REFERENCE TITLE: election procedures; registrations; campaign finance

State of Arizona House of Representatives Fifty-sixth Legislature Second Regular Session 2024

HB 2351

Introduced by Representative Stahl Hamilton

AN ACT

AMENDING SECTIONS 16-101 AND 16-112, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 16-113 AND 16-114; AMENDING SECTIONS 16-120 AND 16-121.01, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-129; AMENDING SECTIONS 16-152, 16-166 AND 16-182, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-406.01; AMENDING TITLE 16, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-414; AMENDING SECTIONS 16-542, 16-547, 16-548 AND 16-550, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-602.01; AMENDING SECTIONS 16-901, 16-912, 16-914, 16-917, 16-941, 16-945 AND 16-951, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-951.01; AMENDING SECTIONS 16-953, 16-954, 16-956 AND 16-961, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona: 2 Section 1. Section 16-101, Arizona Revised Statutes, is amended to 3 read: 4 16-101. Qualifications of registrant; definition 5 Every resident of this state is qualified to register to vote if Α. 6 the resident: 7 1. Is a citizen of the United States and has provided satisfactory 8 evidence of citizenship as prescribed in section 16-166. 9 2. Will be eighteen years of age or more on or before the date of regular general election next following his THE REGISTRANT'S 10 the 11 registration. 12 3. Is a resident of this state twenty-nine days next preceding the 13 election, except as provided in section 16-126. 14 4. Is able to write the resident's name or make the resident's 15 mark, unless prevented from so doing by physical disability. 16 5. Has not been convicted of treason or a felony, unless restored 17 to civil rights. 18 6. Has not been adjudicated an incapacitated person as defined in 19 section 14-5101. 20 B. For the purposes of this title, "resident" means an individual 21 who has actual physical presence in this state, or for THE purposes of a 22 political subdivision actual physical presence in the political 23 subdivision, combined with an intent to remain. A temporary absence does 24 not result in a loss of residence if the individual has an intent to 25 return following his THE INDIVIDUAL'S absence. An individual has only one 26 residence for THE purposes of this title. 27 Sec. 2. Section 16-112, Arizona Revised Statutes, is amended to 28 read: 29 16-112. Driver license voter registration A. Every person who is applying for a driver license or renewal and 30 31 who is otherwise qualified to register to vote, at the same time and place, shall be allowed to register to vote by providing the information 32 33 prescribed by section 16-152. The method used to register voters shall 34 require only the minimum information necessary to prevent duplicate 35 registrations. to enable elections officials to determine voter 36 eligibility and to administer voter registration and election laws. А registration form shall be included for a person who is applying for a 37 driver license renewal by mail. On completing a form that contains at 38 least the information prescribed by section 16-121.01 and that may contain 39 the information prescribed by section 16-152 and on receipt of that form 40 41 by the county recorder from the department of transportation as prescribed 42 by subsection D of this section, the applicant is presumed to be properly 43 registered to vote. That presumption may be rebutted as provided in 44 section 16-121.01.

B. The director of the department of transportation and the secretary of state shall consult at least every two years regarding voter registration at driver license offices. The director of the department of transportation and the secretary of state, after consultation with all county recorders, shall adopt rules to implement a system allowing driver license applicants to register to vote at the same time and place as they apply for driver licenses. The rules shall:

8 1. Bring the license application and voter registration application 9 forms into substantial conformity.

10 2. Allow the transfer of driver license applications, including 11 renewal and change of address, and voter registration information from the 12 department of transportation to the voter registration rolls.

13 3. Respect all rules and statutes of this state concerning the 14 confidentiality of driver license application information.

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

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

26 1. A description of the penalties provided by law for the 27 submission of a false voter registration application.

28 2. A statement that if an applicant declines to register to vote 29 the fact that the applicant has declined to register will remain 30 confidential and will be used only for voter registration purposes.

31 3. A statement that if an applicant does register to vote the 32 office at which the applicant submits a voter registration application 33 will remain confidential and will be used only for voter registration 34 purposes.

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

E. A PERSON WHO REPORTS A CHANGE OF RESIDENTIAL OR MAILING ADDRESS OR CHANGE OF NAME TO THE DEPARTMENT OF TRANSPORTATION AND WHO, AT THE SAME TIME AND PLACE, DOES NOT PROVIDE AT THE TIME OF THE TRANSACTION A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP SHALL BE ALLOWED TO REGISTER TO VOTE BY PROVIDING THE INFORMATION PRESCRIBED BY SECTION 16-152. THE METHOD USED TO REGISTER TO VOTE SHALL REQUIRE ONLY THE MINIMUM INFORMATION NECESSARY TO PREVENT DUPLICATE REGISTRATION, TO ENABLE

1 ELECTION OFFICIALS TO DETERMINE VOTER ELIGIBILITY AND TO ADMINISTER VOTER 2 **REGISTRATION AND ELECTION LAWS.** 3 Sec. 3. Title 16, chapter 1, article 1.1, Arizona Revised Statutes, 4 is amended by adding sections 16-113 and 16-114, to read: 5 16-113. Secure automatic electronic voter registration; rules; designated source agencies; opt-out 6 7 procedure; voter education and publicity; annual report 8 9 FOR EVERY PERSON WHO PROVIDES PROOF OF UNITED STATES CITIZENSHIP Α. PURSUANT TO SECTION 28-3158 OR 28-3165 AND IN COMPLIANCE WITH SECTION 10 11 16-166, DURING THE COURSE OF APPLYING FOR, RENEWING OR CORRECTING A DRIVER 12 LICENSE OR NONOPERATING IDENTIFICATION LICENSE, UPDATING THE PERSON'S 13 EXISTING RESIDENCE ADDRESS OR NAME ON FILE WITH THE DEPARTMENT OF TRANSPORTATION OR OBTAINING A DUPLICATE, REISSUANCE OR REPLACEMENT OF A 14 DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE, THE DEPARTMENT OF 15 16 TRANSPORTATION, AT THE SAME TIME AND PLACE, SHALL ELECTRONICALLY COLLECT 17 AND TRANSMIT VOTER REGISTRATION INFORMATION TO THE SECRETARY OF STATE FOR 18 THE PURPOSE OF REGISTERING THE PERSON TO VOTE OR UPDATING AN EXISTING VOTER REGISTRATION RECORD. THIS INFORMATION SHALL INCLUDE AT LEAST THE 19 20 PERSON'S NAME, RESIDENCE ADDRESS OR LOCATION, DATE OF BIRTH AND SIGNATURE. 21 ELECTRONIC METHOD USED FOR COLLECTING AND TRANSMITTING VOTER THE 22 REGISTRATION INFORMATION SHALL REQUIRE ONLY THE MINIMUM INFORMATION 23 NECESSARY TO PREVENT DUPLICATE REGISTRATIONS, TO ENABLE ELECTIONS 24 OFFICIALS TO DETERMINE VOTER ELIGIBILITY AND TO ADMINISTER VOTER 25 REGISTRATION AND ELECTION LAWS. THE DEPARTMENT OF TRANSPORTATION SHALL 26 ALSO COLLECT AND TRANSMIT ANY CHANGE OF RESIDENCE OR MAILING ADDRESS OR CHANGE OF NAME INFORMATION THE DEPARTMENT RECEIVES AS PART OF A DRIVER 27 LICENSE OR NONOPERATING IDENTIFICATION LICENSE TRANSACTION TO THE 28 29 SECRETARY OF STATE FOR THE PURPOSE OF UPDATING THE VOTER REGISTRATION OF ALREADY REGISTERED VOTERS. THE SYSTEM DESCRIBED IN THIS SUBSECTION SHALL 30 31 BE KNOWN AS THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM. INDIVIDUALS WHO WERE NOT INCLUDED IN THE SECURE AUTOMATIC ELECTRONIC VOTER 32 REGISTRATION SYSTEM AND WHO DID NOT PROVIDE AT THE TIME OF THE TRANSACTION 33 A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP WILL RECEIVE 34 THE OPPORTUNITIES AND PROCESSES TO REGISTER TO VOTE REQUIRED BY SECTIONS 35 36 16-112, 16-140 AND 16-141. 37 B. THE SECRETARY OF STATE AND DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION, AFTER CONSULTING WITH ALL COUNTY RECORDERS, SHALL ADOPT 38

37 B. THE SECRETARY OF STATE AND DIRECTOR OF THE DEPARTMENT OF 38 TRANSPORTATION, AFTER CONSULTING WITH ALL COUNTY RECORDERS, SHALL ADOPT 39 RULES TO IMPLEMENT A SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM 40 THAT COLLECTS AND TRANSMITS VOTER REGISTRATION INFORMATION FOR PERSONS 41 IDENTIFIED IN THIS SECTION TO THE SECRETARY OF STATE. THE RULES SHALL 42 ALLOW THE ELECTRONIC TRANSFER OF DRIVER LICENSE AND NONOPERATING 43 IDENTIFICATION LICENSE APPLICATIONS, INCLUDING RENEWAL AND CHANGE OF 44 ADDRESS, AND VOTER REGISTRATION INFORMATION FROM THE DEPARTMENT OF 45 TRANSPORTATION TO THE VOTER REGISTRATION ROLLS, IN CONFORMITY WITH THE 1 CONFIDENTIALITY REQUIREMENTS OF THE NATIONAL VOTER REGISTRATION ACT OF 2 1993 (P.L. 103-31; 107 STAT. 77; 52 UNITED STATES CODE SECTIONS 20501 3 THROUGH 20511).

