37 law for state elected officials and political subdivisions  
38 including community college districts but not including  
39 elected officials prescribed by titles 30 and 48. The officer  
40 in charge of elections may also split a precinct for  
41 administrative purposes. The polling places shall be listed  
42 in separate sections of the order or resolution.

43           3. ~~On a specific finding of the board that the number~~  
44 ~~of persons who are listed as early voters pursuant to section~~  
45 ~~16-544 and who are not expected to have their ballots~~

1 ~~tabulated at the polling place as prescribed in section~~  
2 ~~16-579.02 is likely to substantially reduce the number of~~  
3 ~~voters appearing at one or more specific polling places at~~  
4 ~~that election, adjacent precincts may be consolidated by~~  
5 ~~combining polling places and precinct boards for that~~  
6 ~~election.~~ The board of supervisors shall ensure that a  
7 reasonable and adequate number of polling places **IN EACH**  
8 **PRECINCT** will be designated for that election. Any  
9 consolidated polling places shall be listed in separate  
10 sections of the order or resolution of the board.

11 4. ~~On a specific resolution of the board,~~ The board may  
12 **NOT** authorize the use of voting centers in place of or in  
13 addition to specifically designated polling places. ~~A voting~~  
14 ~~center shall allow any voter in that county to receive the~~  
15 ~~appropriate ballot for that voter on election day after~~  
16 ~~presenting identification as prescribed in section 16-579 and~~  
17 ~~to lawfully cast the ballot. Voting centers may be~~  
18 ~~established in coordination and consultation with the county~~  
19 ~~recorder, at other county offices or at other locations in the~~  
20 ~~county deemed appropriate.~~

21 5. ~~On a specific resolution of the board of supervisors~~  
22 ~~that is limited to a specific election date and that is voted~~  
23 ~~on by a recorded vote, the board may authorize the county~~  
24 ~~recorder or other officer in charge of elections to use~~  
25 ~~emergency voting centers as follows:~~

26 (a) ~~The board shall specify in the resolution the~~  
27 ~~location and the hours of operation of the emergency voting~~  
28 ~~centers.~~

29 (b) ~~A qualified elector voting at an emergency voting~~  
30 ~~center shall provide identification as prescribed in section~~  
31 ~~16-579, except that notwithstanding section 16-579, subsection~~  
32 ~~A, paragraph 2, for any voting at an emergency voting center,~~  
33 ~~the county recorder or other officer in charge of elections~~  
34 ~~may allow a qualified elector to update the elector's voter~~  
35 ~~registration information as provided for in the secretary of~~  
36 ~~state's instructions and procedures manual adopted pursuant to~~  
37 ~~section 16-452.~~

38 (c) ~~If an emergency voting center established pursuant~~  
39 ~~to this section becomes unavailable and there is not~~  
40 ~~sufficient time for the board of supervisors to convene to~~  
41 ~~approve an alternate location for that emergency voting~~  
42 ~~center, the county recorder or other officer in charge of~~  
43 ~~elections may make changes to the approved emergency voting~~  
44 ~~center location and shall notify the public and the board of~~  
45 ~~supervisors regarding that change as soon as practicable. The~~



~~alternate emergency voting center shall be as close in proximity to the approved emergency voting center location as possible.~~

C. If the board fails to designate the place for holding the election, or if it cannot be held at or about the place designated, the justice of the peace in the precinct, two days before the election, by an order, copies of which the justice of the peace shall immediately post in three public places in the precinct, shall designate the place within the precinct for holding the election. If there is no justice of the peace in the precinct, or if the justice of the peace fails to do so, the election board of the precinct shall designate and give notice of the place within the precinct of holding the election. ~~For any election in which there are no candidates for elected office appearing on the ballot, the board may consolidate polling places and precinct boards and may consolidate the tabulation of results for that election if all of the following apply:~~

~~1. All affected voters are notified by mail of the change at least thirty-three days before the election.~~

~~2. Notice of the change in polling places includes notice of the new voting location, notice of the hours for voting on election day and notice of the telephone number to call for voter assistance.~~

~~3. All affected voters receive information on early voting that includes the application used to request an early voting ballot.~~

~~D. The board is not required to designate a polling place for special district mail ballot elections held pursuant to article 8.1 of this chapter, but the board may designate one or more sites for voters to deposit marked ballots until 7:00 p.m. on the day of the election.~~

~~D.~~ D. Except as provided in subsection ~~F~~ E of this section, a public school shall provide sufficient space for use as a polling place for any city, county or state election when requested by the officer in charge of elections.

