

House Engrossed Senate Bill  
early ballots; identification; tabulation

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

# SENATE BILL 1595

AN ACT

AMENDING SECTIONS 16-542 AND 16-548, ARIZONA REVISED STATUTES; AMENDING SECTION 16-550, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 271, SECTION 2; AMENDING SECTIONS 16-552, 16-572, 16-579 AND 16-579.02, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-542, Arizona Revised Statutes, is amended to  
3 read:

4 16-542. Request for ballot; civil penalties; violation;  
5 classification

6 A. Within ninety-three days before any election called pursuant to  
7 the laws of this state, an elector may make a verbal or signed request to  
8 the county recorder, or other officer in charge of elections for the  
9 applicable political subdivision of this state in whose jurisdiction the  
10 elector is registered to vote, for an official early ballot. In addition  
11 to name and address, the requesting elector shall provide the date of  
12 birth and state or country of birth or other information that if compared  
13 to the voter registration information on file would confirm the identity  
14 of the elector. If the request indicates that the elector needs a primary  
15 election ballot and a general election ballot, the county recorder or  
16 other officer in charge of elections shall honor the request. For any  
17 partisan primary election, if the elector is not registered as a member of  
18 a political party that is entitled to continued representation on the  
19 ballot pursuant to section 16-804, the elector shall designate the ballot  
20 of only one of the political parties that is entitled to continued  
21 representation on the ballot and the elector may receive and vote the  
22 ballot of only that one political party, which also shall include any  
23 nonpartisan offices and ballot questions, or the elector shall designate  
24 the ballot for nonpartisan offices and ballot questions only and the  
25 elector may receive and vote the ballot that contains only nonpartisan  
26 offices and ballot questions. The county recorder or other officer in  
27 charge of elections shall process any request for an early ballot for a  
28 municipal election pursuant to this subsection. The county recorder may  
29 establish on-site early voting locations at the recorder's office, which  
30 shall be open and available for use beginning the same day that a county  
31 begins to send out the early ballots. The county recorder may also  
32 establish any other early voting locations in the county the recorder  
33 deems necessary. Any on-site early voting location or other early voting  
34 location shall require each elector to present identification as  
35 prescribed in section 16-579 before receiving a ballot. Notwithstanding  
36 section 16-579, subsection A, paragraph 2, at any on-site early voting  
37 location or other early voting location the county recorder or other  
38 officer in charge of elections may provide for a qualified elector to  
39 update the elector's voter registration information as provided for in the  
40 secretary of state's instructions and procedures manual adopted pursuant  
41 to section 16-452.

42 B. Notwithstanding subsection A of this section, a request for an  
43 official early ballot from an absent uniformed services voter or overseas  
44 voter as defined in the uniformed and overseas citizens absentee voting  
45 act ~~of 1986~~ (P.L. 99-410; 52 United States Code section 20310) or a voter

1 whose information is protected pursuant to section 16-153 that is received  
2 by the county recorder or other officer in charge of elections more than  
3 ninety-three days before the election is valid. If requested by the  
4 absent uniformed services or overseas voter, or a voter whose information  
5 is protected pursuant to section 16-153, the county recorder or other  
6 officer in charge of elections shall provide to the requesting voter early  
7 ballot materials through the next regularly scheduled general election for  
8 federal office immediately following receipt of the request unless a  
9 different period of time, which does not exceed the next two regularly  
10 scheduled general elections for federal office, is designated by the  
11 voter.

12 C. The county recorder or other officer in charge of elections  
13 shall mail the early ballot and the envelope for its return postage  
14 prepaid to the address provided by the requesting elector within five days  
15 after receipt of the official early ballots from the officer charged by  
16 law with the duty of preparing ballots pursuant to section 16-545, except  
17 that early ballot distribution shall not begin more than twenty-seven days  
18 before the election. If an early ballot request is received on or before  
19 the thirty-first day before the election, the early ballot shall be  
20 distributed not earlier than the twenty-seventh day before the election  
21 and not later than the twenty-fourth day before the election.