4 C. THE SECRETARY OF STATE SHALL EVALUATE IMPLEMENTING A SECURE 5 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM AT OTHER AGENCIES. 6 INCLUDING, AT A MINIMUM, THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM 7 ADMINISTRATION. THE SECRETARY OF STATE MAY DESIGNATE AN AGENCY AS A SOURCE AGENCY IF, AS DETERMINED BY THE SECRETARY OF STATE, THE AGENCY IS 8 9 ABLE TO COLLECT AND TRANSMIT THE VOTER REGISTRATION INFORMATION LISTED IN SUBSECTION A OF THIS SECTION. THE SECRETARY OF STATE SHALL CONSULT WITH 10 11 THE HEADS OF OTHER AGENCIES AND ALL COUNTY RECORDERS BEFORE DESIGNATING AN AGENCY AS A SOURCE AGENCY. THIS SECTION DOES NOT ALTER ANY FEDERAL 12 13 PRIVACY LAWS THAT APPLY TO HEALTH RECORDS.

D. A SOURCE AGENCY SHALL ACCEPT TRIBAL IDENTIFICATION NUMBERS AND NONTRADITIONAL RESIDENTIAL ADDRESSES, INCLUDING ADDRESSES THAT CAN BE IDENTIFIED BY MILE MARKERS OR GEOGRAPHIC OR OTHER IDENTIFYING FEATURES. A SOURCE AGENCY SHALL ATTAIN THE CAPABILITY OF COLLECTING AND TRANSMITTING HIS INFORMATION WITHIN THREE MONTHS AFTER BEING DESIGNATED A SOURCE AGENCY.

E. A SOURCE AGENCY SHALL ACCEPT DIGITAL OR ELECTRONIC IMAGES OF
SIGNATURES OR HAVE THE ABILITY TO CONVERT SIGNATURES INTO ELECTRONIC
IMAGES OF SIGNATURES SO THAT A COUNTY RECORDER OR OTHER OFFICER IN CHARGE
OF ELECTIONS CAN USE THE SIGNATURES TO CONDUCT A SIGNATURE MATCH OR OTHER
VERIFICATION REQUIRED BY LAW. A SOURCE AGENCY SHALL ATTAIN THE CAPABILITY
OF COLLECTING AND TRANSMITTING THIS INFORMATION WITHIN THREE MONTHS AFTER
BEING DESIGNATED A SOURCE AGENCY.

F. AN AGENCY THAT HAS BEEN DESIGNATED BY THE SECRETARY OF STATE AS ASOURCE AGENCY MAY NOT LOSE ITS STATUS AS A SOURCE AGENCY.

29 G. EACH SOURCE AGENCY SHALL TRANSMIT VOTER REGISTRATION INFORMATION
 30 TO THE SECRETARY OF STATE ON THE SAME DAY IT IS RECEIVED BY THE AGENCY.

31 THE SECRETARY OF STATE RECEIVES VOTER REGISTRATION Η. ΙF 32 INFORMATION FROM A SOURCE AGENCY, THE SECRETARY OF STATE SHALL PROMPTLY TRANSMIT THE INFORMATION TO THE APPROPRIATE COUNTY RECORDER. THE 33 SECRETARY OF STATE MAY NOT TRANSMIT INFORMATION FOR ANY INDIVIDUAL WHO IS 34 ENROLLED IN THE ADDRESS CONFIDENTIALITY PROGRAM OR FOR WHOM THE SECRETARY 35 36 OF STATE HAS INFORMATION INDICATING THAT THE INDIVIDUAL IS DISQUALIFIED FROM REGISTERING TO VOTE, INCLUDING INDIVIDUALS WHO ARE IDENTIFIED 37 PURSUANT TO THE REQUIREMENTS OF THE HELP AMERICA VOTE ACT OF 2002 38 (P.L. 107-252; 116 STAT. 1666; 52 UNITED STATES CODE SECTION 21083), DUE 39 40 TO A FELONY CONVICTION AND WHOSE CIVIL RIGHTS HAVE NOT BEEN RESTORED. IN 41 ADDITION, FOR ANY CHANGE OF RESIDENCE OR MAILING ADDRESS OR CHANGE OF NAME INFORMATION RECEIVED BY THE SECRETARY OF STATE UNDER THE PROCESS 42 43 ESTABLISHED BY THIS SECTION FOR WHICH THE PERSON HAS NOT PROVIDED PROOF OF UNITED STATES CITIZENSHIP TO THE SOURCE AGENCY, THE SECRETARY OF STATE 44 45 SHALL TRANSMIT NOTICE OF THE CHANGE OF NAME OR ADDRESS TO THE APPROPRIATE COUNTY RECORDER ONLY IF THE INFORMATION IS FOR A PERSON WHO IS ALREADY
 REGISTERED TO VOTE. ON RECEIPT OF VOTER REGISTRATION INFORMATION FROM THE
 SECRETARY OF STATE, A COUNTY RECORDER SHALL:

4 1. FOR EACH PERSON WHOSE INFORMATION HAS BEEN TRANSMITTED,5 DETERMINE THAT THE PERSON IS ONE OF THE FOLLOWING:

6 (a) ALREADY REGISTERED AT THE CURRENT ADDRESS AND WITH THE PERSON'S 7 CURRENT NAME.

8 (b) ALREADY REGISTERED AND REQUIRES AN ADDRESS OR NAME UPDATE9 REGARDLESS OF THE COUNTY IN WHICH THE PERSON IS CURRENTLY REGISTERED.

10 (c) NOT REGISTERED, AND THE INFORMATION RECEIVED INCLUDES AT LEAST
 11 THE INFORMATION LISTED IN SECTION 16-121.01, SUBSECTION A. A PERSON AS
 12 PRESCRIBED IN THIS SUBDIVISION IS AN ELIGIBLE PERSON.

2. FOR EACH ELIGIBLE PERSON PRESCRIBED BY PARAGRAPH 1, SUBDIVISION
(c) OF THIS SUBSECTION OR PERSON WITH UPDATED REGISTRATION INFORMATION,
ENTER THE NEW REGISTRATION OR UPDATED INFORMATION ON THE REGISTRATION
LISTS. PENDING NOTIFICATION OF THE PERSON, THE EFFECTIVE DATE OF THE
REGISTRATION OR UPDATE IS THE DATE THE SOURCE AGENCY RECEIVED THE
INFORMATION.

19 3. FOR EACH ELIGIBLE PERSON OR PERSON WITH UPDATED REGISTRATION 20 INFORMATION, MAIL TO THE PERSON A NONFORWARDABLE NOTICE THAT THE PERSON'S 21 VOTER REGISTRATION OR REGISTRATION UPDATE IS PENDING AND A POSTAGE PAID 22 PREADDRESSED RETURN FORM. A NOTICE TO AN ELIGIBLE PERSON MUST INCLUDE AN EXPLANATION OF THE ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND A 23 24 STATEMENT THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD DECLINE TO REGISTER USING THE PREADDRESSED RETURN FORM. THE NOTICE MUST ALSO 25 26 STATE THE PENALTIES FOR SUBMITTING A FALSE APPLICATION. A NOTICE TO AN ELIGIBLE PERSON MUST ALSO INCLUDE A STATEMENT THAT, IF THE PERSON DECLINES 27 TO REGISTER TO VOTE, THE FACT THAT THE PERSON HAS DECLINED WILL REMAIN 28 29 CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES, AND A STATEMENT THAT, IF THE PERSON REGISTERS TO VOTE, THE OFFICE AT WHICH THE 30 31 PERSON WAS REGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR 32 VOTER REGISTRATION PURPOSES. THE RETURN FORM MUST:

33 (a) PROVIDE A MECHANISM FOR A PERSON TO DECLINE TO BE REGISTERED AS
 34 AN ELECTOR OR UPDATE THE PERSON'S REGISTRATION.

35 (b) PROVIDE A MECHANISM FOR A PERSON TO DESIGNATE A POLITICAL
36 PARTY. IF THE REGISTRANT IS ALREADY REGISTERED AND MAKES NO AFFIRMATIVE
37 CHANGE TO PARTY AFFILIATION, THE REGISTRANT'S PARTY AFFILIATION REMAINS
38 UNCHANGED.

39 (c) PROVIDE A MECHANISM FOR A PERSON TO REQUEST TO BE INCLUDED ON
 40 THE ACTIVE EARLY VOTING LIST PURSUANT TO SECTION 16-544.

41 (d) PROVIDE INFORMATION TO A PERSON ABOUT THE ADDRESS 42 CONFIDENTIALITY PROGRAM.

43 4. IF THE INFORMATION REQUIRED TO DETERMINE WHETHER A PERSON IS
44 ELIGIBLE TO VOTE OR TO REGISTER THE PERSON TO VOTE IS INCOMPLETE, OR
45 CLARIFICATION IS REQUIRED, MAIL A NONFORWARDABLE NOTICE TO THE PERSON THAT

1 ADDITIONAL INFORMATION IS REQUIRED THAT CLEARLY STATES WHAT IS INCOMPLETE 2 OR WHAT ADDITIONAL INFORMATION IS REQUIRED AND PROVIDES A TELEPHONE NUMBER 3 AND A POSTAGE PAID PREADDRESSED RETURN FORM THE PERSON MAY USE TO PROVIDE 4 THE REQUIRED MISSING OR ADDITIONAL INFORMATION. IF THE PERSON PROVIDES 5 THE ADDITIONAL INFORMATION BEFORE 7:00 P.M. ON ELECTION DAY AND THE COUNTY 6 RECORDER DETERMINES ELIGIBILITY AS PRESCRIBED IN THIS SECTION, THE COUNTY 7 RECORDER SHALL REGISTER THE PERSON TO VOTE IN ACCORDANCE WITH THIS SECTION AND THE PERSON'S VOTER REGISTRATION SHALL BE EFFECTIVE AS OF THE DATE THE 8 9 APPLICATION IS SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION OR OTHER 10 SOURCE AGENCY.

