

House Engrossed Senate Bill
ballots; election day; identification

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

SENATE BILL 1518

AN ACT

AMENDING SECTION 16-550, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 271, SECTION 2; AMENDING SECTIONS 16-572 AND 16-579, ARIZONA REVISED STATUTES; RELATING TO EARLY VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-550, Arizona Revised Statutes, as amended by
3 Laws 2022, chapter 271, section 2, is amended to read:

4 16-550. Receipt of voter's ballot; cure period

5 A. Except for early ballots tabulated as prescribed in section
6 16-579.02 **OR RECEIVED AFTER A VOTER'S IDENTIFICATION IS CONFIRMED AS**
7 **PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4**, on receipt of the
8 envelope containing the early ballot and the ballot affidavit, the county
9 recorder or other officer in charge of elections shall compare the
10 ~~signatures thereon~~ **SIGNATURE ON THE ENVELOPE** with the signature of the
11 elector on the elector's registration record. If the signature is
12 inconsistent with the elector's signature on the elector's registration
13 record, the county recorder or other officer in charge of elections shall
14 make reasonable efforts to contact the voter, advise the voter of the
15 inconsistent signature and allow the voter to correct or the county to
16 confirm the inconsistent signature. The county recorder or other officer
17 in charge of elections shall allow signatures to be corrected not later
18 than the fifth business day after a primary, general or special election
19 that includes a federal office or the third business day after any other
20 election. If the signature is missing, the county recorder or other
21 officer in charge of elections shall make reasonable efforts to contact
22 the elector, advise the elector of the missing signature and allow the
23 elector to add the elector's signature not later than 7:00 p.m. on
24 election day. If satisfied that the signatures correspond, the recorder
25 or other officer in charge of elections shall hold the envelope containing
26 the early ballot and the completed affidavit unopened in accordance with
27 the rules of the secretary of state.

28 B. The recorder or other officer in charge of elections shall
29 thereafter safely keep the affidavits and early ballots in the recorder's
30 or other officer's office and may deliver them for tallying pursuant to
31 section 16-551. Tallying of ballots may begin immediately after the
32 envelope and completed affidavit are processed pursuant to this section
33 and delivered to the early election board.

34 C. The county recorder shall send a list of all voters who were
35 issued early ballots to the election board of the precinct in which the
36 voter is registered.

37 D. This section does not apply to:

38 1. A special taxing district that is authorized pursuant to section
39 16-191 to conduct its own elections.

40 2. A special district mail ballot election that is conducted
41 pursuant to article 8.1 of this chapter.

1 Sec. 2. Section 16-572, Arizona Revised Statutes, is amended to
2 read:

3 16-572. Delivery and custody of ballots at polling place

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

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

12 C. A person shall not take or remove a ballot from the polling
13 place before the polls are closed EXCEPT THAT EARLY BALLOTS RETURNED AT
14 VOTING LOCATIONS ON ELECTION DAY AFTER A VOTER'S IDENTIFICATION IS
15 CONFIRMED AS PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4 MAY
16 BE REMOVED BY TWO AUTHORIZED ELECTION WORKERS WHO MUST EACH BE A MEMBER OF
17 A DIFFERENT ONE OF THE TWO LARGEST POLITICAL PARTIES, WHO HAVE COMPLETED A
18 CHAIN OF CUSTODY LOG MAINTAINED AT THE VOTING LOCATION THAT INCLUDES THE
19 TOTAL COUNT OF THE EARLY BALLOTS BEING TRANSPORTED AND WHO DELIVER THE
20 BALLOTS TO A DESIGNATED RECEIVING SITE THAT IS AN OFFICIAL ELECTIONS
21 FACILITY AND NOT A THIRD PARTY VENDOR. THE CHAIN OF CUSTODY LOG FOR EARLY
22 BALLOTS RETURNED AT VOTING LOCATIONS ON ELECTION DAY SHALL BE AVAILABLE
23 FOR INSPECTION BY THE PUBLIC, THE POLITICAL PARTIES, COMMITTEES
24 REPRESENTING BALLOT MEASURES ON THE BALLOT AND THE CANDIDATES ON THE
25 BALLOT WITHIN FORTY-EIGHT HOURS AFTER ELECTION DAY.