22 D. Only the elector may be in possession of that elector's unvoted  
23 early ballot. If a complete and correct request is made by the elector  
24 within twenty-seven days before the election, the mailing must be made  
25 within forty-eight hours after receipt of the request. Saturdays, Sundays  
26 and other legal holidays are excluded from the computation of the  
27 ~~forty-eight hour~~ FORTY-EIGHT-HOUR period prescribed by this subsection.  
28 If a complete and correct request is made by an absent uniformed services  
29 voter or an overseas voter before the election, the regular early ballot  
30 shall be transmitted by mail, by fax or by other electronic format  
31 approved by the secretary of state within twenty-four hours after the  
32 early ballots are delivered pursuant to section 16-545, subsection B,  
33 excluding Sundays.

34 E. In order to be complete and correct and to receive an early  
35 ballot by mail, an elector's request that an early ballot be mailed to the  
36 elector's residence or temporary address must include all of the  
37 information prescribed by subsection A of this section and must be  
38 received by the county recorder or other officer in charge of elections ~~no~~  
39 NOT later than 5:00 p.m. on the eleventh day preceding the election. An  
40 elector who appears personally ~~no later than 5:00 p.m. on the Friday~~  
41 ~~preceding the election~~ at an on-site early voting location that is  
42 established by the county recorder or other officer in charge of elections  
43 shall be given a ballot after presenting identification as prescribed in  
44 section 16-579 and shall be ~~permitted~~ ALLOWED to vote at the on-site  
45 location, EXCEPT THAT IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF

1 ELECTIONS IS NOT ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTIONS  
2 MATERIALS IN A TIMELY MANNER FOR USE ON ELECTION DAY TO INDICATE WHICH  
3 VOTERS HAVE REQUESTED AN EARLY BALLOT, WHICH VOTERS HAVE ALREADY VOTED AND  
4 WHICH VOTERS ARE ON THE INACTIVE VOTER LIST, THE COUNTY RECORDER OR OTHER  
5 OFFICER IN CHARGE OF ELECTIONS MAY NOT OPERATE THE ON-SITE EARLY VOTING  
6 LOCATIONS AFTER 7:00 P.M. ON THE FRIDAY PRECEDING THE ELECTION.

7 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site  
8 early voting location the county recorder or other officer in charge of  
9 elections may provide for a qualified elector to update the elector's  
10 voter registration information as provided for in the secretary of state's  
11 instructions and procedures manual adopted pursuant to section 16-452. If  
12 an elector's request to receive an early ballot is not complete and  
13 correct but complies with all other requirements of this section, the  
14 county recorder or other officer in charge of elections shall attempt to  
15 notify the elector of the deficiency of the request.

16 F. Unless an elector specifies that the address to which an early  
17 ballot is to be sent is a temporary address, the recorder may use the  
18 information from an early ballot request form to update voter registration  
19 records.

20 G. The county recorder or other officer in charge of early  
21 balloting shall provide an alphabetized list of all voters in the precinct  
22 who have requested and have been sent an early ballot to the election  
23 board of the precinct in which the voter is registered not later than the  
24 day before the election.

25 H. As a result of experiencing an emergency between 5:00 p.m. on  
26 the Friday preceding the election and 5:00 p.m. on the Monday preceding  
27 the election, qualified electors may request to vote in the manner  
28 prescribed by the board of supervisors of their respective county. Before  
29 voting pursuant to this subsection, an elector who experiences an  
30 emergency shall provide identification as prescribed in section 16-579 and  
31 shall sign a statement under penalty of perjury that states that the  
32 person is experiencing or experienced an emergency after 5:00 p.m. on the  
33 Friday immediately preceding the election and before 5:00 p.m. on the  
34 Monday immediately preceding the election that would prevent the person  
35 from voting at the polls. Signed statements received pursuant to this  
36 subsection are not subject to inspection pursuant to title 39, chapter 1,  
37 article 2. For the purposes of this subsection, "emergency" means any  
38 unforeseen circumstances that would prevent the elector from voting at the  
39 polls.

40 I. Notwithstanding section 16-579, subsection A, paragraph 2, for  
41 any voting pursuant to subsection H of this section, the county recorder  
42 or other officer in charge of elections may allow a qualified elector to  
43 update the elector's voter registration information as provided for in the  
44 secretary of state's instructions and procedures manual adopted pursuant  
45 to section 16-452.