5. FOR ANY PERSON WHO IS REGISTERED AND ON THE INACTIVE VOTER LIST,
 CHANGE THE PERSON'S REGISTRATION STATUS FROM INACTIVE TO ACTIVE.

I. A COUNTY RECORDER MAY COMBINE THE NOTICES AND MECHANISMS
PRESCRIBED IN SUBSECTION H OF THIS SECTION WITH ANY OTHER NOTICE THE
COUNTY RECORDER IS REQUIRED TO SEND UNDER THIS TITLE. ANY NOTICE SENT BY
THE COUNTY RECORDER SHALL COMPLY WITH THE VOTING RIGHTS ACT OF 1965
(P.L. 89-110; 79 STAT. 437; 52 UNITED STATES CODE SECTION 10503). THE
SECRETARY OF STATE SHALL ADOPT RULES REGARDING NOTICES AND PROCEDURES
UNDER THIS SECTION.

20 J. A COUNTY RECORDER SHALL PROCESS RETURN FORMS SENT PURSUANT TO 21 SUBSECTION H, PARAGRAPH 3 OF THIS SECTION AS FOLLOWS:

1. IF A RETURN FORM IS RETURNED AS UNDELIVERABLE WITHIN FOURTEEN
 DAYS AFTER THE COUNTY RECORDER MAILS THE FORM, THE PERSON'S REGISTRATION
 STATUS REVERTS TO THE STATUS BEFORE THE PERSON'S INTERACTION WITH THE
 SOURCE AGENCY.

26 2. IF A RETURN FORM IS RETURNED AS UNDELIVERABLE MORE THAN FOURTEEN
27 DAYS AFTER THE COUNTY RECORDER MAILS THE FORM, THE COUNTY RECORDER SHALL
28 SEND A FOLLOW-UP NOTICE AS REQUIRED BY SECTION 16-166, SUBSECTION A.

3. IF A RETURN FORM IS NOT RETURNED WITHIN FOURTEEN DAYS AFTER THE
COUNTY RECORDER MAILS THE FORM, THE PERSON IS REGISTERED OR THE PERSON'S
REGISTRATION STATUS IS UPDATED AS OF THE DATE THE SOURCE AGENCY RECEIVED
THE INFORMATION. THE PERSON SHALL BE MARKED AS NO PARTY PREFERENCE IF NOT
PREVIOUSLY REGISTERED, OTHERWISE THE PERSON'S PARTY PREFERENCE REMAINS
UNCHANGED.

4. IF A RETURN FORM IS RETURNED INDICATING THE PERSON DOES NOT WISH TO BE REGISTERED, DOES NOT WISH TO UPDATE THE PERSON'S REGISTRATION STATUS, WISHES TO DESIGNATE PARTY AFFILIATION OR WISHES TO BE INCLUDED ON THE ACTIVE EARLY VOTING LIST, THE COUNTY RECORDER SHALL MAKE THE INDICATED CHANGE. IN THE CASE OF A PERSON WHO DOES NOT WISH TO UPDATE THE PERSON'S ADDRESS, OTHER COUNTY RECORDERS SHALL MAKE ANY NECESSARY CHANGES TO RESTORE THE PERSON'S PREVIOUS REGISTRATION STATUS.

42 5. FOR THE PERIOD BETWEEN A COUNTY RECORDER'S DETERMINATION ON
43 RECEIVING A PERSON'S INFORMATION AND THE EXPIRATION OF THE FOURTEEN-DAY
44 PERIOD AFTER MAILING A NOTICE UNDER THIS SECTION, ANY PERSON WHO IS MAILED
45 OR SCHEDULED TO BE MAILED A NOTICE IS CONSIDERED A PENDING REGISTRANT.

1 FOR ELECTIONS OCCURRING DURING THE PERIOD THAT A PERSON IS A PENDING 2 REGISTRANT, THE PERSON IS ENTITLED TO CAST A REGULAR BALLOT AND HAVE THAT 3 BALLOT COUNTED IF THE PERSON IS OTHERWISE QUALIFIED TO VOTE IN THAT 4 ELECTION.

5 K. ON OR BEFORE JANUARY 15 OF EACH YEAR, THE DEPARTMENT OF 6 TRANSPORTATION, ANY SOURCE AGENCY AND COUNTY RECORDERS SHALL PROVIDE TO 7 THE SECRETARY OF STATE INFORMATION ON THE OPERATION OF THE SECURE 8 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM IN THE PRIOR YEAR. ON OR 9 BEFORE JANUARY 31 OF EACH YEAR, THE SECRETARY OF STATE SHALL COMPILE AND PUBLISH THE DATA ON THE SECRETARY OF STATE'S WEBSITE. ANY REPORT PRODUCED 10 11 UNDER THIS SUBSECTION SHALL EXCLUDE ANY PERSONAL IDENTIFYING INFORMATION. FOR EACH CATEGORY OF INFORMATION, THE REPORT SHALL PROVIDE A BREAKDOWN BY 12 13 GENDER AND AGE OF THE INDIVIDUALS WHOSE INFORMATION IS INCLUDED, TO THE EXTENT THIS INFORMATION IS AVAILABLE. PROGRAM INFORMATION PROVIDED TO AND 14 ULTIMATELY REPORTED BY THE SECRETARY OF STATE, AT A MINIMUM, SHALL INCLUDE 15 16 THE FOLLOWING:

THE NUMBER OF RECORDS TRANSFERRED TO THE SECRETARY OF STATE
 UNDER THIS SECTION, BY EACH SOURCE AGENCY.

192. THE NUMBER OF PERSONS NEWLY ADDED TO THE STATEWIDE VOTER20REGISTRATION LIST BECAUSE OF RECORDS TRANSFERRED BY EACH SOURCE AGENCY.

3. THE NUMBER OF PERSONS ON THE STATEWIDE VOTER REGISTRATION LISTWHOSE INFORMATION WAS UPDATED.

4. THE TOTAL NUMBER OF TRANSACTIONS IN THE SAME PERIOD OF TIME FOR
WHICH RECORDS WERE COLLECTED, THE DATES THE RECORDS WERE COLLECTED AND A
FULL ACCOUNTING OF RECORDS, INCLUDING RECORDS THAT WERE NOT TRANSFERRED TO
A COUNTY RECORDER.

5. THE NUMBER OF PERSONS WHO OPTED OUT OF VOTER REGISTRATION OR OFUPDATING REGISTRATION INFORMATION, BY EACH SOURCE AGENCY.

29 6. INFORMATION ON IMPLEMENTATION OF AUDITS, SECURITY AND PRIVACY30 PROTOCOLS, BY EACH SOURCE AGENCY.

31 L. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY SOURCE AGENCY SHALL PROVIDE INFORMATION ON EACH ENTITY'S WEBSITE INFORMING 32 33 THE PUBLIC ABOUT THE REGISTRATION PROCEDURES DESCRIBED IN THIS SECTION. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY SOURCE 34 AGENCY SHALL DISPLAY SIGNAGE OR PROVIDE LITERATURE FOR THE PUBLIC 35 36 CONTAINING INFORMATION ABOUT THE REGISTRATION PROCEDURES DESCRIBED IN THIS SECTION. ANY INFORMATION PUBLISHED PURSUANT TO THIS SUBSECTION, INCLUDING 37 ANY EDUCATION AND OUTREACH CAMPAIGN INFORMING VOTERS ABOUT THE SECURE 38 AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM CONDUCTED BY THE SECRETARY 39 OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY SOURCE AGENCY, SHALL 40 41 PROVIDE MATERIALS CREATED FOR THE EDUCATION AND OUTREACH CAMPAIGN IN LANGUAGES OTHER THAN ENGLISH AS REQUIRED BY THE VOTING RIGHTS ACT OF 1965 42 43 (P.L. 89-110; 79 STAT. 437; 52 UNITED STATES CODE SECTION 10503).