~~F.~~ E. The principal of the school may deny a request to provide space for use as a polling place for any city, county or state election if, within two weeks after a request has been made, the principal provides a written statement indicating a reason the election cannot be held in the school, including any of the following:

1. Space is not available at the school.
2. The safety or welfare of the children would be jeopardized.

1           ~~G.~~ F. The board shall make available to the public as  
2 a public record a list of the polling places for all precincts  
3 in which the election is to be held.

4           ~~H.~~ G. Except in the case of an emergency, any facility  
5 that is used as a polling place on election day ~~or that is~~  
6 ~~used as an early voting site during the period of early voting~~  
7 shall allow persons to electioneer and engage in other  
8 political activity outside of the seventy-five foot limit  
9 prescribed by section 16-515 in public areas and parking lots  
10 used by voters. This subsection does not allow the temporary  
11 or permanent construction of structures in public areas and  
12 parking lots or the blocking or other impairment of access to  
13 parking spaces for voters. The county recorder or other  
14 officer in charge of elections shall post on its website at  
15 least two weeks before election day a list of those polling  
16 places in which emergency conditions prevent electioneering  
17 and shall specify the reason the emergency designation was  
18 granted and the number of attempts that were made to find a  
19 polling place before granting an emergency designation. If  
20 the polling place is not on the website list of polling places  
21 with emergency designations, electioneering and other  
22 political activity shall be allowed outside of the  
23 seventy-five foot limit. If an emergency arises after the  
24 county recorder or other officer in charge of elections'  
25 initial website posting, the county recorder or other officer  
26 in charge of elections shall update the website as soon as is  
27 practicable to include any new polling places, shall highlight  
28 the polling place location on the website and shall specify  
29 the reason the emergency designation was granted and the  
30 number of attempts that were made to find a polling place  
31 before granting an emergency designation.

32           ~~I.~~ H. For the purposes of this section, a county  
33 recorder or other officer in charge of elections shall  
34 designate a polling place as an emergency polling place and  
35 thus prohibit persons from electioneering and engaging in  
36 other political activity outside of the seventy-five foot  
37 limit prescribed by section 16-515 but inside the property of  
38 the facility that is hosting the polling place if any of the  
39 following occurs:

40           1. An act of God renders a previously set polling place  
41 as unusable.

42           2. A county recorder or other officer in charge of  
43 elections has exhausted all options and there are no suitable  
44 facilities in a precinct that are willing to be a polling  
45 place unless a facility can be given an emergency designation.

1           ~~1.~~ I. The secretary of state shall provide through the  
2 instructions and procedures manual adopted pursuant to section  
3 16-452 the maximum allowable wait time for any election that  
4 is subject to section 16-204 and provide for a method to  
5 reduce voter wait time at the polls in the primary and general  
6 elections. The method shall consider at least ~~at~~ BOTH of the  
7 following for primary and general elections in each precinct:

8           1. The number of ballots voted in the prior primary and  
9 general elections.

10           ~~2. The number of registered voters who voted early in~~  
11 ~~the prior primary and general elections.~~

12           ~~3. The number of registered voters and the number of~~  
13 ~~registered voters who cast an early ballot for the current~~  
14 ~~primary or general election.~~

15           ~~4. The number of registered voters whose early ballots~~  
16 ~~were tabulated on-site as prescribed in section 16-579.02 in~~  
17 ~~the prior primary and general elections.~~

18           ~~5.~~ 2. The number of election board members and clerks  
19 and the number of rosters that will reduce voter wait time at  
20 the polls.

21           Sec. 6. Section 16-461, Arizona Revised Statutes, is  
22 amended to read:

23           16-461. Sample primary election ballots; submission to  
24 party chairmen for examination; preparation,  
25 printing and distribution of ballot

26           A. At least forty-five days before a primary election,  
27 the officer in charge of that election shall:

28           1. Prepare a proof of a sample ballot.

29           2. Submit the sample ballot proof of each party to the  
30 county chairman or in city or town primaries to the city or  
31 town chairman.

32           3. Mail a sample ballot proof to each candidate for  
33 whom a nomination paper and petitions have been filed.

34           B. Within five days after receipt of the sample ballot,  
35 the county chairman of each political party shall suggest to  
36 the election officer any change the chairman considers should  
37 be made in the chairman's party ballot, and if on examination  
38 the election officer finds an error or omission in the ballot  
39 the officer shall correct it. The election officer shall  
40 ~~cause~~ PRINT AND DISTRIBUTE the sample ballots ~~to be printed~~  
41 ~~and distributed~~ as required by law, shall maintain a copy of  
42 each sample ballot and shall post a notice indicating that  
43 sample ballots are available on request. The official sample  
44 ballot shall be printed on colored paper or white paper with a  
45 different colored stripe for each party that is represented on

1 that ballot. For voters who are not registered with a party  
2 that is entitled to continued representation on the ballot  
3 pursuant to section 16-804, the election officer may print and  
4 distribute the required sample ballots in an alternative  
5 format, including a reduced size format.