1 J. A candidate, political committee or other organization may  
2 distribute early ballot request forms to voters. If the early ballot  
3 request forms include a printed address for return, the addressee shall be  
4 the political subdivision that will conduct the election. Failure to use  
5 the political subdivision as the return addressee is punishable by a civil  
6 penalty of up to three times the cost of the production and distribution  
7 of the request.

8 K. All original and completed early ballot request forms that are  
9 received by a candidate, political committee or other organization shall  
10 be submitted within six business days after receipt by a candidate,  
11 political committee or other organization or eleven days before the  
12 election day, whichever is earlier, to the political subdivision that will  
13 conduct the election. Any person, political committee or other  
14 organization that fails to submit a completed early ballot request form  
15 within the prescribed time is subject to a civil penalty of up to \$25 per  
16 day for each completed form withheld from submittal. Any person who  
17 knowingly fails to submit a completed early ballot request form before the  
18 submission deadline for the election immediately following the completion  
19 of the form is guilty of a class 6 felony.

20 L. Except for a voter who is on the active early voting list  
21 prescribed by section 16-544, a voter who requests a onetime early ballot  
22 pursuant to ~~THIS~~ section ~~16-542~~ or for an election conducted pursuant to  
23 section 16-409 or article 8.1 of this chapter, a county recorder, city or  
24 town clerk or other election officer may not deliver or mail an early  
25 ballot to a person who has not requested an early ballot for that  
26 election. An election officer who knowingly violates this subsection is  
27 guilty of a class 5 felony.

28 Sec. 2. Section 16-548, Arizona Revised Statutes, is amended to  
29 read:

30 ~~16-548.~~ Preparation and transmission of ballot; definition

31 A. The early voter shall make and sign the affidavit and shall then  
32 mark ~~his~~ THE ballot in ~~such~~ a manner that ~~his~~ THE EARLY VOTER'S vote  
33 cannot be seen. The early voter shall fold the ballot, if a paper ballot,  
34 so as to conceal the vote and deposit the voted ballot in the envelope  
35 provided for that purpose, which shall be securely sealed and, together  
36 with the affidavit, ~~delivered or~~ THE VOTED BALLOT SHALL BE RETURNED BY ONE  
37 OF THE FOLLOWING METHODS:

38 1. Mailed to the county recorder or other officer in charge of  
39 elections of the political subdivision in which the ~~elector~~ VOTER is  
40 registered ~~or deposited by the voter or the voter's agent at any polling~~  
41 ~~place in the county.~~ In order to be counted and valid, the ballot must be  
42 received by the county recorder or other officer in charge of elections  
43 ~~or deposited at any polling place in the county no~~ NOT later than 7:00  
44 p.m. on election day.

1           2. DELIVERED TO THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF  
2 ELECTIONS OF THE POLITICAL SUBDIVISION IN WHICH THE VOTER IS REGISTERED.  
3 IN ORDER TO BE COUNTED AND VALID, THE BALLOT MUST BE RECEIVED BY THE  
4 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN  
5 7:00 P.M. ON THE FRIDAY PRECEDING ELECTION DAY.

6           3. DEPOSITED BY THE VOTER AT ANY POLLING PLACE IN THE COUNTY.  
7 BEGINNING AFTER 7:00 P.M. ON THE FRIDAY PRECEDING ELECTION DAY, THE EARLY  
8 VOTER MUST PRESENT IDENTIFICATION THAT COMPLIES WITH SECTION 16-579,  
9 SUBSECTION A, PARAGRAPH 1 AND SIGN THE SIGNATURE ROSTER OR ELECTRONIC  
10 POLLBOOK BEFORE DEPOSITING THE BALLOT AT THE POLLING PLACE. IF THE VOTER  
11 DOES NOT HAVE SUFFICIENT IDENTIFICATION WHILE AT THE POLLING PLACE, THE  
12 VOTER SHALL PROVIDE SUFFICIENT IDENTIFICATION WITHIN THE TIME LIMITS  
13 PRESCRIBED BY SUBSECTION B OF THIS SECTION.

14           4. TABULATED BY USE OF THE ON-SITE TABULATION PROCEDURE PRESCRIBED  
15 BY SECTION 16-579.02 IF A COUNTY IS USING THIS PROCEDURE.