1	M. IF THE DEPARTMENT OF TRANSPORTATION OR A SOURCE AGENCY RECEIVES
2	A PAPER VOTER REGISTRATION FORM, THE AGENCY SHALL RETURN OR MAIL COMPLETED
3	REGISTRATIONS TO THE COUNTY RECORDER OF THE COUNTY IN WHICH THE APPLICANT
4	RESIDES WITHIN FIVE DAYS AFTER RECEIVING THE COMPLETED REGISTRATION FORM.
5	N. ANY STATE AGENCY SHALL, AND COUNTY RECORDERS AND OTHER OFFICERS
6	IN CHARGE OF ELECTIONS MAY, REQUEST MONIES FROM THE CITIZENS CLEAN
7	ELECTIONS COMMISSION TO OFFSET THE COSTS OF IMPLEMENTING THE SECURE
8	AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM OR OTHER REQUIREMENTS OF
9	THIS SECTION.
10	16–114. <u>Proof of citizenship for online voter registration</u>
11	<u>systems</u>
12	BEGINNING NOT LATER THAN DECEMBER 31, 2025, ANY AGENCY THAT ALLOWS A
13	PERSON TO AFFIRMATIVELY REGISTER TO VOTE OR TO UPDATE THE PERSON'S
14	REGISTRATION THROUGH THE INTERNET MUST ALLOW THE PERSON TO COMPLETE THE
15	REGISTRATION WITHOUT A DRIVER LICENSE OR NONOPERATING IDENTIFICATION
16	LICENSE AND WITH ANY PROOF OF CITIZENSHIP THAT IS VALID UNDER THIS STATE'S
17	LAWS. THE AGENCY SHALL ACCEPT NONTRADITIONAL RESIDENTIAL ADDRESSES,
18	INCLUDING ADDRESSES THAT CAN BE IDENTIFIED BY MILE MARKERS, GEOGRAPHIC
19	FEATURES OR OTHER IDENTIFYING FEATURES.
20	Sec. 4. Section 16–120, Arizona Revised Statutes, is amended to
21	read:
22	16-120. <u>Eligibility to vote</u>
23	A. An elector shall not vote in an election called pursuant to the
24	laws of this state unless the elector has been registered to vote as a
25	resident within the boundaries or the proposed boundaries of the election
26	district for which the election is being conducted and the registration
27	has been received by the county recorder or the recorder's designee
28	pursuant to section 16-134 before midnight of the twenty-ninth day
29	preceding the date of the election IS REGISTERED TO VOTE AND RESIDES
30	WITHIN THIS STATE AND THE BOUNDARIES OR PROPOSED BOUNDARIES OF THE
31	ELECTION DISTRICT FOR WHICH THE ELECTION IS BEING CONDUCTED.
32	B. If the twenty-ninth day preceding the date of the election falls
33	on a Saturday, Sunday or other legal holiday, voter registrations that are
34	received on the next business day immediately following the Saturday,
35	Sunday or other legal holiday are deemed to have been timely received for
36	purposes of voting in that election.
37	Sec. 5. Section 16-121.01, Arizona Revised Statutes, is amended to
38	read:
39	16–121.01. <u>Requirements for proper registration; violation;</u>
40	<u>classification</u>
41	A. A person is presumed to be properly registered to vote on
42	completion of a registration form as prescribed by section 16-152 that
43	contains at least the name, the residence address or the location, proof
44	of location of residence as prescribed by section 16–123, the date and
4 5	

45 place of birth and the signature or other statement of the registrant as

1 prescribed by section 16-152, subsection A, paragraph 20 and a checkmark 2 or other appropriate mark in the "yes" box next to the question regarding 3 citizenship. Any application for registration, including an application 4 on a form prescribed by the United States election assistance commission, 5 must contain a checkmark or other appropriate mark in the "yes" box next 6 to the question regarding citizenship as a condition of being properly 7 registered to vote as either a voter who is eligible to vote a full ballot 8 or a voter who is eligible to vote only with a ballot for federal 9 offices. The completed registration form must also contain the person's Arizona driver license number, the nonoperating identification license 10 11 number issued pursuant to section 28-3165, the last four digits of the 12 person's social security number or the person's affirmation that if an 13 Arizona driver license number, a nonoperating identification license 14 number or the last four digits of the person's social security number is not provided, the person does not possess a valid Arizona driver or A 15 16 nonoperating identification license or a social security number and the 17 person is hereby requesting that a unique identifying number be assigned 18 by the secretary of state pursuant to section 16-152, subsection A, 19 paragraph 12, subdivision (c). Any application that does not include all 20 of the information required to be on the registration form pursuant to 21 section 16-152 and any application that is not signed is incomplete, and 22 the county recorder shall notify the applicant pursuant to section 16-134, 23 subsection B and shall not register the voter until all of the information 24 is returned.

25 B. The presumption in subsection A of this section may be rebutted 26 only by clear and convincing evidence of any of the following:

That the registrant is not the person whose name appears on the
 register.

29 2. That the registrant has IS not resided in this state for
 30 twenty-nine days next preceding the election or other event for which the
 31 registrant's status as properly registered is in question A RESIDENT OF
 32 THIS STATE.

33 3. That the registrant is not properly registered at an address 34 permitted by section 16-121.

354. That the registrant is not a qualified registrant under section36 16-101.

37

5. THAT THE PERSON DECLINED TO BE REGISTERED UNDER SECTION 16-113.

38 С. Except for a form produced by the United States election 39 assistance commission, any application for registration shall be 40 accompanied by satisfactory evidence of citizenship as prescribed in 41 section 16-166, subsection F, and the county recorder or other officer in 42 charge of elections shall reject any application for registration that is 43 not accompanied by satisfactory evidence of citizenship. A county recorder or other officer in charge of elections who knowingly fails to 44 45 reject an application for registration as prescribed by this subsection is

1 guilty of a class 6 felony. The county recorder or other officer in 2 charge of elections shall send a notice to the applicant as prescribed in 3 section 16-134, subsection B.

D. Within ten days after receiving an application for registration on a form produced by the United States election assistance commission that is not accompanied by satisfactory evidence of citizenship, the county recorder or other officer in charge of elections shall use all available resources to verify the citizenship status of the applicant and at a minimum shall compare the information available on the application for registration with the following, provided the county has access:

The department of transportation databases of Arizona driver
 licenses or nonoperating identification licenses.

13

2. The social security administration databases.

143. The United States citizenship and immigration services15systematic alien verification for entitlements program, if practicable.

16 4. A national association for public health statistics and 17 information systems electronic verification of vital events system.

18 5. Any other state, city, town, county or federal database and any 19 other database relating to voter registration to which the county recorder 20 or officer in charge of elections has access, including an electronic 21 registration information center database.

22 E. After complying with subsection D of this section, if the county recorder or other officer in charge of elections matches the applicant 23 24 with information that verifies the applicant is a United States citizen, 25 is otherwise qualified as prescribed by section 16-101 and has met the 26 other requirements of this section, the applicant shall be properly 27 registered. If the county recorder or other officer in charge of elections matches the applicant with information that the applicant is not 28 29 a United States citizen, the county recorder or other officer in charge of elections shall reject the application, notify the applicant that the 30 31 application was rejected because the applicant is not a United States citizen and forward the application to the county attorney and attorney 32 33 general for investigation. If the county recorder or other officer in charge of elections is unable to match the applicant with appropriate 34 35 citizenship information, the county recorder or other officer in charge of 36 elections shall notify the applicant that the county recorder or other 37 officer in charge of elections could not verify that the applicant is a United States citizen and that the applicant will not be qualified to vote 38 39 in a presidential election or by mail with an early ballot in any election 40 until satisfactory evidence of citizenship is provided.

F. The county recorder or other officer in charge of elections shall record the efforts made to verify an applicant's citizenship status as prescribed in subsections D and E of this section. If the county recorder or other officer in charge of elections fails to attempt to verify the citizenship status of an applicant pursuant to subsections D and E of this section and the county recorder or other officer in charge of elections knowingly causes the applicant to be registered and it is later determined that the applicant was not a United States citizen at the time of registration, the county recorder or other officer in charge of elections is guilty of a class 6 felony.

6 G. THE PRESUMPTION OF PROPER REGISTRATION AS PRESCRIBED IN 7 SUBSECTION A OF THIS SECTION ATTACHES TO PERSONS WHO ARE REGISTERED TO 8 VOTE THROUGH THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM 9 PRESCRIBED IN SECTION 16-113. THIS PRESUMPTION MAY BE REBUTTED ONLY BY 10 CLEAR AND CONVINCING EVIDENCE AS PRESCRIBED IN SUBSECTION B OF THIS 11 SECTION.

12 Sec. 6. Title 16, chapter 1, article 2, Arizona Revised Statutes, 13 is amended by adding section 16–129, to read:

14

16-129. Election day: same day registration

15 A. BEGINNING NOT LATER THAN THE 2024 PRIMARY ELECTION AND FOR EACH 16 ELECTION THEREAFTER, EACH COUNTY RECORDER SHALL DESIGNATE AT LEAST ONE ELECTION OFFICIAL AT EACH POLLING PLACE, VOTING CENTER OR EARLY VOTING 17 18 LOCATION IN THE COUNTY TO SERVE AS A REGISTRATION CLERK WHOSE DUTIES 19 INCLUDE FACILITATING AND ENABLING ELIGIBLE PERSONS TO REGISTER TO VOTE 20 ON-SITE ON ELECTION DAY OR DURING EARLY VOTING. A REGISTRATION CLERK MUST 21 BE PRESENT FOR ALL HOURS DURING WHICH A POLLING PLACE, VOTING CENTER OR 22 EARLY VOTING LOCATION IS OPEN. THIS REQUIREMENT MAY BE SATISFIED BY DESIGNATING ONE OR MORE ELECTION BOARD MEMBERS AS REGISTRATION CLERKS, IF 23 24 THERE ARE SUFFICIENT ELECTION BOARD MEMBERS TO ALLOW ELECTORS TO REGISTER 25 AND TO VOTE IN A TIMELY MANNER.