6 C. Not later than forty days before a primary election,  
7 the county chairman of a political party may request one  
8 sample primary election ballot of the chairman's party for  
9 each election precinct.

10 D. The board of supervisors shall have printed  
11 mailer-type sample ballots for a primary election and shall  
12 mail at least eleven days before the election one sample  
13 ballot of a political party to each household containing a  
14 registered voter of that political party ~~unless that~~  
15 ~~registered voter is on the active early voting list~~  
16 ~~established pursuant to section 16-544~~. Each sample ballot  
17 shall contain the following statement: "This is a sample  
18 ballot and cannot be used as an official ballot under any  
19 circumstances". A certified claim shall be presented to the  
20 secretary of state by the board of supervisors for the actual  
21 cost of printing, labeling and postage of each sample ballot  
22 actually mailed, and the secretary of state shall direct  
23 payment of the authenticated claim from funds of the secretary  
24 of state's office.

25 E. For city and town elections, the governing body of a  
26 city or town may have printed mailer-type sample ballots for a  
27 primary election. If the city or town has printed such sample  
28 ballots, the city or town shall provide for the distribution  
29 of such ballots and shall bear the expense of printing and  
30 distributing ~~of~~ such sample ballots.

31 F. The return address on the mailer-type sample ballots  
32 shall not contain the name of an appointed or elected public  
33 officer, ~~nor may~~ AND the name of an appointed or elected  
34 public officer MAY NOT be used to indicate who produced the  
35 sample ballot.

36 G. The great seal of the state of Arizona shall be  
37 imprinted along with the words "official voting materials" on  
38 the mailing face of each sample ballot. In county, city or  
39 town elections the seal of such jurisdiction shall be  
40 substituted for the state seal.

41 Sec. 7. Section 16-510, Arizona Revised Statutes, is  
42 amended to read:

43 16-510. Sample ballots; preparation and distribution

44 A. Before printing the sample ballots for the general  
45 election, the board of supervisors shall send to each

1 candidate whose name did not appear on the preceding primary  
2 election ballot a ballot proof of the sample ballot for the  
3 candidate's review.

4 B. The board of supervisors shall print and distribute,  
5 for the information of voters at each polling place, a number  
6 of sample ballots as it deems necessary.

7 C. The board of supervisors shall have printed  
8 mailer-type sample ballots for a general election and shall  
9 mail at least eleven days before the election one such sample  
10 ballot to each household in the county containing a registered  
11 voter ~~unless that registered voter is on the active early~~  
12 ~~voting list established pursuant to section 16-544~~. Each  
13 sample ballot shall contain the following statement: "This is  
14 a sample ballot and cannot be used as an official ballot under  
15 any circumstances". A certified claim shall be presented to  
16 the secretary of state by the board of supervisors for the  
17 actual cost of printing, labeling and postage of each sample  
18 ballot actually mailed, and the secretary of state shall  
19 direct payment of the authenticated claim from funds of the  
20 secretary of state's office.

21 D. For city and town elections, the governing body of a  
22 city or town may have printed mailer-type sample ballots for a  
23 general election. If the city or town has printed such sample  
24 ballots, the city or town shall provide for the distribution  
25 of such ballots and shall bear the expense of printing and  
26 distributing such sample ballots.

27 E. For special district elections, the governing body  
28 of a special district may have printed mailer-type sample  
29 ballots. If the special district has printed such sample  
30 ballots, the special district shall provide for the  
31 distribution of such ballots and shall bear the expense of  
32 printing and distributing such sample ballots.

33 Sec. 8. Section 16-515, Arizona Revised Statutes, is  
34 amended to read:

35 16-515. "Seventy-five foot limit" notices; posting;  
36 violation; classification

37 A. Except as prescribed in this section and section  
38 16-580, a person shall not be allowed to remain inside the  
39 seventy-five foot limit while the polls are open, except for  
40 the purpose of voting, and except the election officials, one  
41 representative at any one time of each political party  
42 represented on the ballot who has been appointed by the county  
43 chairman of that political party and the challengers allowed  
44 by law, and ~~no~~ electioneering may NOT occur within the

1 seventy-five foot limit. Voters having cast their ballots  
2 shall promptly move outside the seventy-five foot limit.

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

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

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

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

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

33 2. An election official for the tribal election may  
34 remain within the seventy-five foot limit for the polling  
35 place.

36 E. With the permission of the voter, a minor may enter  
37 and remain within the seventy-five foot limit in order to  
38 accompany a voter into a polling place, an **ELECTION DAY**  
39 on-site **early** voting facility and a voting booth while the  
40 voter is voting.