16           B. IF A VOTER'S AGENT DELIVERS A VOTER'S BALLOT TO ANY POLLING  
17 PLACE IN THE COUNTY, THE VOTER'S BALLOT WILL BE COUNTED AND VALID ONLY IF  
18 THE VOTER PRESENTS IDENTIFICATION THAT COMPLIES WITH SECTION 16-579,  
19 SUBSECTION A, PARAGRAPH 1 TO THE COUNTY RECORDER OR OTHER OFFICER IN  
20 CHARGE OF ELECTIONS NOT LATER THAN THE FIFTH BUSINESS DAY AFTER A PRIMARY,  
21 GENERAL OR SPECIAL ELECTION THAT INCLUDES A FEDERAL OFFICE OR THE THIRD  
22 BUSINESS DAY AFTER ANY OTHER ELECTION.

23           ~~B.~~ C. If the early voter is an overseas citizen, a qualified  
24 elector absent from the United States or in the United States service, a  
25 spouse or dependent residing with the early voter or a qualified elector  
26 of a special district mail ballot election as provided in article 8.1 of  
27 this chapter, the early voter may subscribe to the affidavit before and  
28 obtain the signature and military identification number or passport  
29 number, if available, of any person who is a United States citizen  
30 eighteen years of age or older.

31           D. FOR THE PURPOSES OF THIS SECTION, "VOTER'S AGENT" MEANS THE  
32 VOTER'S FAMILY MEMBER, HOUSEHOLD MEMBER OR CAREGIVER AS DEFINED IN SECTION  
33 16-1005.

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

36           16-550. Receipt of voter's ballot; cure period

37           A. Except for early ballots tabulated as prescribed in section  
38 16-579.02 OR RECEIVED AFTER A VOTER'S IDENTIFICATION IS CONFIRMED AS  
39 PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4, on receipt of the  
40 envelope containing the early ballot and the ballot affidavit, the county  
41 recorder or other officer in charge of elections shall compare the  
42 ~~signatures thereon~~ SIGNATURE ON THE ENVELOPE with the signature of the  
43 elector on the elector's registration record. If the signature is  
44 inconsistent with the elector's signature on the elector's registration  
45 record, the county recorder or other officer in charge of elections shall

1 make reasonable efforts to contact the voter, advise the voter of the  
2 inconsistent signature and allow the voter to correct or the county to  
3 confirm the inconsistent signature. The county recorder or other officer  
4 in charge of elections shall allow signatures to be corrected not later  
5 than the fifth business day after a primary, general or special election  
6 that includes a federal office or the third business day after any other  
7 election. If the signature is missing, the county recorder or other  
8 officer in charge of elections shall make reasonable efforts to contact  
9 the elector, advise the elector of the missing signature and allow the  
10 elector to add the elector's signature not later than 7:00 p.m. on  
11 election day. If satisfied that the signatures correspond, the recorder  
12 or other officer in charge of elections shall hold the envelope containing  
13 the early ballot and the completed affidavit unopened in accordance with  
14 the rules of the secretary of state.

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

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

24 D. This section does not apply to:

25 1. A special taxing district that is authorized pursuant to section  
26 16-191 to conduct its own elections.

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

29 Sec. 4. Section 16-552, Arizona Revised Statutes, is amended to  
30 read:

31 16-552. Early ballots; processing; challenges

32 A. In a jurisdiction that uses optical scan ballots, the officer in  
33 charge of elections may use the procedure prescribed by this section or  
34 may request approval from the secretary of state for a different method  
35 for processing early ballots. The request shall be made in writing at  
36 least ninety days before the election for which the procedure is intended  
37 to be used. After the election official has confirmed with the secretary  
38 of state that all election equipment passes the logic and accuracy test,  
39 the election official may begin to count early ballots. No early ballot  
40 results may be released except as prescribed by section 16-551.

41 B. EXCEPT FOR AN EARLY BALLOT THAT IS ISSUED AND VERIFIED AS  
42 PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4, the early  
43 election board shall check the voter's affidavit on the envelope  
44 containing the early ballot. If it is found to be sufficient, the vote

1 shall be allowed. If the affidavit is insufficient, the vote shall not be  
2 allowed.

