

REFERENCE TITLE: ballots; pollbooks; instructions; tabulating; storage

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

SB 1389

Introduced by
Senator Bennett

AN ACT

AMENDING SECTIONS 16-246, 16-502, 16-542, 16-572, 16-583, 16-584, 16-624
AND 45-415, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-246, Arizona Revised Statutes, is amended to
3 read:

4 16-246. Early balloting; satellite locations; additional
5 procedures

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

16 B. Absent uniformed services voters or overseas voters who are
17 otherwise eligible to vote in the election may vote as prescribed by
18 sections 16-543 and 16-543.02.

19 C. The county recorder or other officer in charge of elections may
20 establish on-site early voting locations at the office of the county
21 recorder or at other locations in the county deemed necessary or
22 appropriate by the recorder. Early voting shall begin within the time
23 limits prescribed in section 16-542 unless otherwise prescribed by this
24 section.

25 D. The county recorder or other officer in charge of elections
26 shall send by nonforwardable mail that is marked with the statement
27 required by the postmaster to receive an address correction notification
28 any early ballots that are requested pursuant to subsections A and B of
29 this section and shall include a preaddressed envelope for the elector to
30 return the completed ballot.

31 ~~E. The county recorder or other officer in charge of elections~~
32 ~~shall provide to each election board an appropriate alphabetized list of~~
33 ~~voters who have requested and have been sent an early ballot. Any person~~
34 ~~who is on that list of voters and who was sent an early ballot shall not~~
35 ~~vote at the polling place for that election precinct except as prescribed~~
36 ~~by section 16-579, subsection B.~~

37 ~~F.~~ E. The county recorder or other officer in charge of elections
38 may provide for any of the following in the same manner prescribed by law
39 for other elections:

40 1. Special election boards.

41 2. Emergency balloting for persons who experience an emergency
42 after 5:00 p.m. on the Friday preceding the presidential preference
43 election and before 5:00 p.m. on the Monday immediately preceding the
44 presidential preference election. Before receiving a ballot pursuant to
45 this paragraph, a person who experiences an emergency shall provide

1 identification as prescribed in section 16-579 and shall sign a statement
2 under penalty of perjury that states that the person is experiencing or
3 experienced an emergency after 5:00 p.m. on the Friday immediately
4 preceding the election and before 5:00 p.m. on the Monday immediately
5 preceding the election that would prevent the person from voting at the
6 polls. Signed statements received pursuant to this ~~subsection~~ PARAGRAPH
7 are not subject to inspection pursuant to title 39, chapter 1, article 2.

8 ~~F.~~ F. Notwithstanding section 16-579, subsection A, paragraph 2,
9 for emergency balloting pursuant to subsection ~~F~~ E, paragraph 2 of this
10 section, the county recorder or other officer in charge of elections may
11 allow a qualified elector to update the elector's voter registration
12 information as provided for in the secretary of state's instructions and
13 procedures manual adopted pursuant to section 16-452.

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

16 Sec. 2. Section 16-502, Arizona Revised Statutes, is amended to
17 read:

18 16-502. Form and contents of ballot

19 A. Ballots shall be printed with black ink on white paper of
20 sufficient thickness to prevent the printing thereon from being
21 discernible from the back, and the same type shall be used for the names
22 of all candidates. The ballots shall be headed "official ballot" in
23 bold-faced plain letters, with a heavy rule above and below the heading.
24 Immediately below shall be placed the words "type of election, (date of
25 election)" and the name of the county and state in which the election is
26 held. The name or number of the precinct in which the election is held
27 shall be placed on the ballot in a uniform location for all ballots. No
28 other matter shall be placed or printed at the head of any ballot.
29 Instructions to the voter on marking the ballot may be printed below the
30 heading as follows:

31 ~~1. Put a mark according to the instructions next to the~~
32 ~~name of each candidate for each office for whom~~ USE A BLACK OR
33 ~~BLUE PEN TO FILL IN THE OVAL NEXT TO YOUR CHOICE FOR EACH~~
34 ~~CONTEST FOR WHICH you wish to vote.~~

35 ~~2. If you wish to vote for a person whose name is not~~
36 ~~printed on the ballot, write such name in the blank space~~
37 ~~provided on the ballot and put a mark according to the~~
38 ~~instructions next to the name so written.~~

39 2. TO VOTE FOR AN OFFICIAL WRITE-IN CANDIDATE, WRITE
40 THE NAME IN THE BLANK SPACE PROVIDED FOR THAT CONTEST AND FILL
41 IN THE OVAL NEXT TO THE WRITTEN NAME.