41 F. Notwithstanding any other law, an election official,  
42 a representative of a political party who has been appointed  
43 by the county chairman of that political party or a challenger  
44 who is authorized by law to be within the seventy-five foot  
45 limit as prescribed by this section shall not wear, carry or

1 display materials that identify or express support for or  
2 opposition to a candidate, a political party or organization,  
3 a ballot question or any other political issue and shall not  
4 electioneer within the seventy-five foot limit of a polling  
5 place.

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

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

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

19 Sec. 9. Heading change

20 The article heading of title 16, chapter 4, article 8,  
21 Arizona Revised Statutes, is changed from "EARLY VOTING" to  
22 "ABSENTEE VOTING".

23 Sec. 10. Section 16-541, Arizona Revised Statutes, is  
24 amended to read:

25 16-541. Absentee voting; voter eligibility

26 A. Any election called pursuant to the laws of this  
27 state shall provide for ~~early~~ ABSENTEE voting, including  
28 voting by the use of an accessible vote by United States mail  
29 option for persons who are blind or have a visual  
30 impairment. Any qualified elector WHO MEETS THE CRITERIA  
31 ESTABLISHED BY THIS SECTION may vote by ~~early~~ ABSENTEE ballot.

32 B. AN ELECTOR SHALL BE ALLOWED TO VOTE BY ABSENTEE  
33 BALLOT FOR ANY ONE OR MORE OF THE FOLLOWING REASONS:

34 1. THE ELECTOR EXPECTS TO BE ABSENT FROM THE ELECTOR'S  
35 PRECINCT AT THE TIME OF HOLDING THE ELECTION.

36 2. THE ELECTOR IS PHYSICALLY UNABLE TO GO TO THE POLLS.

37 3. THE ELECTOR HAS A VISUAL IMPAIRMENT.

38 4. THE ELECTOR IS A PERSON WITH A DISABILITY.

39 5. THE ELECTOR IS SIXTY-FIVE YEARS OF AGE OR OLDER.

40 6. THE ELECTOR'S PLACE OF RESIDENCE IS MORE THAN  
41 FIFTEEN ROAD MILES FROM THE POLLING PLACE FOR THE ELECTOR'S  
42 PRECINCT.

43 7. THE ELECTOR CANNOT ATTEND THE POLLS ON THE DAY OF  
44 THE ELECTION BECAUSE OF THE TENETS OF THE ELECTOR'S RELIGION.

1           8. THE ELECTOR IS AN ABSENT UNIFORMED SERVICES VOTER OR  
2 OVERSEAS VOTER AS DEFINED IN THE UNIFORMED AND OVERSEAS  
3 CITIZENS ABSENTEE VOTING ACT (P.L. 99-410; 52 UNITED STATES  
4 CODE SECTION 20310) OR THE SPOUSE OR A HOUSEHOLD MEMBER OF THE  
5 ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS VOTER.

6           ~~B.~~ C. A qualified elector of a special district  
7 organized pursuant to title 48 shall be ~~permitted~~ ALLOWED to  
8 vote ~~early~~ ABSENTEE in any special district mail ballot  
9 election as provided in article 8.1 of this chapter.

10           Sec. 11. Section 16-542, Arizona Revised Statutes, is  
11 amended to read:

12           16-542. Request for absentee ballot; requirements;  
13 violation; classification

14           A. Within ninety-three days before any election called  
15 pursuant to the laws of this state, an ELIGIBLE elector AS  
16 PRESCRIBED BY SECTION 16-541 may make a verbal or signed  
17 request to the county recorder, or other officer in charge of  
18 elections for the applicable political subdivision of this  
19 state in whose jurisdiction the elector is registered to vote,  
20 for an official ~~early~~ ABSENTEE ballot. In addition to name  
21 and address, the requesting elector shall provide the date of  
22 birth and state or country of birth or other information that  
23 if compared to the voter registration information on file  
24 would confirm the identity of the elector AND SHALL SPECIFY  
25 ONE OF THE REASONS FOR VOTING ABSENTEE PRESCRIBED BY SECTION  
26 16-541. If the request indicates that the elector needs a  
27 primary election ballot and a general election ballot, the  
28 county recorder or other officer in charge of elections shall  
29 honor the request. For any partisan primary election, if the  
30 elector is not registered as a member of a political party  
31 that is entitled to continued representation on the ballot  
32 pursuant to section 16-804, the elector shall designate the  
33 ballot of only one of the political parties that is entitled  
34 to continued representation on the ballot and the elector may  
35 receive and vote the ballot of only that one political party,  
36 which also shall include any nonpartisan offices and ballot  
37 questions, or the elector shall designate the ballot for  
38 nonpartisan offices and ballot questions only and the elector  
39 may receive and vote the ballot that contains only nonpartisan  
40 offices and ballot questions. The county recorder or other  
41 officer in charge of elections shall process any request for  
42 an ~~early~~ ABSENTEE ballot for a municipal election pursuant to  
43 this subsection. ~~The county recorder may establish on-site~~  
44 ~~early voting locations at the recorder's office, which shall~~  
45 ~~be open and available for use beginning the same day that a~~