26 Sec. 3. Section 16-579, Arizona Revised Statutes, is amended to
27 read:

28 16-579. Procedure for obtaining ballot by elector; definition

29 A. Every qualified elector, before receiving a ballot, shall
30 announce the elector's name and place of residence in a clear, audible
31 tone of voice to the election official in charge of the signature roster
32 or present the elector's name and residence in writing. The election
33 official in charge of the signature roster shall comply with the following
34 and the qualified elector shall be allowed within the voting area:

35 1. The elector shall present any of the following:

36 (a) A valid form of identification that bears the photograph, name
37 and address of the elector that reasonably appear to be the same as the
38 name and address in the precinct register, including an Arizona driver
39 license, an Arizona nonoperating identification license, a tribal
40 enrollment card or other form of tribal identification or a United States
41 federal, state or local government issued identification. Identification
42 is deemed valid unless it can be determined on its face that it has
43 expired.

1 (b) Two different items that contain the name and address of the
2 elector that reasonably appear to be the same as the name and address in
3 the precinct register, including a utility bill, a bank or credit union
4 statement that is dated within ninety days of the date of the election, a
5 valid Arizona vehicle registration, an Arizona vehicle insurance card, an
6 Indian census card, tribal enrollment card or other form of tribal
7 identification, a property tax statement, a recorder's certificate, a
8 voter registration card, a valid United States federal, state or local
9 government issued identification or any mailing that is labeled as
10 "official election material". Identification is deemed valid unless it
11 can be determined on its face that it has expired.

12 (c) A valid form of identification that bears the photograph, name
13 and address of the elector except that if the address on the
14 identification does not reasonably appear to be the same as the address in
15 the precinct register or the identification is a valid United States
16 military identification card or a valid United States passport and does
17 not bear an address, the identification must be accompanied by one of the
18 items listed in subdivision (b) of this paragraph.

19 2. If the elector does not present identification that complies
20 with paragraph 1 of this subsection, the elector is only eligible to vote
21 a provisional ballot as prescribed by section 16-584 or a conditional
22 provisional ballot as provided for in the secretary of state's instruction
23 and procedures manual adopted pursuant to section 16-452.

24 3. If the voter surrenders the early ballot to the precinct
25 inspector and the voter is not otherwise required to be issued a
26 provisional ballot, the voter shall be issued a standard ballot after
27 presenting identification pursuant to this subsection. The precinct
28 inspector shall retain the surrendered early ballot, unopened in its
29 affidavit envelope.

30 4. DURING THE PERIOD OF EARLY VOTING OR ON ELECTION DAY, IF A VOTER
31 IS ISSUED AN EARLY BALLOT AT ANY VOTING LOCATION OR PRESENTS AT ANY VOTING
32 LOCATION THE VOTER'S MAILED EARLY BALLOT AND THE VOTER PRESENTS AND
33 CONFIRMS IDENTIFICATION THAT COMPLIES WITH PARAGRAPH 1 OF THIS SUBSECTION
34 AND THE ELECTION OFFICIAL CONFIRMS THAT THE NAME AND ADDRESS ON THE
35 IDENTIFICATION REASONABLY APPEAR TO BE THE SAME NAME AND ADDRESS ON THE
36 VOTER'S COMPLETED EARLY BALLOT AFFIDAVIT, THE ELECTION OFFICIAL SHALL
37 STAMP THE SIGNED ENVELOPE WITH A STAMP THAT READS "ID VERIFIED" AND PLACE
38 THE EARLY BALLOT IN THE SECURED BALLOT BOX LABELED FOR VERIFIED EARLY
39 BALLOTS AND THE VOTER'S EARLY BALLOT IS DEEMED READY FOR TABULATING, AND
40 ADDITIONAL SIGNATURE VERIFICATION OF THE COMPLETED AFFIDAVIT ENVELOPE AS
41 PRESCRIBED BY SECTION 16-550 IS NOT REQUIRED, EXCEPT THAT ANY COMPLETED
42 EARLY BALLOT AFFIDAVIT DEPOSITED IN THE SECURED BALLOT BOX DESIGNATED FOR
43 VERIFIED EARLY BALLOTS PURSUANT TO THIS PARAGRAPH THAT IS NOT STAMPED "ID
44 VERIFIED" SHALL BE PROCESSED AS PRESCRIBED IN SECTION 16-550. THE

1 ELECTION OFFICIAL IN CHARGE OF THE SECURED BALLOT BOX DESIGNATED FOR
2 VERIFIED EARLY BALLOTS PURSUANT TO THIS SECTION SHALL MAINTAIN A TALLY OF
3 BALLOTS THAT HAVE BEEN DEPOSITED IN THE SECURED BALLOT BOX AND SHALL SIGN
4 AN AFFIDAVIT THAT INCLUDES THE ELECTION OFFICIAL'S NAME, THE POLLING
5 LOCATION, THE TIME AND DATE, THE NUMBER OF EARLY BALLOTS DEPOSITED
6 ACCORDING TO THE TALLY MAINTAINED BY THE ELECTION OFFICIAL AND A STATEMENT
7 THAT THE ELECTION OFFICIAL AFFIRMS THAT THE ELECTION OFFICIAL REQUIRED
8 EVERY VOTER TO PRESENT IDENTIFICATION THAT COMPLIES WITH PARAGRAPH 1 OF
9 THIS SUBSECTION AND THAT THE ELECTION OFFICIAL CONFIRMED THAT THE NAME AND
10 ADDRESS ON THE IDENTIFICATION PRESENTED BY EACH VOTER REASONABLY APPEARED
11 TO BE THE SAME NAME AND ADDRESS ON EACH VOTER'S EARLY BALLOT AFFIDAVIT.