42 3. Put a mark according to the instructions next to the
43 word "yes" or "for" for each proposition or question you wish
44 to be adopted. Put a mark according to the instructions next

1 to the word "no" or "against" for each proposition or question
2 you wish not to be adopted.

3 B. Immediately below the ballot instructions shall be placed the
4 following:

5 Section One
6 Partisan Ballot

7 C. Immediately below the heading for section one there shall be
8 placed in columns the names of the candidates of the several political
9 parties. Next to each candidate's name there shall be printed in
10 bold-faced letters the name of the political party. At the head of each
11 column shall be printed the names of the offices to be filled with the
12 name of each office being of uniform type size. At the head of each
13 column shall be printed in the following order the names of candidates
14 for:

15 1. Presidential electors, which shall be in a list and next to the
16 list shall be printed in bold type the surname of the presidential
17 candidate, and the surname of the vice presidential candidate who is
18 seeking election jointly with the presidential candidate shall be listed
19 directly below the name of the presidential candidate. The indicator for
20 the selection of the presidential and vice presidential candidates shall
21 be directly next to the surname of the presidential candidate, and one
22 mark directly next to a presidential candidate's surname shall be counted
23 as a vote for each elector in the list next to the presidential and vice
24 presidential candidates.

25 2. United States senator.

26 3. Representatives in Congress.

27 4. The several state offices.

28 5. The several county and precinct offices.

29 D. The names of candidates for the offices of state senator and
30 state representative along with the district number shall be placed within
31 the heading of each column to the right of the office name for state
32 offices and immediately below the candidates for the office of governor.
33 The number of the supervisorial district of which a candidate is a nominee
34 shall be printed within the heading of each column to the right of the
35 name of the office.

36 E. The lists of the candidates of the several parties shall be
37 arranged with the names of the parties in descending order according to
38 the votes cast for governor for that county in the most recent general
39 election for the office of governor, commencing with the left-hand column.
40 In the case of political parties that did not have candidates on the
41 ballot in the last general election, such parties shall be listed in
42 alphabetical order below the parties that did have candidates on the
43 ballot in the last general election. The names of all candidates
44 nominated under section 16-341 shall be placed in a single column below
45 that of the recognized parties. Next to the name of each candidate, in

1 parentheses, shall be printed a three-letter abbreviation that is taken
2 from the three words prescribed in the candidate's certificate of
3 nomination.

4 F. Immediately below the designation of the office to be voted for
5 shall appear the words: "Vote for not more than _____" (insert the
6 number to be elected).

7 G. In each column at the right or left of the name of each
8 candidate and on the same line there shall be a place for the voter to put
9 a mark. Below the name of the last named candidate for each office there
10 shall be as many blank lines as there are offices of the same title to be
11 filled, with a place for the voter to put a mark. On the blank line the
12 voter may write the name of any person for whom the voter desires to vote
13 whose name is not printed, and next to the name so written the voter shall
14 designate his choice by a mark as in the case of printed names.

15 H. When there are two or more candidates of the same political
16 party for the same office, or more than one candidate for a judicial
17 office, the names of all such candidates shall be so alternated on the
18 ballots used in each election district that the name of each candidate
19 shall appear substantially an equal number of times in each possible
20 location. If there are fewer or the same number of candidates seeking
21 office than the number to be elected, the rotation of names is not
22 required and the names shall be placed in alphabetical order.