B. ELIGIBLE PERSONS REGISTERING UNDER THIS SECTION MAY PROVE
RESIDENCY AS REQUIRED BY SECTION 16-120 BY PRESENTING ANY ONE DOCUMENT
LISTED IN SECTION 16-579, SUBSECTION A THAT SHOWS THE NAME AND CURRENT
ADDRESS OF THE VOTER, A GOVERNMENT CHECK, PAYCHECK OR OTHER GOVERNMENT
DOCUMENT THAT SHOWS THE NAME AND CURRENT ADDRESS OF THE VOTER OR A STUDENT
IDENTIFICATION CARD FOR AN EDUCATIONAL INSTITUTION IN THIS STATE.

32 C. AFTER CONSULTING WITH ALL COUNTY RECORDERS, THE SECRETARY OF 33 STATE SHALL ESTABLISH IN THE INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED 34 PURSUANT TO SECTION 16-452 A VERIFICATION PROCESS FOR VOTERS WHO REGISTER 35 ON OR IN CLOSE PROXIMITY TO ELECTION DAY TO ENSURE THAT QUICK AND 36 EFFICIENT ELIGIBILITY VERIFICATION CAN BE ACCOMPLISHED BY THE ON-SITE 37 REGISTRATION CLERKS ON ELECTION DAY OR DURING EARLY VOTING OR BY THE 38 COUNTY RECORDER.

D. AN ELIGIBLE PERSON WHO REGISTERS ON OR IN CLOSE PROXIMITY TO
ELECTION DAY SUCH THAT THE REGISTRATION INFORMATION HAS NOT YET BEEN
VERIFIED SHALL BE ALLOWED TO VOTE A BALLOT THAT SHALL BE COUNTED AS VALID
IN THAT ELECTION IF THE COUNTY RECORDER DOES NOT DETERMINE THAT THE PERSON
WAS NOT QUALIFIED TO REGISTER AND VOTE AS PRESCRIBED IN SECTIONS 16-101
AND 16-120. THESE DETERMINATIONS SHALL BE MADE WITHIN THE PERIODS
PRESCRIBED BY SECTION 16-135, SUBSECTION D FOR PROCESSING OF PROVISIONAL

1 BALLOTS. IF THE REGISTRATION REQUIRES A CORRECTION OR CHANGE TO BE 2 COMPLETE. THE CORRECTION OR CHANGE MUST BE ENABLED IN A MANNER PRESCRIBED 3 BY THE SECRETARY OF STATE IN THE INSTRUCTIONS AND PROCEDURES MANUAL 4 ADOPTED PURSUANT TO SECTION 16-452. THE CORRECTION OR CHANGE SHALL DATE 5 BACK TO THE DAY OF INITIAL REGISTRATION, AND THE ELECTOR'S BALLOT SHALL BE 6 COUNTED AS VALID IF ALL LEGAL REQUIREMENTS HAVE BEEN MET.

7 E. THIS SECTION ALLOWS A VOTER WITH NO PARTY PREFERENCE WHO APPEARS 8 AT THE PRESIDENTIAL PREFERENCE ELECTION TO CHANGE THE VOTER'S PARTY 9 PREFERENCE AND CAST A BALLOT. THE BALLOT SHALL BE COUNTED IF THE COUNTY RECORDER DETERMINES THAT THE VOTER IS OTHERWISE QUALIFIED TO VOTE IN THE 10 11 PRESIDENTIAL PREFERENCE ELECTION.

12 F. THIS SECTION SHALL BE LIBERALLY CONSTRUED TO ENABLE QUALIFIED 13 PERSONS TO REGISTER TO VOTE, CAST A BALLOT AND HAVE THAT BALLOT COUNTED. THIS SECTION MAY NOT BE DEFINED MORE NARROWLY AND THE REGISTRATION PROCESS 14 MAY NOT BE MORE BURDENSOME THAN FOR A REGISTRANT WHO REGISTERS TO VOTE BY 15 16 MEANS OTHER THAN ON ELECTION DAY OR IN CLOSE PROXIMITY TO AN ELECTION.

17 Sec. 7. Subject to the requirements of article IV, part 1, 18 section 1, Constitution of Arizona, section 16-152, Arizona Revised 19 Statutes, is amended to read:

20

16-152. Registration form

21

22 23 A. The form used for the registration of electors shall contain:

1. The date the registrant signed the form.

The registrant's given name, middle name, if any, and surname. 2.

24 3. The complete address of the registrant's actual place of residence, including street name and number, apartment or space number, 25 26 city or town and zip code, or such description of the location of the 27 residence that it can be readily ascertained or identified.

28 4. The registrant's complete mailing address, if different from the 29 residence address, including post office address, city or town, zip code or other designation used by the registrant for receiving mail. The form 30 31 shall also include a line for the registrant's e-mail address (optional to 32 registrant).

33 5. The registrant's party preference. The two largest political parties that are entitled to continued representation on the ballot shall 34 35 be listed on the form in the order determined by calculating which party 36 has the highest number of registered voters at the close of registration 37 for the most recent general election for governor, then the second 38 highest. The form shall allow the registrant to circle, check or 39 otherwise mark the party preference and shall include a blank line for 40 other party preference options.

41

6. The registrant's telephone number, unless unlisted.

42 43 7. The registrant's state or country of birth.

- 8. The registrant's date of birth. 44 9. The registrant's occupation.
- 45

1

11. The registrant's father's name or mother's maiden name.

2

12. One of the following identifiers for each registrant:

3 (a) The Arizona driver license number of the registrant or 4 nonoperating identification license number of the registrant that is 5 issued pursuant to section 28-3165.

6 (b) If the registrant does not have an Arizona driver license or 7 nonoperating identification license, the last four digits of the 8 registrant's social security number.

9 (c) If the registrant does not have an Arizona driver license or 10 nonoperating identification license or a social security number and the 11 registrant attests to that, a unique identifying number consisting of the 12 registrant's unique identification number to be assigned by the secretary 13 of state in the statewide electronic voter registration database.

14 13. A statement as to whether or not the registrant is currently 15 registered in another state, county or precinct, and if so, the name, 16 address, county and state of previous registration.

17 14. The question to the registrant "Are you a citizen of the United 18 States of America?", appropriate boxes for the registrant to check "yes" 19 or "no" and a statement instructing the registrant not to complete the 20 form if the registrant checked "no".

15. The question to the registrant "Will you be eighteen years of age on or before election day?", appropriate boxes for the registrant to check "yes" or "no" and a statement instructing the registrant not to complete the form if the registrant checked "no".

25 16. A statement that the registrant has not been convicted of 26 treason or a felony, or if so, that the registrant's civil rights have 27 been restored.

28 17. A statement that the registrant is a resident of this state and 29 of the county in which the registrant is registering.

30 18. A statement that executing a false registration is a class 6 31 felony.

32

19. The signature of the registrant.

20. If the registrant is unable to sign the form, a statement that
 the affidavit was completed according to the registrant's direction.

21. A statement that if an applicant declines to register to vote, 36 the fact that the applicant has declined to register will remain 37 confidential and will be used only for voter registration purposes.

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

42 23. A statement that the applicant shall submit evidence of United 43 States citizenship with the application IN ORDER TO BE ELIGIBLE TO VOTE A 44 FULL BALLOT and that the registrar shall reject the application if no 45 evidence of citizenship is attached PROVIDED, THE APPLICANT WILL BE 1 ELIGIBLE TO BE REGISTERED FOR ONLY A BALLOT FOR AN ELECTION FOR FEDERAL 2 OFFICE.

24. A statement that if the registrant permanently moves to another state after registering to vote in this state, the registrant's voter registration will be canceled.

6 B. A duplicate voter receipt shall be provided with the form that 7 provides space for the name, street address and city of residence of the 8 applicant, party preference and the date of signing. The voter receipt is 9 evidence of valid registration for the purpose of casting a provisional 10 ballot as prescribed in section 16-584, subsection B.

11 C. The state voter registration form shall be printed in a form 12 prescribed by the secretary of state.

D. The county recorder may establish procedures to verify whether a registrant has successfully petitioned the court for an injunction against harassment pursuant to section 12-1809 or an order of protection pursuant to section 13-3602 and, if verified, to protect the registrant's residence address, telephone number or voting precinct number, if appropriate, from public disclosure.

E. Subsection A of this section does not apply to registrations
 received from the department of transportation pursuant to section 16-112.
 SUBSECTIONS A AND B OF THIS SECTION DO NOT APPLY TO REGISTRATIONS RECEIVED
 FROM THE DEPARTMENT OF TRANSPORTATION OR OTHER SOURCE AGENCIES PURSUANT TO
 SECTION 16-113.

24 Sec. 8. Subject to the requirements of article IV, part 1, 25 section 1, Constitution of Arizona, section 16–166, Arizona Revised 26 Statutes, is amended to read:

27

16-166. <u>Verification of registration</u>

Except for the mailing of sample ballots, a county recorder who 28 Α. 29 mails an item to any elector shall send the mailing by nonforwardable first class mail marked with the statement required by the postmaster to 30 31 receive an address correction notification. If the item is returned undelivered, the county recorder shall send a follow-up notice to that 32 elector within three weeks of receipt of the returned notice. The county 33 recorder shall send the follow-up notice to the address that appears in 34 35 the general county register or to the forwarding address provided by the 36 United States postal service. The follow-up notice shall include an 37 appropriate internet address for revising voter registration information 38 or a registration form and the information prescribed by section 16-131, 39 subsection C and shall state that if the elector does not complete and 40 return a new registration form with current information to the county 41 recorder or make changes to the elector's voter registration information 42 that is maintained online within thirty-five days, the elector's 43 registration status shall be changed from active to inactive.