3 C. The county chairman of each political party represented on the  
4 ballot, by written appointment addressed to the early election board, may  
5 designate party representatives and alternates to act as early ballot  
6 challengers for the party. No party may have more than the number of such  
7 representatives or alternates that were mutually agreed on by each  
8 political party to be present at one time. If such agreement cannot be  
9 reached, the number of representatives shall be limited to one for each  
10 political party.

11 D. An early ballot may be challenged on any grounds set forth in  
12 section 16-591. All challenges shall be made in writing with a brief  
13 statement of the grounds before the early ballot is placed in the ballot  
14 box. A record of all challenges and resulting proceedings shall be kept  
15 in substantially the same manner as provided in section 16-594. If an  
16 early ballot is challenged, it shall be set aside and retained in the  
17 possession of the early election board or other officer in charge of early  
18 ballot processing until a time that the early election board sets for  
19 determination of the challenge, subject to the procedure in subsection E  
20 of this section, at which time the early election board shall hear the  
21 grounds for the challenge and shall decide what disposition shall be made  
22 of the early ballot by majority vote. If the early ballot is not allowed,  
23 it shall be handled pursuant to subsection G of this section.

24 E. Within twenty-four hours of receipt of a challenge, the early  
25 election board or other officer in charge of early ballot processing shall  
26 mail, by first class mail, a notice of the challenge including a copy of  
27 the written challenge, and also including the time and place at which the  
28 voter may appear to defend the challenge, to the voter at the mailing  
29 address shown on the request for an early ballot or, if none was provided,  
30 to the mailing address shown on the registration rolls. Notice shall also  
31 be mailed to the challenger at the address listed on the written challenge  
32 and provided to the county chairman of each political party represented on  
33 the ballot. The board shall meet to determine the challenge at the time  
34 specified by the notice but, in any event, not earlier than ninety-six  
35 hours after the notice is mailed, or forty-eight hours if the notifying  
36 party chooses to deliver the notice by overnight or hand delivery, and not  
37 later than 5:00 p.m. on the Monday following the election. The board  
38 shall provide the voter with an informal opportunity to make, or to  
39 submit, brief statements regarding the challenge. The board may decline  
40 to permit comments, either in person or in writing, by anyone other than  
41 the voter, the challenger and the party representatives. The burden of  
42 proof is on the challenger to show why the voter should not be permitted  
43 to vote. The fact that the voter fails to appear shall not be deemed to  
44 be an admission of the validity of the challenge. The early election  
45 board or other officer in charge of early ballot processing is not

1 required to provide the notices described in this subsection if the  
2 written challenge fails to set forth at least one of the grounds listed in  
3 section 16-591 as a basis for the challenge. In that event, the challenge  
4 will be summarily rejected at the meeting of the board. Except for  
5 election contests pursuant to section 16-672, the board's decision is  
6 final and may not be appealed.

7 F. If the vote is allowed, the board shall open the envelope  
8 containing the ballot in such a manner that the affidavit thereon is not  
9 destroyed, take out the ballot without unfolding it or permitting it to be  
10 opened or examined and show by the records of the election that the  
11 elector has voted.

12 G. If the vote is not allowed, the affidavit envelope containing  
13 the early ballot shall not be opened and the board shall mark across the  
14 face of such envelope the grounds for rejection. The affidavit envelope  
15 and its contents shall then be deposited with the opened affidavit  
16 envelopes and shall be preserved with official returns. If the voter does  
17 not enter an appearance, the board shall send the voter a notice stating  
18 whether the early ballot was disallowed and, if disallowed, providing the  
19 grounds for the determination. The notice shall be mailed by first class  
20 mail to the voter's mailing address as shown on the registration rolls  
21 within three days after the board's determination.

22 H. Party representatives and alternates may be appointed as  
23 provided in subsection C of this section to be present and to challenge  
24 the verification of questioned ballots pursuant to section 16-584 on any  
25 grounds ~~permitted~~ ALLOWED by this section. Questioned ballots that are  
26 challenged shall be presented to the early election board for decision  
27 under the provisions of this section.