23 I. Immediately below section one of the ballot shall be placed the
24 following:

25 Section Two
26 Nonpartisan Ballot

27 J. Immediately below the heading for section two shall be placed
28 the names of the candidates for justices of the supreme court, judges of
29 the court of appeals, judges of the superior court standing for retention
30 or rejection pursuant to article VI, section 38, Constitution of Arizona,
31 judges of the superior court standing for election pursuant to article VI,
32 section 12, Constitution of Arizona, school district officials and other
33 nonpartisan officials in a column or in columns without partisan or other
34 designation except the title of office in an order determined by the
35 officer in charge of the election.

36 K. Immediately below the offices listed in subsection J of this
37 section, the ballot shall contain a separate heading of any nonpartisan
38 office for a vacant unexpired term and shall include the expiration date
39 of the term of the vacated office.

40 L. All proposed constitutional amendments and other propositions or
41 questions to be submitted to the voters shall be printed immediately below
42 the names of candidates for nonpartisan positions in such order as the
43 secretary of state, or if a city or town election, the city or town clerk,
44 designates. Placement of county and local charter amendments,
45 propositions or questions shall be determined by the officer in charge of

1 the election. Except as provided by section 19-125, each proposition or
2 question shall be followed by the words "yes" and "no" or "for _____" and
3 "against _____" as the nature of the proposition or question requires,
4 and at the right or left of and next to each of such words shall be a
5 place for the voter to put a mark according to the instructions that is
6 similar in size to those places appearing opposite the names of the
7 candidates, in which the voter may indicate his vote for or against such
8 proposition or question by a mark as defined in section 16-400.

9 M. Instead of printing the official and descriptive titles or the
10 full text of each measure or question on the official ballot, the officer
11 in charge of elections may print phrases on the official ballot that
12 contain all of the following:

13 1. The number of the measure in reverse type and at least ~~twelve~~
14 ~~point~~ TWELVE-POINT type.

15 2. The designation of the measure as prescribed by section 19-125,
16 subsection C or as a question, proposition or charter amendment, followed
17 by the words "relating to..." and inserting the subject.

18 3. Either the statement prescribed by section 19-125, subsection D
19 that describes the effects of a "yes" vote and a "no" vote or, for other
20 measures, the text of the question or proposition.

21 4. The words "yes" and "no" or "for" and "against", as may be
22 appropriate and a place for the voter to put a mark.

23 N. For any ballot printed pursuant to subsection M of this section,
24 the instructions on the official ballot shall direct the voter to the full
25 text of the official and descriptive titles and the questions and
26 propositions as printed on the sample ballot and posted in the polling
27 place.

28 Sec. 3. Section 16-542, Arizona Revised Statutes, is amended to
29 read:

30 16-542. Request for ballot; civil penalties; violation;
31 classification

32 A. Within ninety-three days before any election called pursuant to
33 the laws of this state, an elector may make a verbal or signed request to
34 the county recorder, or other officer in charge of elections for the
35 applicable political subdivision of this state in whose jurisdiction the
36 elector is registered to vote, for an official early ballot. In addition
37 to name and address, the requesting elector shall provide the date of
38 birth and state or country of birth or other information that if compared
39 to the voter registration information on file would confirm the identity
40 of the elector. If the request indicates that the elector needs a primary
41 election ballot and a general election ballot, the county recorder or
42 other officer in charge of elections shall honor the request. For any
43 partisan primary election, if the elector is not registered as a member of
44 a political party that is entitled to continued representation on the
45 ballot pursuant to section 16-804, the elector shall designate the ballot