12 B. Any qualified elector who is listed as having applied for an
13 early ballot but who states that the elector has not voted and will not
14 vote an early ballot for this election or surrenders the early ballot to
15 the precinct inspector on election day shall be allowed to vote pursuant
16 to the procedure set forth in section 16-584, except that for elections
17 conducted using an electronic pollbook or similar system with continuous
18 voter usage updates, the following apply:

19 1. If the electronic pollbook or other system indicates that the
20 voter's early ballot has not been returned or accepted by the county
21 recorder and the voter is not otherwise required to be issued a
22 provisional ballot, the voter may be issued a standard ballot after
23 presenting identification pursuant to subsection A of this section.

24 2. If the electronic pollbook or other system indicates that the
25 voter's early ballot has been received or accepted by the county recorder,
26 the voter may not be issued a standard ballot and may only be issued a
27 provisional ballot as prescribed in section 16-584.

28 C. Each qualified elector's name shall be numbered consecutively by
29 the clerks and in the order of applications for ballots. The judge shall
30 give the qualified elector only one ballot and a ballot privacy folder,
31 and the elector's name shall be immediately checked on the precinct
32 register. Notwithstanding any provision of this subsection, an elector
33 shall not be required to accept or use a ballot privacy folder.

34 D. For precincts in which a paper signature roster is used, each
35 qualified elector shall sign the elector's name in the signature roster
36 before receiving a ballot, but an inspector or judge may sign the roster
37 for an elector who is unable to sign because of physical disability, and
38 in that event the name of the elector shall be written with red ink, and
39 no attestation or other proof shall be necessary. The provisions of this
40 subsection relating to signing the signature roster ~~shall~~ DO not apply to
41 electors casting a ballot using early voting procedures.

42 E. For precincts in which an electronic poll book system is used,
43 each qualified elector shall sign the elector's name as prescribed in the
44 instructions and procedures manual adopted by the secretary of state

1 pursuant to section 16-452 before receiving a ballot, but an inspector or
2 judge may sign the roster for an elector who is unable to sign because of
3 physical disability, and in that event the name of the elector shall be
4 written with the inspector's or judge's attestation on the same signature
5 line.

6 F. A person offering to vote at a special district election for
7 which no special district register has been supplied shall sign an
8 affidavit stating the person's address and that the person resides within
9 the district boundaries or proposed district boundaries and swearing that
10 the person is a qualified elector and has not already voted at the
11 election being held.

12 G. EACH POLLING LOCATION OPEN FOR EARLY VOTING OR ON ELECTION DAY
13 SHALL INCLUDE A MINIMUM OF AT LEAST ONE SECURED BALLOT BOX FOR A VOTER TO
14 DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT AND AT LEAST ONE SECURED BALLOT
15 BOX FOR A VOTER WHO PRESENTS IDENTIFICATION AND THE VOTER'S COMPLETED
16 EARLY BALLOT PURSUANT TO SUBSECTION A, PARAGRAPH 4 OF THIS SECTION TO
17 DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT AFTER THE ENVELOPE HAS BEEN
18 STAMPED BY THE ELECTION OFFICIAL. EACH BALLOT BOX SHALL BE PHYSICALLY
19 SEPARATED AND CLEARLY LABELED. THE ELECTION OFFICIAL IN CHARGE OF THE
20 POLLING LOCATION SHALL ENSURE THAT A VOTER WHO DOES NOT PRESENT
21 IDENTIFICATION IS NOT ABLE TO DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT
22 IN THE DROP BOX DESIGNATED FOR VERIFIED EARLY BALLOTS PURSUANT TO
23 SUBSECTION A, PARAGRAPH 4 OF THIS SECTION.

24 H. FOR THE PURPOSES OF THIS SECTION, "ID VERIFIED" MEANS A BALLOT
25 FOR WHICH A VOTER HAS PRESENTED IDENTIFICATION THAT COMPLIES WITH
26 SUBSECTION A, PARAGRAPH 1 OF THIS SECTION.