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

30 16-572. Delivery and custody of ballots at polling place

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

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

39 C. A person shall not take or remove a ballot from the polling  
40 place before the polls are closed EXCEPT THAT EARLY BALLOTS RETURNED AT  
41 VOTING LOCATIONS ON ELECTION DAY AFTER A VOTER'S IDENTIFICATION IS  
42 CONFIRMED AS PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4 MAY  
43 BE REMOVED BY TWO AUTHORIZED ELECTION WORKERS WHO MUST EACH BE A MEMBER OF  
44 A DIFFERENT ONE OF THE TWO LARGEST POLITICAL PARTIES, WHO HAVE COMPLETED A  
45 CHAIN OF CUSTODY LOG MAINTAINED AT THE VOTING LOCATION THAT INCLUDES THE

1 TOTAL COUNT OF THE EARLY BALLOTS BEING TRANSPORTED AND WHO DELIVER THE  
2 BALLOTS TO A DESIGNATED RECEIVING SITE THAT IS AN OFFICIAL ELECTIONS  
3 FACILITY AND NOT A THIRD PARTY VENDOR. THE CHAIN OF CUSTODY LOG FOR EARLY  
4 BALLOTS RETURNED AT VOTING LOCATIONS ON ELECTION DAY SHALL BE AVAILABLE  
5 FOR INSPECTION BY THE PUBLIC, THE POLITICAL PARTIES, COMMITTEES  
6 REPRESENTING BALLOT MEASURES ON THE BALLOT AND THE CANDIDATES ON THE  
7 BALLOT WITHIN FORTY-EIGHT HOURS AFTER ELECTION DAY.

8 Sec. 6. Section 16-579, Arizona Revised Statutes, is amended to  
9 read:

10 16-579. Procedure for obtaining ballot by elector; definition

11 A. Every qualified elector, before receiving a ballot, shall  
12 announce the elector's name and place of residence in a clear, audible  
13 tone of voice to the election official in charge of the signature roster  
14 or present the elector's name and residence in writing. The election  
15 official in charge of the signature roster shall comply with the following  
16 and the qualified elector shall be allowed within the voting area:

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

18 (a) A valid form of identification that bears the photograph, name  
19 and address of the elector that reasonably appear to be the same as the  
20 name and address in the precinct register, including an Arizona driver  
21 license, an Arizona nonoperating identification license, a tribal  
22 enrollment card or other form of tribal identification or a United States  
23 federal, state or local government issued identification. Identification  
24 is deemed valid unless it can be determined on its face that it has  
25 expired.

26 (b) Two different items that contain the name and address of the  
27 elector that reasonably appear to be the same as the name and address in  
28 the precinct register, including a utility bill, a bank or credit union  
29 statement that is dated within ninety days of the date of the election, a  
30 valid Arizona vehicle registration, an Arizona vehicle insurance card, an  
31 Indian census card, tribal enrollment card or other form of tribal  
32 identification, a property tax statement, a recorder's certificate, a  
33 voter registration card, a valid United States federal, state or local  
34 government issued identification or any mailing that is labeled as  
35 "official election material". Identification is deemed valid unless it  
36 can be determined on its face that it has expired.

37 (c) A valid form of identification that bears the photograph, name  
38 and address of the elector except that if the address on the  
39 identification does not reasonably appear to be the same as the address in  
40 the precinct register or the identification is a valid United States  
41 military identification card or a valid United States passport and does  
42 not bear an address, the identification must be accompanied by one of the  
43 items listed in subdivision (b) of this paragraph.

44 2. If the elector does not present identification that complies  
45 with paragraph 1 of this subsection, the elector is only eligible to vote

1 a provisional ballot as prescribed by section 16-584 or a conditional  
2 provisional ballot as provided for in the secretary of state's instruction  
3 and procedures manual adopted pursuant to section 16-452.

4 3. If the voter surrenders the early ballot to the precinct  
5 inspector and the voter is not otherwise required to be issued a  
6 provisional ballot, the voter shall be issued a standard ballot after  
7 presenting identification pursuant to this subsection. The precinct  
8 inspector shall retain the surrendered early ballot, unopened in its  
9 affidavit envelope.