1 of only one of the political parties that is entitled to continued
2 representation on the ballot and the elector may receive and vote the
3 ballot of only that one political party, which also shall include any
4 nonpartisan offices and ballot questions, or the elector shall designate
5 the ballot for nonpartisan offices and ballot questions only and the
6 elector may receive and vote the ballot that contains only nonpartisan
7 offices and ballot questions. The county recorder or other officer in
8 charge of elections shall process any request for an early ballot for a
9 municipal election pursuant to this subsection. The county recorder may
10 establish on-site early voting locations at the recorder's office, which
11 shall be open and available for use beginning the same day that a county
12 begins to send out the early ballots. The county recorder may also
13 establish any other early voting locations in the county the recorder
14 deems necessary. Any on-site early voting location or other early voting
15 location shall require each elector to present identification as
16 prescribed in section 16-579 before receiving a ballot. Notwithstanding
17 section 16-579, subsection A, paragraph 2, at any on-site early voting
18 location or other early voting location the county recorder or other
19 officer in charge of elections may provide for a qualified elector to
20 update the elector's voter registration information as provided for in the
21 secretary of state's instructions and procedures manual adopted pursuant
22 to section 16-452.

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

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

1 distributed not earlier than the twenty-seventh day before the election
2 and not later than the twenty-fourth day before the election.

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

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

35 F. Unless an elector specifies that the address to which an early
36 ballot is to be sent is a temporary address, the recorder may use the
37 information from an early ballot request form to update voter registration
38 records.

39 ~~G. The county recorder or other officer in charge of early~~
40 ~~balloting shall provide an alphabetized list of all voters in the precinct~~
41 ~~who have requested and have been sent an early ballot to the election~~
42 ~~board of the precinct in which the voter is registered not later than the~~
43 ~~day before the election.~~

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

16 ~~F~~. H. Notwithstanding section 16-579, subsection A, paragraph 2,
17 for any voting pursuant to subsection ~~H~~ G of this section, the county
18 recorder or other officer in charge of elections may allow a qualified
19 elector to update the elector's voter registration information as provided
20 for in the secretary of state's instructions and procedures manual adopted
21 pursuant to section 16-452.

22 ~~J~~. I. A candidate, political committee or other organization may
23 distribute early ballot request forms to voters. If the early ballot
24 request forms include a printed address for return, the addressee shall be
25 the political subdivision that will conduct the election. Failure to use
26 the political subdivision as the return addressee is punishable by a civil
27 penalty of up to three times the cost of the production and distribution
28 of the request.

29 ~~K~~. J. All original and completed early ballot request forms that
30 are received by a candidate, political committee or other organization
31 shall be submitted within six business days after receipt by a candidate,
32 political committee or other organization or eleven days before the
33 election day, whichever is earlier, to the political subdivision that will
34 conduct the election. Any person, political committee or other
35 organization that fails to submit a completed early ballot request form
36 within the prescribed time is subject to a civil penalty of up to \$25 per
37 day for each completed form withheld from submittal. Any person who
38 knowingly fails to submit a completed early ballot request form before the
39 submission deadline for the election immediately following the completion
40 of the form is guilty of a class 6 felony.

41 ~~L~~. K. Except for a voter who is on the active early voting list
42 prescribed by section 16-544, a voter who requests a onetime early ballot
43 pursuant to THIS section ~~16-542~~ or for an election conducted pursuant to
44 section 16-409 or article 8.1 of this chapter, a county recorder, city or
45 town clerk or other election officer may not deliver or mail an early

1 ballot to a person who has not requested an early ballot for that
2 election. An election officer who knowingly violates this subsection is
3 guilty of a class 5 felony.

4 Sec. 4. Section 16-572, Arizona Revised Statutes, is amended to
5 read:

6 16-572. Delivery and custody of ballots at polling place

7 A. On opening the polls, the inspector shall produce the sealed
8 package of official ballots and publicly open it and deliver one book or
9 block of ballots therein contained to the judges. The INSPECTOR SHALL
10 RETAIN THE other blocks or books of ballots, if any, ~~shall be retained by~~
11 ~~the inspector~~ until called for by the judges and required for voting.

12 B. One of the judges of election shall keep the ballots within the
13 polling place in plain view of the public and deliver them only to
14 qualified voters.