1 ~~county begins to send out the early ballots. The county~~  
2 ~~recorder may also establish any other early voting locations~~  
3 ~~in the county the recorder deems necessary. Any on-site early~~  
4 ~~voting location or other early voting location shall require~~  
5 ~~each elector to present identification as prescribed in~~  
6 ~~section 16-579 before receiving a ballot. Notwithstanding~~  
7 ~~section 16-579, subsection A, paragraph 2, at any on-site~~  
8 ~~early voting location or other early voting location the~~  
9 ~~county recorder or other officer in charge of elections may~~  
10 ~~provide for a qualified elector to update the elector's voter~~  
11 ~~registration information as provided for in the secretary of~~  
12 ~~state's instructions and procedures manual adopted pursuant to~~  
13 ~~section 16-452.~~

14 B. Notwithstanding subsection A of this section, a  
15 request for an official **early ABSENTEE** ballot from an absent  
16 uniformed services voter or overseas voter as defined in the  
17 uniformed and overseas citizens absentee voting act ~~of 1986~~  
18 (P.L. 99-410; 52 United States Code section 20310) ~~or a voter~~  
19 ~~whose information is protected pursuant to section 16-153~~ that  
20 is received by the county recorder or other officer in charge  
21 of elections more than ninety-three days before the election  
22 is valid. ~~If requested by the absent uniformed services or~~  
23 ~~overseas voter, or a voter whose information is protected~~  
24 ~~pursuant to section 16-153, the county recorder or other~~  
25 ~~officer in charge of elections shall provide to the requesting~~  
26 ~~voter early ballot materials through the next regularly~~  
27 ~~scheduled general election for federal office immediately~~  
28 ~~following receipt of the request unless a different period of~~  
29 ~~time, which does not exceed the next two regularly scheduled~~  
30 ~~general elections for federal office, is designated by the~~  
31 ~~voter.~~

32 C. The county recorder or other officer in charge of  
33 elections shall mail the **early ABSENTEE** ballot and the  
34 envelope for its return postage prepaid to the address  
35 provided by the requesting elector within five days after  
36 receipt of the official **early ABSENTEE** ballots from the  
37 officer charged by law with the duty of preparing ballots  
38 ~~pursuant to section 16-545~~, except that **early ABSENTEE** ballot  
39 distribution shall not begin more than twenty-seven days  
40 before the election. If an **early ABSENTEE** ballot request is  
41 received on or before the thirty-first day before the  
42 election, the **early ABSENTEE** ballot shall be distributed not  
43 earlier than the twenty-seventh day before the election and  
44 not later than the twenty-fourth day before the election.

1 D. Only the elector may be in possession of that  
2 elector's unvoted ~~early~~ ABSENTEE ballot. If a complete and  
3 correct request is made by the elector within twenty-seven  
4 days before the election, the mailing must be made within  
5 forty-eight hours after receipt of the request. Saturdays,  
6 Sundays and other legal holidays are excluded from the  
7 computation of the forty-eight hour period prescribed by this  
8 subsection. If a complete and correct request is made by an  
9 absent uniformed services voter or an overseas voter before  
10 the election, the regular ~~early~~ ABSENTEE ballot shall be  
11 transmitted by mail, by fax or by other electronic format  
12 approved by the secretary of state within twenty-four hours  
13 after the ~~early~~ ABSENTEE ballots are delivered ~~pursuant to~~  
14 ~~section 16-545, subsection B~~, excluding Sundays.

