

Senate Engrossed  
early ballots; election day tabulation

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1105

AN ACT

AMENDING SECTIONS 16-579.01 AND 16-579.02, ARIZONA REVISED STATUTES;  
RELATING TO POLLING PLACE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-579.01, Arizona Revised Statutes, is amended  
3 to read:

4 16-579.01. Early ballots; on-site tabulation

5 A. Every county recorder or other COUNTY officer in charge of  
6 elections ~~may~~ SHALL provide for a qualified elector who appears at that  
7 elector's designated polling location or at a voting center on election  
8 day with the elector's voted early ballot to have the elector's voted  
9 early ballot tabulated as prescribed in section 16-579.02.

10 B. The county recorder or other COUNTY officer in charge of  
11 elections shall do all of the following ~~if~~ FOR the on-site tabulation of  
12 early ballots ~~is allowed~~:

13 1. Designate an area within a precinct or voting center for  
14 processing electors with their voted early ballots that is physically  
15 separate from the area for voters who are voting pursuant to section  
16 16-579.

17 2. Provide adequate poll workers, election officials and equipment  
18 necessary to conduct voting pursuant to this section and section  
19 16-579.02.

20 3. Categorize and tally separately in the official canvass and  
21 other reports electors whose voted early ballots are tabulated at the  
22 precinct or voting center. The tally shall be reported by precinct in the  
23 official canvass and other voting reports.

24 4. Reconcile for that polling place or voting center the number of  
25 electors who appear on the signature roster or ~~e-pollbook~~ ELECTRONIC  
26 POLLBOOK with the number of completed early ballot affidavits and the  
27 voted early ballots tabulated on-site.

28 C. THIS SECTION DOES NOT APPLY TO A COUNTY THAT TABULATES ELECTION  
29 DAY BALLOTS AT A CENTRAL LOCATION AND THAT DOES NOT OTHERWISE TABULATE  
30 ELECTION DAY BALLOTS ON-SITE AT A POLLING LOCATION OR VOTING CENTER.

31 Sec. 2. Section 16-579.02, Arizona Revised Statutes, is amended to  
32 read:

33 16-579.02. Election day early ballot on-site tabulation  
34 procedure; fund

35 A. A qualified elector who appears at a COUNTY voting center or at  
36 the elector's designated polling place that ~~allows~~ PROVIDES for the  
37 on-site tabulation of early ballots PURSUANT TO SECTION 16-579.01 with the  
38 elector's voted early ballot shall present identification as prescribed in  
39 section 16-579, subsection A, paragraph 1 and proceed as follows:

40 1. If the elector does not present identification that complies  
41 with section 16-579, subsection A, paragraph 1, the elector shall either  
42 deposit the elector's voted early ballot in its affidavit envelope in an  
43 official drop box or proceed to the area designated for election day  
44 voting to surrender the early ballot to the election board for retention  
45 and not for tabulating. The elector shall then be allowed to vote a

1 provisional ballot as prescribed in section 16-584. An election official  
2 may not allow for the on-site tabulation of an early ballot if the elector  
3 does not present identification that complies with section 16-579,  
4 subsection A, paragraph 1.

5 2. If the elector presents sufficient identification to comply with  
6 section 16-579, subsection A, paragraph 1, the elector shall present the  
7 elector's early ballot affidavit to the election official in charge of the  
8 signature roster, and the election official shall confirm that the name  
9 and address on the completed affidavit reasonably appear to be the same as  
10 the name and address on the precinct register.

11 3. If the elector's affidavit is not complete, the election  
12 official in charge of the signature roster shall allow the elector to  
13 complete the affidavit. The election official may not allow for the  
14 on-site tabulation of an early ballot until the elector presents a  
15 completed early ballot affidavit.

16 B. If the elector's affidavit is complete, the elector's name shall  
17 be numbered consecutively by the clerk and in the order of application for  
18 early ballot tabulation.

19 C. For precincts in which a paper signature roster is used, each  
20 qualified elector shall sign the elector's name in the signature roster as  
21 prescribed in section 16-579, subsection D before proceeding to the  
22 tabulating equipment.

23 D. For precincts in which an electronic pollbook is used, each  
24 qualified elector shall sign the elector's name as prescribed in section  
25 16-579, subsection E before proceeding to the tabulating equipment.

26 E. After signing the signature roster or electronic pollbook, the  
27 elector shall proceed to the tabulating equipment and, while under the  
28 observation of an election official, remove the early ballot from the  
29 completed affidavit envelope, deposit the empty completed affidavit  
30 envelope in the secured and labeled drop box and insert the early ballot  
31 into a tabulating machine. An early ballot that has been separated from  
32 the elector's completed affidavit envelope may not be removed from the  
33 on-site early ballot tabulation area.

34 F. The drop box prescribed in subsection E of this section shall be  
35 clearly labeled to indicate that the completed affidavits are from ballots  
36 tabulated pursuant to this section and shall be secured in a manner  
37 substantially similar to other ballot boxes at that location.

38 G. Any qualified elector who lawfully brings to a COUNTY polling  
39 place or voting center another elector's voted early ballot that is sealed  
40 in its affidavit envelope shall deposit the other elector's voted early  
41 ballot in the appropriate ballot drop box before entering the on-site  
42 early ballot tabulation area for purposes of tabulating the elector's own  
43 early ballot. The county recorder or other COUNTY officer in charge of  
44 elections shall ensure that a voter is not in possession of another  
45 voter's ballot within the on-site early ballot tabulation area.