15 C. A person shall not take or remove a ballot from the polling
16 place before the polls are closed, EXCEPT THAT EARLY BALLOTS THAT ARE
17 RETURNED AT VOTING LOCATIONS ON ELECTION DAY MAY BE REMOVED EITHER BY TWO
18 AUTHORIZED ELECTION WORKERS WHO MUST BE MEMBERS OF DIFFERENT POLITICAL
19 PARTIES OR, IF EXTENUATING CIRCUMSTANCES EXIST, A SWORN OFFICIAL ELECTION
20 MESSENGER WHO IS APPOINTED AS PRESCRIBED BY SECTION 16-615, SUCH AS A
21 SHERIFF'S DEPUTY, AND WHO DELIVERS THE BALLOTS TO A DESIGNATED RECEIVING
22 SITE.

23 Sec. 5. Section 16-583, Arizona Revised Statutes, is amended to
24 read:

25 16-583. Inactive electors; procedures

26 A. On or before election day, the county recorder shall provide to
27 each ~~precinct~~ ELECTION BOARD the names of INACTIVE electors ~~on the~~
28 ~~inactive voter list. If a person whose name is not on the precinct~~
29 ~~register appears at a polling place, an election official shall determine~~
30 ~~whether the person is on the inactive voter list. If the~~ A person WHO
31 APPEARS AT A POLLING PLACE is LISTED on the PRECINCT REGISTER OR
32 ELECTRONIC POLLBOOK AS inactive ~~voter list~~, the registrant, on affirmation
33 by the registrant before an election official at the polling place that
34 the registrant continues to reside at the address indicated on the
35 ~~inactive voter list~~ PRECINCT REGISTER OR ELECTRONIC POLLBOOK, shall be
36 ~~permitted~~ ALLOWED to vote at that PRECINCT polling place. ~~The elector's~~
37 ~~name shall be entered on a separate signature roster page at the end of~~
38 ~~the signature roster, and voters' names shall be numbered consecutively.~~
39 If the registrant indicates that the registrant lives at a new residence,
40 the election official shall EITHER direct the registrant to the PRECINCT
41 polling place for the new address OR ALLOW THE REGISTRANT TO CAST A VOTE
42 PURSUANT TO SECTION 16-584, SUBSECTION C AT A VOTING CENTER.

1 B. Following the election, the county recorder shall remove from
2 inactive status all electors who voted pursuant to subsection A OF THIS
3 SECTION, shall place the electors' names back on the general register and
4 shall return the electors' status to active.

5 Sec. 6. Section 16-584, Arizona Revised Statutes, is amended to
6 read:

7 16-584. Qualified elector not on precinct register or
8 electronic pollbook; recorder's certificate;
9 verified ballot; procedure

10 A. A qualified elector whose name is not on the precinct register
11 OR ELECTRONIC POLLBOOK and who presents a certificate from the county
12 recorder showing that the elector is entitled by law to vote in the
13 precinct shall be entered on the signature roster on the blank following
14 the last printed name ~~and shall be given the next consecutive register~~
15 ~~number~~, and the qualified elector shall sign in the space provided.

16 B. A qualified elector whose name is not on the precinct register
17 OR ELECTRONIC POLLBOOK, on presentation of identification verifying the
18 identity of the elector that includes the voter's given name and surname
19 and the complete residence address that is verified by the election board
20 to be in the precinct or on signing an affirmation that states that the
21 elector is a registered voter in that jurisdiction and is eligible to vote
22 in that jurisdiction, shall be allowed to vote a provisional ballot.

23 C. If a voter has moved to a new address within the county and has
24 not notified the county recorder of the change of address before the date
25 of an election, the voter shall be ~~permitted~~ ALLOWED to correct the voting
26 records for purposes of voting in future elections at the appropriate
27 polling place for the voter's new address. The voter shall be ~~permitted~~
28 ALLOWED to vote a provisional ballot. The voter shall present a form of
29 identification that includes the voter's given name and surname and the
30 voter's complete residence address. The residence address must be within
31 the precinct in which the voter is attempting to vote, and the voter shall
32 affirm in writing that the voter is registered in that jurisdiction and is
33 eligible to vote in that jurisdiction.