10 4. DURING THE PERIOD OF EARLY VOTING OR ON ELECTION DAY, IF A VOTER  
11 IS ISSUED AN EARLY BALLOT AT ANY VOTING LOCATION OR PRESENTS AT ANY VOTING  
12 LOCATION THE VOTER'S MAILED EARLY BALLOT AND THE VOTER PRESENTS AND  
13 CONFIRMS IDENTIFICATION THAT COMPLIES WITH PARAGRAPH 1 OF THIS SUBSECTION  
14 AND THE ELECTION OFFICIAL CONFIRMS THAT THE NAME AND ADDRESS ON THE  
15 IDENTIFICATION REASONABLY APPEAR TO BE THE SAME NAME AND ADDRESS ON THE  
16 VOTER'S COMPLETED EARLY BALLOT AFFIDAVIT, THE ELECTION OFFICIAL SHALL  
17 STAMP THE SIGNED ENVELOPE WITH A STAMP THAT READS "ID VERIFIED" AND PLACE  
18 THE EARLY BALLOT IN THE SECURED BALLOT BOX LABELED FOR VERIFIED EARLY  
19 BALLOTS AND THE VOTER'S EARLY BALLOT IS DEEMED READY FOR TABULATING, AND  
20 ADDITIONAL SIGNATURE VERIFICATION OF THE COMPLETED AFFIDAVIT ENVELOPE AS  
21 PRESCRIBED BY SECTION 16-550 IS NOT REQUIRED, EXCEPT THAT ANY COMPLETED  
22 EARLY BALLOT AFFIDAVIT DEPOSITED IN THE SECURED BALLOT BOX DESIGNATED FOR  
23 VERIFIED EARLY BALLOTS PURSUANT TO THIS PARAGRAPH THAT IS NOT STAMPED "ID  
24 VERIFIED" SHALL BE PROCESSED AS PRESCRIBED IN SECTION 16-550. THE  
25 ELECTION OFFICIAL IN CHARGE OF THE SECURED BALLOT BOX DESIGNATED FOR  
26 VERIFIED EARLY BALLOTS PURSUANT TO THIS SECTION SHALL MAINTAIN A TALLY OF  
27 BALLOTS THAT HAVE BEEN DEPOSITED IN THE SECURED BALLOT BOX AND SHALL SIGN  
28 AN AFFIDAVIT THAT INCLUDES THE ELECTION OFFICIAL'S NAME, THE POLLING  
29 LOCATION, THE TIME AND DATE, THE NUMBER OF EARLY BALLOTS DEPOSITED  
30 ACCORDING TO THE TALLY MAINTAINED BY THE ELECTION OFFICIAL AND A STATEMENT  
31 THAT THE ELECTION OFFICIAL AFFIRMS THAT THE ELECTION OFFICIAL REQUIRED  
32 EVERY VOTER TO PRESENT IDENTIFICATION THAT COMPLIES WITH PARAGRAPH 1 OF  
33 THIS SUBSECTION AND THAT THE ELECTION OFFICIAL CONFIRMED THAT THE NAME AND  
34 ADDRESS ON THE IDENTIFICATION PRESENTED BY EACH VOTER REASONABLY APPEARED  
35 TO BE THE SAME NAME AND ADDRESS ON EACH VOTER'S EARLY BALLOT AFFIDAVIT.

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

43 1. If the electronic pollbook or other system indicates that the  
44 voter's early ballot has not been returned or accepted by the county  
45 recorder and the voter is not otherwise required to be issued a

1 provisional ballot, the voter may be issued a standard ballot after  
2 presenting identification pursuant to subsection A of this section.

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

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

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

21 E. For precincts in which an electronic poll book system is used,  
22 each qualified elector shall sign the elector's name as prescribed in the  
23 instructions and procedures manual adopted by the secretary of state  
24 pursuant to section 16-452 before receiving a ballot, but an inspector or  
25 judge may sign the roster for an elector who is unable to sign because of  
26 physical disability, and in that event the name of the elector shall be  
27 written with the inspector's or judge's attestation on the same signature  
28 line.

29 F. A person offering to vote at a special district election for  
30 which no special district register has been supplied shall sign an  
31 affidavit stating the person's address and that the person resides within  
32 the district boundaries or proposed district boundaries and swearing that  
33 the person is a qualified elector and has not already voted at the  
34 election being held.