15 E. In order to be complete and correct and to receive  
16 an ~~early~~ ABSENTEE ballot by mail, an elector's request that an  
17 ~~early~~ ABSENTEE ballot be mailed to the elector's residence or  
18 temporary address must include all of the information  
19 prescribed by subsection A of this section and must be  
20 received by the county recorder or other officer in charge of  
21 elections ~~no~~ NOT later than 5:00 p.m. on the eleventh day  
22 preceding the election. ~~An elector who appears personally no~~  
23 ~~later than 5:00 p.m. on the Friday preceding the election at~~  
24 ~~an on-site early voting location that is established by the~~  
25 ~~county recorder or other officer in charge of elections shall~~  
26 ~~be given a ballot after presenting identification as~~  
27 ~~prescribed in section 16-579 and shall be permitted to vote at~~  
28 ~~the on-site location. Notwithstanding section 16-579,~~  
29 ~~subsection A, paragraph 2, at any on-site early voting~~  
30 ~~location the county recorder or other officer in charge of~~  
31 ~~elections may provide for a qualified elector to update the~~  
32 ~~elector's voter registration information as provided for in~~  
33 ~~the secretary of state's instructions and procedures manual~~  
34 ~~adopted pursuant to section 16-452.~~ If an elector's request  
35 to receive an ~~early~~ ABSENTEE ballot is not complete and  
36 correct but complies with all other requirements of this  
37 section, the county recorder or other officer in charge of  
38 elections shall attempt to notify the elector of the  
39 deficiency of the request.

40 ~~F. Unless an elector specifies that the address to~~  
41 ~~which an early ballot is to be sent is a temporary address,~~  
42 ~~the recorder may use the information from an early ballot~~  
43 ~~request form to update voter registration records.~~

44 ~~G.~~ F. The county recorder or other officer in charge  
45 of ~~early~~ ABSENTEE balloting shall provide an alphabetized list

1 of all voters in the precinct who have requested and have been  
2 sent an ~~early~~ ABSENTEE ballot to the election board of the  
3 precinct in which the voter is registered not later than the  
4 day before the election.

5 ~~H. As a result of experiencing an emergency between~~  
6 ~~5:00 p.m. on the Friday preceding the election and 5:00 p.m.~~  
7 ~~on the Monday preceding the election, qualified electors may~~  
8 ~~request to vote in the manner prescribed by the board of~~  
9 ~~supervisors of their respective county. Before voting~~  
10 ~~pursuant to this subsection, an elector who experiences an~~  
11 ~~emergency shall provide identification as prescribed in~~  
12 ~~section 16-579 and shall sign a statement under penalty of~~  
13 ~~perjury that states that the person is experiencing or~~  
14 ~~experienced an emergency after 5:00 p.m. on the Friday~~  
15 ~~immediately preceding the election and before 5:00 p.m. on the~~  
16 ~~Monday immediately preceding the election that would prevent~~  
17 ~~the person from voting at the polls. Signed statements~~  
18 ~~received pursuant to this subsection are not subject to~~  
19 ~~inspection pursuant to title 39, chapter 1, article 2. For~~  
20 ~~the purposes of this subsection, "emergency" means any~~  
21 ~~unforeseen circumstances that would prevent the elector from~~  
22 ~~voting at the polls.~~

23 ~~I. Notwithstanding section 16-579, subsection A,~~  
24 ~~paragraph 2, for any voting pursuant to subsection H of this~~  
25 ~~section, the county recorder or other officer in charge of~~  
26 ~~elections may allow a qualified elector to update the~~  
27 ~~elector's voter registration information as provided for in~~  
28 ~~the secretary of state's instructions and procedures manual~~  
29 ~~adopted pursuant to section 16-452.~~

30 ~~J. A candidate, political committee or other~~  
31 ~~organization may distribute early ballot request forms to~~  
32 ~~voters. If the early ballot request forms include a printed~~  
33 ~~address for return, the addressee shall be the political~~  
34 ~~subdivision that will conduct the election. Failure to use~~  
35 ~~the political subdivision as the return addressee is~~  
36 ~~punishable by a civil penalty of up to three times the cost of~~  
37 ~~the production and distribution of the request.~~

38 ~~K. All original and completed early ballot request~~  
39 ~~forms that are received by a candidate, political committee or~~  
40 ~~other organization shall be submitted within six business days~~  
41 ~~after receipt by a candidate, political committee or other~~  
42 ~~organization or eleven days before the election day, whichever~~  
43 ~~is earlier, to the political subdivision that will conduct the~~  
44 ~~election. Any person, political committee or other~~  
45 ~~organization that fails to submit a completed early ballot~~

1 ~~request form within the prescribed time is subject to a civil~~  
2 ~~penalty of up to \$25 per day for each completed form withheld~~  
3 ~~from submittal. Any person who knowingly fails to submit a~~  
4 ~~completed early ballot request form before the submission~~  
5 ~~deadline for the election immediately following the completion~~  
6 ~~of the form is guilty of a class 6 felony.~~

7 ~~t. G. Except for a voter who is on the active early~~  
8 ~~voting list prescribed by section 16-544, A voter who requests~~  
9 ~~a onetime early AN ABSENTEE ballot pursuant to THIS section~~  
10 ~~16-542 or for an election conducted pursuant to section 16-409~~  
11 ~~or article 8.1 of this chapter, a county recorder, city or~~  
12 ~~town clerk or other election officer may not deliver or mail~~  
13 ~~an early ABSENTEE ballot to a person who has not requested an~~  
14 ~~early ABSENTEE ballot for that election. An election officer~~  
15 ~~who knowingly violates this subsection is guilty of a class 5~~  
16 ~~felony.~~