34 D. On completion of the ballot, the election official shall place
35 the ballot in a provisional ballot envelope and shall deposit the envelope
36 in the ballot box. Within ten calendar days after a general election that
37 includes an election for a federal office and within five business days
38 after any other election or ~~no~~ NOT later than the time at which challenged
39 early voting ballots are resolved, the signature shall be compared to the
40 precinct signature roster of the former precinct where the voter was
41 registered. If the voter's name is not signed on the roster and if there
42 is no indication that the voter voted an early ballot, the provisional
43 ballot envelope shall be opened and the ballot shall be counted. If there
44 is information showing the person did vote, the provisional ballot shall
45 remain unopened and shall not be counted. When provisional ballots are

1 confirmed for counting, the county recorder shall use the information
 2 supplied on the provisional ballot envelope to correct the address record
 3 of the voter.

4 E. When a voter is allowed to vote a provisional ballot, the
 5 elector's name shall be entered on a separate signature roster ~~page at the~~
 6 ~~end of the signature roster. Voters' names shall be numbered~~
 7 ~~consecutively beginning with the number V-1~~ OR NOTED IN THE ELECTRONIC
 8 POLLBOOK. The elector shall sign in the space provided. The ballot shall
 9 be placed in a separate envelope, the outside of which shall contain the
 10 precinct name or number, a sworn or attested statement of the elector that
 11 the elector resides in the precinct, is eligible to vote in the election
 12 and has not previously voted in the election, the signature of the elector
 13 and the voter registration number of the elector, if available. The
 14 ballot shall be verified for proper registration of the elector by the
 15 county recorder before being counted. The verification shall be made by
 16 the county recorder within ten calendar days after a general election that
 17 includes an election for a federal office and within five business days
 18 following any other election. Verified ballots shall be counted by
 19 ~~depositing the ballot in the ballot box~~ THE OFFICER IN CHARGE OF ELECTIONS
 20 and ~~showing~~ SHOWN on the records of the election that the elector has
 21 voted. If registration is not verified, the ballot shall remain unopened
 22 and shall be retained ~~in the same manner as voted ballots~~ AS PRESCRIBED BY
 23 SECTION 16-624, SUBSECTION B.

24 F. For any person who votes a provisional ballot, the county
 25 recorder or other officer in charge of elections shall provide for a
 26 method of notifying the provisional ballot voter at no cost to the voter
 27 whether the voter's ballot was verified and counted and, if not counted,
 28 the reason for not counting the ballot. The notification may be in the
 29 form of notice by mail to the voter, establishment of a ~~toll-free~~
 30 TOLL-FREE telephone number, internet access or other similar method to
 31 allow the voter to have access to this information. The method of
 32 notification shall provide reasonable restrictions that are designed to
 33 limit transmittal of the information only to the voter.

34 Sec. 7. Section 16-624, Arizona Revised Statutes, is amended to
 35 read:

36 16-624. Disposition of official returns and ballots

37 A. After the canvass has been completed, the officer in charge of
 38 elections shall deposit the package or envelope containing the TABULATED
 39 ballots in a secure facility managed by the county treasurer, who shall
 40 keep it unopened and unaltered for twenty-four months for elections for a
 41 federal office or for six months for all other elections, at which time ~~he~~
 42 THE COUNTY TREASURER shall destroy it without opening or examining the
 43 contents.

1 ~~B. Irregular ballots shall be preserved for six months after the~~
2 ~~election and the packages containing them may be opened and the contents~~
3 ~~examined only upon an order of court. At the expiration of such time, the~~
4 ~~ballots may be disposed of in the discretion of the officer or board~~
5 ~~having charge of them.~~

6 B. AFTER THE CANVASS IS COMPLETED, THE COUNTY RECORDER SHALL
7 DEPOSIT ALL REJECTED PROVISIONAL AND EARLY BALLOTS IN A SECURE FACILITY
8 THAT IS MANAGED BY THE COUNTY TREASURER AS PRESCRIBED BY SUBSECTION A OF
9 THIS SECTION.