1 B. If the elector provides the county recorder with a new 2 registration form or otherwise revises the elector's information. the 3 county recorder shall change the general register to reflect the changes 4 indicated on the new registration. If the elector indicates a new 5 residence address outside that county, the county recorder shall forward 6 the voter registration form or revised information to the county recorder 7 of the county in which the elector's address is located. If the elector 8 provides a new residence address that is located outside this state, the 9 county recorder shall cancel the elector's registration.

10 C. The county recorder shall maintain on the inactive voter list 11 the names of electors who have been removed from the general register 12 pursuant to subsection A or E of this section for a period of four years 13 or through the date of the second general election for federal office 14 following the date of the notice from the county recorder that is sent 15 pursuant to subsection E of this section.

D. On notice that a government agency has changed the name of any street, route number, post office box number or other address designation, the county recorder shall revise the registration records and shall send a new verification of registration notice to the electors whose records were changed.

21 E. The county recorder on or before May 1 of each year preceding a 22 state primary and general election or more frequently as the recorder deems necessary may use the change of address information supplied by the 23 24 postal service through its licensees and the information provided by an 25 electronic voter registration information center to identify registrants 26 whose addresses may have changed. If it appears from information provided by the postal service or an electronic voter registration information 27 center that a registrant has moved to a different residence address, the 28 29 county recorder shall send the registrant a notice of the change by 30 forwardable mail and a postage prepaid preaddressed return form or an 31 appropriate internet address for revising voter registration information 32 which the registrant may verify or correct the registration by 33 information. If the registrant fails to revise the information or return 34 the form postmarked not later than thirty-five days after the mailing of 35 the notice, the elector's registration status shall be changed from active 36 to inactive. If the notice sent by the recorder is not returned, the 37 registrant may be required to provide affirmation or confirmation of the 38 registrant's address in order to vote. If the registrant does not vote in 39 an election during the period after the date of the notice from the 40 recorder through the date of the second general election for federal 41 office following the date of that notice, the registrant's name shall be removed from the list of inactive voters. If the registrant has changed 42 43 residence to a new county, the county recorder shall provide information 44 on how the registrant can continue to be eligible to vote.

F. The county recorder shall reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship. Satisfactory evidence of citizenship shall include any of the following:

5 1. The number of the applicant's driver license or nonoperating 6 identification license issued after October 1, 1996 by the department of 7 transportation or the equivalent governmental agency of another state 8 within the United States if the agency indicates on the applicant's driver 9 license or nonoperating identification license that the person has 10 provided satisfactory proof of United States citizenship.

12 2. A legible photocopy of the applicant's birth certificate that 12 verifies citizenship to the satisfaction of the county recorder.

3. A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number or presentation to the county recorder of the applicant's United States passport.

4. A presentation to the county recorder of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States immigration and naturalization service CITIZENSHIP AND IMMIGRATION SERVICES by the county recorder.

5. Other documents or methods of proof that are established pursuant to the immigration reform and control act of 1986.

26 6. The applicant's bureau of Indian affairs card number, tribal
 27 treaty card number or tribal enrollment number.

7. AN OFFICIAL NOTIFICATION FROM ANY GOVERNMENT AGENCY IN THIS
 STATE THAT THE GOVERNMENT AGENCY HAS RECEIVED SATISFACTORY EVIDENCE OF
 CITIZENSHIP FOR THE VOTER REGISTRATION APPLICANT.

G. Notwithstanding subsection F of this section, any person who is registered in this state on the effective date of this amendment to this section DECEMBER 8, 2004 is deemed to have provided satisfactory evidence of citizenship and shall not be required to resubmit evidence of citizenship unless the person is changing voter registration from one county to another.

H. For the purposes of this section, proof of voter registration
 from another state or county is not satisfactory evidence of citizenship.

I. A person who modifies voter registration records with a new residence ballot shall not be required to submit evidence of citizenship. After citizenship has been demonstrated to the county recorder, the person is not required to resubmit satisfactory evidence of citizenship in that county. 1 J. After person has submitted satisfactory evidence of а 2 citizenship, the county recorder shall indicate this information in the 3 person's permanent voter file. After two years the county recorder may 4 destroy all documents that were submitted as evidence of citizenship. 5 Sec. 9. Section 16-182, Arizona Revised Statutes, is amended to 6 read: 7 16-182. False registration; violation; classification; 8 cancellation of registration 9 A. A person who knowingly causes, procures or allows himself to be registered REGISTERS as an elector of any county, city, town, district or

10 11 precinct, knowing that he THE PERSON is not entitled to such registration, 12 or a person who knowingly causes or procures another person to be 13 registered as an elector of any county, city, town, district or precinct, 14 knowing that such other person is not entitled to such registration, or an officer who knowingly enters the name of any person not entitled to 15 16 registration upon ON the register or roll of electors, is guilty of a 17 class 6 felony. FAILURE TO RETURN THE RETURN FORM PRESCRIBED UNDER 18 SECTION 16-113 DOES NOT CONSTITUTE KNOWINGLY REGISTERING AS AN ELECTOR.

B. If on the trial of a person charged with an offense under this section, it appears that the accused is registered as an elector of any county, city, town or precinct, without being qualified for such registration, the court shall order his THE ACCUSED'S registration canceled.

24 C. UNLESS A PERSON WHO IS INELIGIBLE TO REGISTER TO VOTE 25 INTENTIONALLY TAKES ACTION TO REGISTER TO VOTE KNOWING THAT THE PERSON IS 26 NOT ELIGIBLE TO REGISTER, THE TRANSFER OF THE PERSON'S ELECTRONIC RECORD 27 UNDER SECTION 16-113 DOES NOT CONSTITUTE THE COMPLETION OF A VOTER REGISTRATION FORM BY THAT PERSON AND THAT PERSON SHALL NOT BE CONSIDERED 28 29 TO HAVE REGISTERED TO VOTE. NOTWITHSTANDING SECTION 16-1016, IF SUCH A PERSON VOTES OR ATTEMPTS TO VOTE AFTER THE EFFECTIVE DATE OF THAT PERSON'S 30 31 REGISTRATION, THAT PERSON IS NOT GUILTY OF ANY CRIME UNLESS THAT PERSON VOTES OR ATTEMPTS TO VOTE KNOWING THAT THE PERSON IS NOT ELIGIBLE TO DO 32 SO. IF SUCH A REGISTRATION IS PROCESSED BY THIS STATE, THE REGISTRATION 33 34 IS PRESUMED TO HAVE BEEN OFFICIALLY AUTHORIZED BY THIS STATE AND THE 35 PERSON IS NOT SUBJECT TO ANY PENALTY.

36 Sec. 10. Title 16, chapter 4, article 1, Arizona Revised Statutes, 37 is amended by adding section 16-406.01, to read:

- 38
- 16–406.01. <u>Right to vote secret ballot</u>

39 EVERY CITIZEN OF THE UNITED STATES WHO IS A QUALIFIED ELECTOR IN
40 THIS STATE SHALL HAVE THE RIGHT, AFTER REGISTERING TO VOTE, TO VOTE A
41 SECRET BALLOT IN ALL ELECTIONS CALLED PURSUANT TO THE LAWS OF THIS STATE
42 FOR WHICH THE CITIZEN IS ELIGIBLE TO VOTE.

1 Sec. 11. Title 16, chapter 4, article 2, Arizona Revised Statutes, 2 is amended by adding section 16-414, to read: 3 16-414. Polling places on Indian lands; minimum required; 4 notice and comment; interactive processes with 5 Indian tribes; procedure; private right of action; 6 definitions 7 A. WHEN DETERMINING PRECINCT BOUNDARIES, POLLING PLACES AND VOTING 8 CENTER LOCATIONS, EARLY VOTING LOCATIONS AND HOURS OF OPERATION, THE BOARD 9 OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS OF EACH COUNTY SHALL PROVIDE NOTICE TO THE INDIAN TRIBES WITHIN THE COUNTY, PROVIDE AN 10 11 OPPORTUNITY FOR COMMENT FROM THE INDIAN TRIBES WITHIN THE COUNTY AND 12 COOPERATE AND COORDINATE ALL ASPECTS OF THE DETERMINATIONS WITH AGENTS AND 13 REPRESENTATIVES OF THE INDIAN TRIBES WITHIN THE COUNTY. THE NOTICE, 14 COMMENT AND INTERACTIVE PROCESSES ARE SUBJECT TO OPEN MEETING AND PUBLIC RECORDS REQUIREMENTS. THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF 15 16 ELECTIONS OF EACH COUNTY SHALL PLACE AT LEAST ONE PRECINCT AND AT LEAST 17 ONE POLLING PLACE, EARLY VOTING LOCATION OR VOTING CENTER ON THE INDIAN 18 LANDS OF EACH INDIAN TRIBE WITHIN THE COUNTY AT A LOCATION SELECTED BY THE 19 INDIAN TRIBE, UNLESS THE TRIBE CERTIFIES TO THE COUNTY THAT IT HAS NO 20 MEMBERS RESIDING IN THE COUNTY. 21 B. THIS SECTION DOES NOT DENY THE RIGHT OF ELDERLY PERSONS OR 22 PERSONS WITH DISABILITIES TO CAST A BALLOT IN AN ACCESSIBLE MANNER. THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS, TO THE EXTENT 23 24 POSSIBLE, SHALL ENSURE ACCESSIBILITY OF THE LOCATIONS CHOSEN ON EITHER A PERMANENT OR TEMPORARY BASIS. IF CHOSEN LOCATIONS CANNOT BE MADE 25 26 ACCESSIBLE ON AT LEAST A TEMPORARY BASIS, THE BOARD OF SUPERVISORS OR 27 OFFICER IN CHARGE OF ELECTIONS SHALL PROVIDE ALTERNATIVE VOTING PROCEDURES 28 PURSUANT TO SECTION 16-581. 29 C. ANY INDIAN TRIBE, MEMBER OF A TRIBE, INTERESTED PARTY OR QUALIFIED ELECTOR MAY FILE A CIVIL ACTION IN SUPERIOR COURT CHALLENGING 30 31 THE LEGAL SUFFICIENCY OF THE DETERMINATIONS MADE, PROCESS OR PROCEDURES 32 PURSUANT TO THIS SECTION OR SECTION 16-411, INCLUDING SEEKING AN INJUNCTION OR A MANDAMUS ACTION. WITHIN TEN DAYS AFTER THE FILING OF THE 33 ACTION, THE SUPERIOR COURT SHALL HEAR AND RENDER A DECISION ON THE MATTER. 34 THE DECISION IS APPEALABLE ONLY TO THE SUPREME COURT, AND NOTICE OF APPEAL 35 36 SHALL BE FILED WITHIN FIVE DAYS AFTER THE DECISION OF THE SUPERIOR COURT 37 IN THE ACTION. THE SUPREME COURT SHALL HEAR AND RENDER A DECISION ON THE 38 APPEAL PROMPTLY. 39 D. FOR THE PURPOSES OF THIS SECTION: 40 "INDIAN LANDS" HAS THE SAME MEANING PRESCRIBED IN SECTION 1. 41 5-601.02. "INDIAN TRIBE" HAS THE SAME MEANING PRESCRIBED IN SECTION 42 2. 43 5-601.02.