17 Sec. 12. Repeal

18 Sections 16-544 and 16-545, Arizona Revised Statutes,  
19 are repealed.

20 Sec. 13. Section 16-547, Arizona Revised Statutes, is  
21 amended to read:

22 16-547. Absentee ballot; affidavit; form

23 A. The early ABSENTEE ballot shall be accompanied by an  
24 envelope bearing on the front the name, official title and  
25 post office address of the recorder or other officer in charge  
26 of elections and on the other side a printed affidavit in  
27 substantially the following form:

28 I declare the following under penalty of  
29 perjury: I am a registered voter in \_\_\_\_\_  
30 county, Arizona, I EXPECT TO BE ABSENT FROM MY  
31 PRECINCT AT THE TIME OF HOLDING THE ELECTION OR I  
32 AM PHYSICALLY UNABLE TO GO TO THE POLLS OR I HAVE  
33 A VISUAL IMPAIRMENT OR I AM A PERSON WITH A  
34 DISABILITY OR I AM SIXTY-FIVE YEARS OF AGE OR  
35 OLDER OR MY PLACE OF RESIDENCE IS MORE THAN  
36 FIFTEEN ROAD MILES FROM THE POLLING PLACE FOR MY  
37 PRECINCT OR I CANNOT ATTEND THE POLLS ON THE DAY  
38 OF THE ELECTION BECAUSE OF THE TENETS OF MY  
39 RELIGION OR I AM AN ABSENT UNIFORMED SERVICES  
40 VOTER OR OVERSEAS VOTER OR THE SPOUSE OR A  
41 HOUSEHOLD MEMBER OF AN ABSENT UNIFORMED OR  
42 OVERSEAS VOTER, I have not voted and will not vote  
43 in this election in any other county or state, I  
44 understand that knowingly voting more than once in  
45 any election is a class 5 felony and I voted the

1 enclosed ballot and signed this affidavit  
2 personally unless noted below.

3 If the voter was assisted by another person  
4 in marking the ballot, complete the following:

5 I declare the following under penalty of  
6 perjury: At the registered voter's request I  
7 assisted the voter identified in this affidavit  
8 with marking the voter's ballot, I marked the  
9 ballot as directly instructed by the voter, I  
10 provided the assistance because the voter was  
11 physically unable to mark the ballot solely due to  
12 illness, injury or physical limitation and I  
13 understand that there is no power of attorney for  
14 voting and that the voter must be able to make the  
15 voter's selection even if ~~they~~ THE VOTER cannot  
16 physically mark the ballot.

17 Name of voter assistant:  
18 \_\_\_\_\_

19 Address of voter assistant:  
20 \_\_\_\_\_

21 B. The face of each envelope in which a ballot is sent  
22 to a federal postcard applicant or in which a ballot is  
23 returned by the applicant to the recorder or other officer in  
24 charge of elections shall be in the form prescribed in  
25 accordance with the uniformed and overseas citizens absentee  
26 voting act ~~of 1986~~ (P.L. 99-410; 52 United States Code section  
27 20301). Otherwise, the envelopes shall be the same as those  
28 used to send ballots to, or receive ballots from, other ~~early~~  
29 ABSENTEE voters.

30 C. The officer charged by law with the duty of  
31 preparing ballots at any election shall ensure that the ~~early~~  
32 ABSENTEE ballot is sent in an envelope that states  
33 substantially the following:

34 If the addressee does not reside at this  
35 address, mark the unopened envelope "return to  
36 sender" and deposit it in the United States mail.

37 D. The county recorder or other officer in charge of  
38 elections shall supply printed instructions to ~~early~~ ABSENTEE  
39 voters that direct them to sign the affidavit, mark the ballot  
40 and return both in the enclosed self-addressed envelope ~~that~~  
41 ~~complies with section 16-545~~. The instructions shall include  
42 the following statement:

43 In order to be valid and counted, the ballot  
44 and affidavit must be delivered to the office of  
45 the county recorder or other officer in charge of

1 elections or may be deposited at any polling place  
2 in the county ~~to~~ NOT later than 7:00 p.m. on  
3 election day. The ballot will not be counted  
4 without the voter's signature on the envelope.  
5 (WARNING – It is a felony to offer or receive any  
6 compensation for a ballot.)  
7 Sec. 14. Section 16-558.02, Arizona Revised Statutes,  
8 is amended to read:

9 16-558.02. Replacement absentee ballots  
10 A. The county recorder or other officer in charge of  
11 elections shall determine a central location in the district  
12 and shall provide for a ballot replacement center that is as  
13 near to that location as is practicable for ELIGIBLE electors  
14 to obtain a replacement ABSENTEE ballot. The location shall  
15 be open from 6:00 a.m. until 7:00 p.m. of the day of the  
16 election. An elector may obtain a replacement ABSENTEE ballot  
17 until 7:00 p.m. on the day of the election on presenting a  
18 signed, sworn statement that the ABSENTEE ballot was lost,  
19 spoiled, destroyed or not received.  
20 B. The recorder or other officer in charge of elections  
21 shall keep a record of each replacement ABSENTEE ballot  
22 provided pursuant to this section.  
23 C. If an elector to whom a replacement ABSENTEE ballot  
24 is issued votes more than once, only the first ballot received  
25 shall be counted.

26 Sec. 15. Section 16-1017, Arizona Revised Statutes, is  
27 amended to read:

28 16-1017. Unlawful acts by voters with respect to  
29 voting; classification

30 A voter who knowingly commits any of the following acts  
31 is guilty of a class 2 misdemeanor:

- 32 1. Makes a false statement as to the voter's inability  
33 to mark a ballot.
- 34 2. Interferes with a voter within the seventy-five foot  
35 limit of the polling place as posted by the election marshal  
36 or within seventy-five feet of the main outside entrance to an  
37 on-site ~~early~~ voting location ~~established by a county recorder~~  
38 ~~pursuant to section 16-542, subsection A.~~
- 39 3. Endeavors while within the seventy-five foot limit  
40 for a polling place or on-site ~~early~~ voting location to induce  
41 a voter to vote for or against a particular candidate or  
42 issue.
- 43 4. ~~Prior to~~ BEFORE the close of an election, defaces or  
44 destroys a sample ballot posted by election officers, ~~or~~ or

1 defaces, tears down, removes or destroys a card of  
2 instructions posted for the instruction of voters.

3 5. Removes or destroys supplies or conveniences  
4 furnished to enable a voter to prepare the voter's ballot.

5 6. Hinders the voting of others.

6 7. Votes in a county in which the voter no longer  
7 resides, except as provided in section 16-125.

8 Sec. 16. Section 16-1018, Arizona Revised Statutes, is  
9 amended to read:

10 16-1018. Additional unlawful acts by persons with  
11 respect to voting; classification

12 A person who commits any of the following acts is guilty  
13 of a class 2 misdemeanor:

14 1. Knowingly electioneers on election day within a  
15 polling place or in a public manner within seventy-five feet  
16 of the main outside entrance of a polling place or on-site  
17 ~~early~~ voting location ~~established by a county recorder~~  
18 ~~pursuant to section 16-542, subsection A.~~

19 2. Intentionally disables or removes from the polling  
20 place, on-site ~~early~~ voting location or custody of an election  
21 official a voting machine or a voting record.

22 3. Knowingly removes an official ballot from a polling  
23 place **OR ON-SITE VOTING LOCATION** before closing the polls.

24 4. Shows another voter's ballot to any person after it  
25 is prepared for voting in such a manner as to reveal the  
26 contents, except to an authorized person lawfully assisting  
27 the voter. A voter who makes available an image of the  
28 voter's own ballot by posting on the internet or in some other  
29 electronic medium is deemed to have consented to retransmittal  
30 of that image, and that retransmittal does not constitute a  
31 violation of this section.

32 5. Knowingly solicits a voter to show the voter's  
33 ballot, or receives from a voter a ballot prepared for voting,  
34 unless the person is an election official or unless otherwise  
35 authorized by law.

36 6. Knowingly receives an official ballot from a person  
37 other than an election official having charge of the ballots.

38 7. Knowingly delivers an official ballot to a voter,  
39 unless the voter is an election official.

40 8. Except for a completed ballot transmitted by an  
41 elector by fax or other electronic format pursuant to section  
42 16-543, knowingly places a mark on the voter's ballot by which  
43 it can be identified as the one voted by the voter.

1           9. After having received a ballot as a voter, knowingly  
2 fails to return the ballot to the election official before  
3 leaving the polling place or on-site ~~early~~ voting location.

4           Sec. 17. Conforming legislation

5           The legislative council staff shall prepare proposed  
6 legislation conforming the Arizona Revised Statutes to the  
7 provisions of this act for consideration in the fifty-seventh  
8 legislature, first regular session.

9           2. The Secretary of State shall submit this proposition to the  
10 voters at the next general election as provided by article IV, part 1,  
11 section 1, Constitution of Arizona.