10 C. The officer in charge of elections shall produce the other
11 packages or envelopes before the COUNTY board of supervisors when it is in
12 session for the purpose of canvassing the returns.

13 D. If a recount is ordered or a contest begun within six months,
14 the COURT MAY ORDER THE county treasurer ~~may be ordered by the court~~ to
15 deliver to ~~it~~ the COURT THE packages or envelopes containing the ballots,
16 ~~and thereupon~~ AT WHICH TIME they shall be in the custody and control of
17 the court.

18 Sec. 8. Section 45-415, Arizona Revised Statutes, is amended to
19 read:

20 45-415. Local initiation for active management area;
21 procedures

22 A. A groundwater basin that is not included within an initial
23 active management area may be designated an active management area on
24 petition by ten percent of the registered voters residing within the
25 boundaries of the proposed active management area, as of the most recent
26 report compiled by the county recorder in compliance with section 16-168,
27 subsection G, and a subsequent election held pursuant to the general
28 election laws of this state. The form of the petition shall be the same
29 as for initiative petitions, and the applicant for the petition shall
30 comply with section 19-111.

31 B. On application for a petition number with the clerk of the board
32 of supervisors or county election officer, the director shall transmit a
33 map of the groundwater basin to the county recorder of each county in
34 which the proposed active management area is located. The map shall be on
35 a scale adequate to show with substantial accuracy where the boundaries of
36 the groundwater basin cross the boundaries of county voting
37 precincts. The director shall also transmit to the county recorder all
38 other factual data concerning the boundaries of the groundwater basin that
39 may aid the county recorder in the determination of which registered
40 voters of the county are residents of the groundwater basin.

41 C. Any registered voter of a county whose residency in the
42 groundwater basin is in question shall be allowed to vote. The ballot
43 shall be ~~placed in a separate envelope, the outside of which shall contain~~
44 ~~the precinct name and number, the signature of the voter, the residence~~
45 ~~address of the voter and the voter registration number of the voter, if~~

1 ~~available. The voter receipt card shall be attached to the envelope. The~~
2 ~~county recorder shall verify the ballot for proper residency of the voter~~
3 ~~before counting. Such verification shall be made within five business~~
4 ~~days following the election, and the voter receipt card shall be returned~~
5 ~~to the voter. Verified ballots shall be counted using the procedure~~
6 ~~outlined for counting early ballots. If residency in the groundwater~~
7 ~~basin is not verified, the ballot shall remain unopened and shall be~~
8 ~~destroyed~~ CREATED, VALIDATED AND COUNTED IN ACCORDANCE WITH TITLE 16,
9 CHAPTER 4, ARTICLE 8.

10 D. Except as provided in subsection E of this section, all election
11 expenses incurred pursuant to this section are the responsibility of the
12 county involved.

13 E. If a groundwater basin is located in two or more counties, the
14 following procedures apply:

15 1. The petition shall be filed with the clerk of the board of
16 supervisors or county election officer of the county in which the
17 plurality of the registered voters in the groundwater basin resides.

18 2. The number of registered voters required to sign the petition
19 shall be ten percent of the registered voters residing within the
20 boundaries of the proposed active management area, as of the most recent
21 report compiled by the county recorder in compliance with section 16-168,
22 subsection G, within the county in which the plurality of the registered
23 voters in the groundwater basin resides.

24 3. The election shall be called by the board of supervisors of the
25 county in which the petition is filed, and the board shall immediately
26 notify the board of supervisors of any other county included in the
27 groundwater basin of the date of the election. The election shall be held
28 not less than sixty days or more than ninety days from the date of the
29 call. The board of supervisors so notified shall then call the election
30 in that county for the same date and follow the procedures for conducting
31 the general elections in this state.

32 4. All election expenses incurred pursuant to this subsection are
33 the responsibilities of the counties involved on a proportional basis
34 considering the number of registered voters of each county that are
35 residents of the groundwater basin.

36 F. The ballot shall be worded, "should the (insert name of basin)
37 groundwater basin be designated an active management area?" followed by
38 the words "yes" and "no".