

REFERENCE TITLE: automatic voter registration.

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

SB 1297

Introduced by
Senators Marsh: Alston, Fernandez, Gabaldón, Gonzales, Mendez,
Sundareshan, Terán

AN ACT

AMENDING SECTION 16-112, ARIZONA REVISED STATUTES; RELATING TO
QUALIFICATION AND REGISTRATION OF ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-112, Arizona Revised Statutes, is amended to
3 read:

4 16-112. Driver license voter registration

5 A. Every person who is applying for a driver license or renewal,
6 INCLUDING A NONOPERATING IDENTIFICATION LICENSE OR RENEWAL ISSUED PURSUANT
7 TO TITLE 28, CHAPTER 8, OR WHO IS MAKING CHANGES TO LICENSE INFORMATION
8 and who is otherwise qualified to register to vote, ~~at the same time and~~
9 ~~place, shall be allowed to register to vote~~ SHALL BE REGISTERED TO VOTE
10 AUTOMATICALLY ON COMPLETING THE APPLICATION FOR THE LICENSE OR RENEWAL OR
11 SUBMITTING THE CHANGES AND by providing the information prescribed by
12 section 16-152. The method used to register voters shall require only the
13 minimum information necessary to prevent duplicate registrations, to
14 enable elections officials to determine voter eligibility and to
15 administer voter registration and election laws. A registration form
16 shall be included for a person who is applying for a driver license
17 renewal by mail, INCLUDING A NONOPERATING IDENTIFICATION LICENSE, OR WHO
18 IS MAKING CHANGES TO LICENSE INFORMATION BY MAIL. On completing a form
19 that contains at least the information prescribed by section 16-121.01 and
20 that may contain the information prescribed by section 16-152, ~~and~~ on
21 receipt of that form by the county recorder from the department of
22 transportation as prescribed by subsection D of this section AND IF THE
23 PERSON DOES NOT DECLINE TO BE REGISTERED TO VOTE WITHIN TWENTY-ONE
24 CALENDAR DAYS AFTER ISSUANCE OF NOTICE OF THE PROCESS TO DECLINE, the
25 applicant is presumed to be properly registered to vote. That presumption
26 may be rebutted as provided in section 16-121.01.

27 B. The director of the department of transportation and the
28 secretary of state shall consult at least every two years regarding voter
29 registration at driver license offices. The director of the department of
30 transportation and the secretary of state, after consultation with all
31 county recorders, shall adopt rules to implement a system allowing driver
32 license applicants, INCLUDING NONOPERATING IDENTIFICATION LICENSE
33 APPLICANTS AND PERSONS WHO ARE MAKING CHANGES TO LICENSE INFORMATION, to
34 register to vote at the same time and place as they apply for driver
35 licenses, INCLUDING NONOPERATING IDENTIFICATION LICENSES, TO IMPLEMENT THE
36 AUTOMATIC VOTER REGISTRATION OF APPLICANTS. THE SYSTEM SHALL PROVIDE FOR
37 THE COUNTY RECORDER ON RECEIPT OF THE REGISTRATION INFORMATION FROM THE
38 DEPARTMENT OF TRANSPORTATION TO NOTIFY THE PERSON OF THE PROCESS TO
39 DECLINE TO REGISTER TO VOTE AND THAT IF THE PERSON DOES NOT DECLINE TO
40 REGISTER TO VOTE WITHIN TWENTY-ONE CALENDAR DAYS AFTER THE COUNTY RECORDER
41 ISSUES THE NOTIFICATION, AND THE PERSON OTHERWISE IS ELIGIBLE TO REGISTER
42 TO VOTE, THE PERSON IS PRESUMED TO BE PROPERLY REGISTERED TO VOTE. The
43 rules shall:

44 1. Bring the license application and voter registration application
45 forms into substantial conformity.

1 2. Allow the transfer of driver license applications, including
2 **NONOPERATING IDENTIFICATION LICENSE APPLICATIONS AND** renewal, ~~and~~ change
3 of address **AND OTHER LICENSE INFORMATION CHANGES**, and voter registration
4 information from the department of transportation to the voter
5 registration rolls.

6 3. Respect all rules and statutes of this state concerning the
7 confidentiality of driver license application information.

8 4. Provide for the manual or electronic generation and transmittal
9 of voter registrations and provide for electronic generation of changes in
10 voter registration information, including address, in conformity with the
11 confidentiality requirements of the national voter registration act of
12 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections 20501
13 through 20511).

14 C. The department of transportation shall provide to applicants a
15 statement that provides each eligibility requirement for voting, including
16 citizenship, an attestation that the applicant meets each requirement, for
17 the signature of the applicant under penalty of perjury and, in print that
18 is identical to that used in the attestation, the following:

19 1. A description of the penalties provided by law for the
20 submission of a false voter registration application.

21 2. A statement that if an applicant declines to register to vote
22 the fact that the applicant has declined to register will remain
23 confidential and will be used only for voter registration purposes.

24 3. A statement that if an applicant does register to vote the
25 office at which the applicant submits a voter registration application
26 will remain confidential and will be used only for voter registration
27 purposes.

28 D. The department of transportation shall return or mail completed
29 registrations to the county recorder of the county in which the applicant
30 resides within five days after receipt of a completed registration.

31 **E. A PERSON WHO IS NOT QUALIFIED TO REGISTER TO VOTE AND WHO**
32 **UNKNOWINGLY REGISTERS UNDER THIS SECTION IS NOT GUILTY OF FALSE**
33 **REGISTRATION OR FALSE SWEARING AS PRESCRIBED BY SECTION 16-182 OR 16-184.**

34 Sec. 2. Effective date

35 This act is effective from and after December 31, 2023.