35 G. EACH POLLING LOCATION OPEN FOR EARLY VOTING OR ON ELECTION DAY  
36 SHALL INCLUDE A MINIMUM OF AT LEAST ONE SECURED BALLOT BOX FOR A VOTER TO  
37 DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT AND AT LEAST ONE SECURED BALLOT  
38 BOX FOR A VOTER WHO PRESENTS IDENTIFICATION AND THE VOTER'S COMPLETED  
39 EARLY BALLOT PURSUANT TO SUBSECTION A, PARAGRAPH 4 OF THIS SECTION TO  
40 DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT AFTER THE ENVELOPE HAS BEEN  
41 STAMPED BY THE ELECTION OFFICIAL. EACH BALLOT BOX SHALL BE PHYSICALLY  
42 SEPARATED AND CLEARLY LABELED. THE ELECTION OFFICIAL IN CHARGE OF THE  
43 POLLING LOCATION SHALL ENSURE THAT A VOTER WHO DOES NOT PRESENT  
44 IDENTIFICATION IS NOT ABLE TO DEPOSIT THE VOTER'S COMPLETED EARLY BALLOT

1 IN THE DROP BOX DESIGNATED FOR VERIFIED EARLY BALLOTS PURSUANT TO  
2 SUBSECTION A, PARAGRAPH 4 OF THIS SECTION.

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

6 Sec. 7. Section 16-579.02, Arizona Revised Statutes, is amended to  
7 read:

8 16-579.02. Election day early ballot on-site tabulation  
9 procedure; fund

10 A. A qualified elector who appears at a voting center or at the  
11 elector's designated polling place that allows for the on-site tabulation  
12 of early ballots with the elector's voted early ballot shall present  
13 identification as prescribed in section 16-579, subsection A, paragraph 1  
14 and proceed as follows:

15 1. If the elector does not present identification that complies  
16 with section 16-579, subsection A, paragraph 1, the elector shall ~~either~~  
17 ~~deposit the elector's voted early ballot in its affidavit envelope in an~~  
18 ~~official drop box or proceed to the area designated for election day~~  
19 ~~voting to~~ surrender the early ballot to the election board for retention  
20 and not for tabulating. The elector shall then be allowed to vote a  
21 provisional ballot as prescribed in section 16-584. An election official  
22 may not allow for the on-site tabulation of an early ballot if the elector  
23 does not present identification that complies with section 16-579,  
24 subsection A, paragraph 1.

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

31 3. If the elector's affidavit is not complete, the election  
32 official in charge of the signature roster shall allow the elector to  
33 complete the affidavit. The election official may not allow for the  
34 on-site tabulation of an early ballot until the elector presents a  
35 completed early ballot affidavit.

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

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

43 D. For precincts in which an electronic pollbook is used, each  
44 qualified elector shall sign the elector's name as prescribed in section  
45 16-579, subsection E before proceeding to the tabulating equipment.

1           E. After signing the signature roster or electronic pollbook, the  
2 elector shall proceed to the tabulating equipment and while under the  
3 observation of an election official, remove the early ballot from the  
4 completed affidavit envelope, deposit the empty completed affidavit  
5 envelope in the secured ~~and labeled drop box~~ CONTAINER FOR THAT PURPOSE  
6 and insert the early ballot into a tabulating machine. An early ballot  
7 that has been separated from the elector's completed affidavit envelope  
8 may not be removed from the on-site early ballot tabulation area.

9           F. The ~~drop box~~ SECURED CONTAINER prescribed in subsection E of  
10 this section shall be clearly labeled to indicate that the completed  
11 affidavits are from ballots tabulated pursuant to this section and shall  
12 be secured in a manner substantially similar to ~~other~~ ballot boxes at that  
13 location.

14           G. Any qualified elector who lawfully brings to a polling place or  
15 voting center another elector's voted early ballot that is sealed in its  
16 affidavit envelope shall deposit the other elector's voted early ballot in  
17 the appropriate SECURED ballot ~~drop~~ box before entering the on-site early  
18 ballot tabulation area for purposes of tabulating the elector's own early  
19 ballot. The county recorder or other officer in charge of elections shall  
20 ensure that a voter is not in possession of another voter's ballot within  
21 the on-site early ballot tabulation area.