1 Sec. 12. Section 16-542, Arizona Revised Statutes, is amended to 2 read: 3 16-542. Request for ballot; civil penalties; violation; <u>classificatio</u>n 4 5 Within ninety-three days before any election called pursuant to Α. 6 the laws of this state, an elector may make a verbal or signed request to 7 the county recorder, or other officer in charge of elections for the 8 applicable political subdivision of this state in whose jurisdiction the 9 elector is registered to vote, for an official early ballot. In addition 10 to name and address, the requesting elector shall provide the date of 11 birth and state or country of birth or other information that if compared 12 to the voter registration information on file would confirm the identity 13 of the elector. If the request indicates that the elector needs a primary 14 election ballot and a general election ballot, the county recorder or other officer in charge of elections shall honor the request. 15 For any 16 partisan primary election, if the elector is not registered as a member of 17 a political party that is entitled to continued representation on the 18 ballot pursuant to section 16-804, the elector shall designate the ballot 19 of only one of the political parties that is entitled to continued 20 representation on the ballot and the elector may receive and vote the 21 ballot of only that one political party, which also shall include any 22 nonpartisan offices and ballot questions, or the elector shall designate the ballot for nonpartisan offices and ballot questions only and the 23 24 elector may receive and vote the ballot that contains only nonpartisan 25 offices and ballot questions. The county recorder or other officer in 26 charge of elections shall process any request for an early ballot for a municipal election pursuant to this subsection. The county recorder may 27 establish on-site early voting locations at the recorder's office, which 28 29 shall be open and available for use beginning the same day that a county begins to send out the early ballots. The county recorder may also 30 31 establish any other early voting locations in the county the recorder deems necessary. Any on-site early voting location or other early voting 32 33 location shall require each elector to present identification as prescribed in section 16-579 before receiving a ballot. 34 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site early voting 35 36 location or other early voting location the county recorder or other officer in charge of elections may provide for a qualified elector to 37 38 update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant 39 40 NOTWITHSTANDING ANY OTHER LAW, A COUNTY RECORDER OR to section 16-452. 41 OTHER OFFICER IN CHARGE OF ELECTIONS WHO ESTABLISHES EARLY VOTING LOCATIONS MAY CONTINUE TO OPERATE THOSE EARLY VOTING LOCATIONS AND ON-SITE 42 43 EARLY VOTING LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY PRECEDING ELECTION DAY, EXCEPT THAT EARLY VOTING SHALL END FOR 44 EARLY VOTING 45 LOCATIONS OR ON-SITE EARLY VOTING LOCATIONS AS NEEDED TO ENSURE THAT

PRECINCT REGISTERS AND OTHER ELECTION MATERIALS ARE REVISED FOR USE ON
 ELECTION DAY TO INDICATE WHICH VOTERS HAVE REQUESTED AN EARLY BALLOT,
 WHICH VOTERS HAVE ALREADY VOTED AND WHICH VOTERS ARE ON THE INACTIVE VOTER
 LIST.

5 Β. Notwithstanding subsection A of this section, a request for an 6 official early ballot from an absent uniformed services voter or overseas 7 voter as defined in the uniformed and overseas citizens absentee voting 8 act of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter 9 whose information is protected pursuant to section 16-153 that is received by the county recorder or other officer in charge of elections more than 10 11 ninety-three days before the election is valid. If requested by the 12 absent uniformed services or overseas voter, or a voter whose information 13 is protected pursuant to section 16-153, the county recorder or other officer in charge of elections shall provide to the requesting voter early 14 ballot materials through the next regularly scheduled general election for 15 16 federal office immediately following receipt of the request unless a 17 different period of time, which does not exceed the next two regularly 18 scheduled general elections for federal office, is designated by the 19 voter.

20 С. The county recorder or other officer in charge of elections 21 shall mail the early ballot and the envelope for its return postage 22 prepaid to the address provided by the requesting elector within five days after receipt of the official early ballots from the officer charged by 23 24 law with the duty of preparing ballots pursuant to section 16-545, except 25 that early ballot distribution shall not begin more than twenty-seven days 26 before the election. If an early ballot request is received on or before 27 the thirty-first day before the election, the early ballot shall be distributed not earlier than the twenty-seventh day before the election 28 29 and not later than the twenty-fourth day before the election.

30 D. Only the elector may be in possession of that elector's unvoted 31 early ballot. If a complete and correct request is made by the elector 32 within twenty-seven days before the election, the mailing must be made 33 within forty-eight hours after receipt of the request. Saturdays, Sundays 34 and other legal holidays are excluded from the computation of the 35 forty-eight hour FORTY-EIGHT-HOUR period prescribed by this subsection. 36 If a complete and correct request is made by an absent uniformed services 37 voter or an overseas voter before the election, the regular early ballot 38 shall be transmitted by mail, by fax or by other electronic format approved by the secretary of state within twenty-four hours after the 39 40 early ballots are delivered pursuant to section 16-545, subsection B, 41 excluding Sundays.

42 E. In order to be complete and correct and to receive an early 43 ballot by mail, an elector's request that an early ballot be mailed to the 44 elector's residence or temporary address must include all of the 45 information prescribed by subsection A of this section and must be

1 received by the county recorder or other officer in charge of elections $\pi\sigma$ 2 NOT later than 5:00 p.m. on the eleventh day preceding the election. An 3 elector who appears personally $\frac{1}{100}$ NOT later than 5:00 p.m. on the Friday 4 preceding the election at an on-site early voting location OR OTHER EARLY 5 VOTING LOCATION that is established by the county recorder or other 6 officer in charge of elections shall be given a ballot after presenting 7 identification as prescribed in section 16-579 and shall be permitted 8 ALLOWED to vote at the on-site location OR OTHER EARLY VOTING LOCATION, 9 EXCEPT THAT IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS IS ABLE TO REVISE PRECINCT REGISTERS AND OTHER ELECTION MATERIALS IN A 10 11 TIMELY MANNER FOR USE ON ELECTION DAY AS PRESCRIBED BY SUBSECTION A OF 12 THIS SECTION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS 13 MAY OPERATE THE ON-SITE EARLY VOTING LOCATIONS OR OTHER EARLY VOTING 14 LOCATIONS UNTIL 5:00 P.M. ON THE MONDAY IMMEDIATELY PRECEDING ELECTION Notwithstanding section 16-579, subsection A, paragraph 2, at any 15 DAY. 16 on-site early voting location the county recorder or other officer in 17 charge of elections may provide for a qualified elector to update the 18 elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 19 20 16-452. If an elector's request to receive an early ballot is not 21 complete and correct but complies with all other requirements of this 22 section, the county recorder or other officer in charge of elections shall attempt to notify the elector of the deficiency of the request. 23

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

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

33 H. As a result of experiencing an emergency between 5:00 p.m. on the Friday preceding the election and 5:00 p.m. on the Monday preceding 34 35 the election, qualified electors may request to vote in the manner 36 prescribed by the board of supervisors of their respective county. Before 37 voting pursuant to this subsection, an elector who experiences an 38 emergency shall provide identification as prescribed in section 16-579 and 39 shall sign a statement under penalty of perjury that states that the 40 person is experiencing or experienced an emergency after 5:00 p.m. on the 41 Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person 42 43 from voting at the polls. Signed statements received pursuant to this subsection are not subject to inspection pursuant to title 39, chapter 1, 44 45 article 2. For the purposes of this subsection, "emergency" means any 1 unforeseen circumstances that would prevent the elector from voting at the 2 polls.

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

9 J. A candidate, political committee or other organization may 10 distribute early ballot request forms to voters. If the early ballot 11 request forms include a printed address for return, the addressee shall be 12 the political subdivision that will conduct the election. Failure to use 13 the political subdivision as the return addressee is punishable by a civil 14 penalty of up to three times the cost of the production and distribution 15 of the request.

16 K. All original and completed early ballot request forms that are 17 received by a candidate, political committee or other organization shall 18 be submitted within six business days after receipt by a candidate, political committee or other organization or eleven days before the 19 20 election day, whichever is earlier, to the political subdivision that will conduct the election. Any 21 person, political committee or other 22 organization that fails to submit a completed early ballot request form within the prescribed time is subject to a civil penalty of up to \$25 per 23 24 day for each completed form withheld from submittal. Any person who 25 knowingly fails to submit a completed early ballot request form before the 26 submission deadline for the election immediately following the completion 27 of the form is guilty of a class 6 felony.

L. Except for a voter who is on the active early voting list 28 29 prescribed by section 16-544, a voter who requests a onetime early ballot pursuant to THIS section 16-542 or for an election conducted pursuant to 30 31 section 16-409 or article 8.1 of this chapter, a county recorder, city or town clerk or other election officer may not deliver or mail an early 32 33 ballot to a person who has not requested an early ballot for that 34 election. An election officer who knowingly violates this subsection is 35 guilty of a class 5 felony.

36 Sec. 13. Section 16-547, Arizona Revised Statutes, is amended to 37 read:

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16-547. <u>Ballot affidavit; form</u>

A. The early ballot shall be accompanied by an envelope bearing on the front the name, official title and post office address of the recorder or other officer in charge of elections and on the other side a printed affidavit in substantially the following form:

43I declare the following under penalty of perjury: I am44a registered voter in _____ county Arizona, I have not45voted and will not vote in this election in any other county

or state, I understand that knowingly voting more than once in any election is a class 5 felony and I voted the enclosed ballot and signed this affidavit personally unless noted below.

If the voter was assisted by another person in marking the ballot, complete the following:

7 I declare the following under penalty of perjury: At 8 the registered voter's request I assisted the voter identified 9 in this affidavit with marking the voter's ballot, I marked the ballot as directly instructed by the voter, I provided the 10 11 assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitation 12 13 and I understand that there is no power of attorney for voting and that the voter must be able to make the voter's selection 14 15 even if the voter cannot physically mark the ballot.

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Name of voter assistant: ____

Address of voter assistant:

B. The face of each envelope in which a ballot is sent to a federal postcard applicant or in which a ballot is returned by the applicant to the recorder or other officer in charge of elections shall be in the form prescribed in accordance with the uniformed and overseas citizens absentee voting act (P.L. 99-410; 52 United States Code section 20301). Otherwise, the envelopes shall be the same as those used to send ballots to, or receive ballots from, other early voters.

25 C. The officer charged by law with the duty of preparing ballots at 26 any election shall ensure that the early ballot is sent in an envelope 27 that states substantially the following:

If the addressee does not reside at this address, mark the unopened envelope "return to sender" and deposit it in the United States mail.

31 D. The county recorder or other officer in charge of elections 32 shall supply printed instructions to early voters that direct them to sign 33 the affidavit, mark the ballot and return both in the enclosed 34 self-addressed envelope that complies with section 16-545. The 35 instructions shall include the following statement:

In order to be valid and counted, the ballot and affidavit must be delivered to the office of the county recorder or other officer in charge of elections or may be deposited at any polling place in the county not later than 7:00 p.m. on election day OR POSTMARKED BEFORE THE CLOSE OF THE POLLS ON ELECTION DAY. The ballot will not be counted without the voter's signature on the envelope.

43 (WARNING - It is a felony to offer or receive any compensation
44 for a ballot.)

1 E. The printed instructions prescribed by subsection D of this 2 section shall also include the following information regarding section 3 16-1005, subsections H and I in substantially the following form:

A person may only handle or return their THE PERSON'S own ballot or the ballot of family members, household members or persons for whom they are THE PERSON IS a caregiver. It is unlawful under section 16-1005 to handle or return the ballot of any other person.

9 Sec. 14. Section 16–548, Arizona Revised Statutes, is amended to 10 read:

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16-548. Preparation and transmission of ballot

12 A. The early voter shall make and sign the affidavit and shall then 13 mark his THE ballot in such a manner that his THE EARLY VOTER'S vote cannot be seen. The early voter shall fold the ballot, if a paper ballot, 14 so as to conceal the vote and deposit the voted ballot in the envelope 15 16 provided for that purpose, which shall be securely sealed and, together 17 with the affidavit, delivered or mailed to the county recorder or other 18 officer in charge of elections of the political subdivision in which the 19 elector is registered or deposited by the voter or the voter's agent at any polling place in the county. A PERSON DEPOSITING OR RETURNING AN 20 21 EARLY BALLOT SHALL NOT BE SUBJECT TO ANY ADDITIONAL REQUIREMENTS BEYOND 22 THOSE FOR EARLY BALLOTS RETURNED BY MAIL. NOTWITHSTANDING ANY OTHER LAW, in order to be counted and valid, the ballot must be received by the 23 24 county recorder or other officer in charge of elections or deposited at 25 any polling place in the county $\pi\sigma$ NOT later than 7:00 p.m. on election 26 day OR POSTMARKED OR OTHERWISE INDICATED BY THE UNITED STATES POSTAL 27 SERVICE TO HAVE BEEN MAILED ON OR BEFORE THE CLOSE OF THE POLLS AND RECEIVED BY THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS 28 29 NOT LATER THAN FIVE BUSINESS DAYS AFTER A GENERAL ELECTION THAT INCLUDES 30 AN ELECTION FOR A FEDERAL OFFICE AND WITHIN THREE BUSINESS DAYS AFTER ANY 31 OTHER ELECTION.

32 B. If the early voter is an overseas citizen, a gualified elector 33 absent from the United States or in the United States service, a spouse or 34 dependent residing with the early voter or a qualified elector of a 35 special district mail ballot election as provided in article 8.1 of this 36 chapter, the early voter may subscribe to the affidavit before and obtain 37 the signature and military identification number or passport number, if 38 available, of any person who is a United States citizen eighteen years of 39 age or older.

40 Sec. 15. Section 16–550, Arizona Revised Statutes, is amended to 41 read:

42 43 16-550. <u>Receipt of voter's ballot; cure period; tracking</u> <u>system</u>

44 A. Except for early ballots tabulated as prescribed in section 45 16-579.02, on receipt of the envelope containing the early ballot and the

1 ballot affidavit WHETHER DEPOSITED AT ANY POLLING PLACE, VOTING CENTER, 2 EARLY VOTING CENTER OR COUNTY RECORDER'S OFFICE IN THE COUNTY. RETURNED BY 3 MAIL OR RETURNED IN ANY OTHER MANNER ESTABLISHED BY A COUNTY RECORDER OR 4 OTHER OFFICER IN CHARGE OF ELECTIONS, the county recorder or other officer 5 in charge of elections shall compare the signatures thereon SIGNATURE ON 6 THE ENVELOPE with the signature of the elector on the elector's 7 registration record. If the signature is MISSING OR inconsistent with the 8 elector's signature on the elector's registration record, the county 9 recorder or other officer in charge of elections shall make reasonable efforts to contact the voter, advise the voter of the inconsistent 10 11 signature DEFICIENCY and allow the voter to correct THE DEFICIENCY or the 12 county to confirm the inconsistent signature. The county recorder or 13 other officer in charge of elections shall allow signatures DEFICIENCIES to be corrected not later than the fifth business day after a primary, 14 general or special election that includes a federal office or the third 15 16 business day after any other election. If the signature is missing, the 17 county recorder or other officer in charge of elections shall make 18 reasonable efforts to contact the elector, advise the elector of the 19 missing signature and allow the elector to add the elector's signature not 20 later than 7:00 p.m. on election day. If satisfied that the signatures 21 correspond, the recorder or other officer in charge of elections shall 22 hold the envelope containing the early ballot and the completed affidavit 23 unopened in accordance with the rules of the secretary of state. FOR 24 EARLY BALLOTS RECEIVED AFTER ELECTION DAY BUT BEFORE THE DEADLINES 25 PROVIDED IN SECTION 16-548, THE CURE PERIODS IN THIS SECTION SHALL BE 26 CALCULATED FROM THE DAY THE BALLOT IS RECEIVED.

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

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

D. For a county that uses early ballots, the county recorder or other officer in charge of elections shall provide an early ballot tracking system that indicates whether the voter's early ballot has been received and whether the early ballot has been verified and sent to be tabulated or rejected. The county recorder or other officer in charge of elections shall provide voters with access to the early ballot tracking system on the county's website.

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E. This section does not apply to:

44 1. A special taxing district that is authorized pursuant to section45 16-191 to conduct its own elections.

2. A special district mail ballot election that is conducted 2 pursuant to article 8.1 of this chapter. 3 Sec. 16. Title 16, chapter 4, article 10, Arizona Revised Statutes, 4 is amended by adding section 16-602.01, to read: 5 16-602.01. <u>Risk-limiting audits; definitions</u> A. NOT LATER THAN DECEMBER 31, 2026, THE SECRETARY OF STATE, COUNTY 6 7 RECORDERS AND OTHER OFFICERS IN CHARGE OF ELECTIONS SHALL EVALUATE INCORPORATING RISK-LIMITING AUDIT PROTOCOLS INTO THE HAND COUNT PROCEDURES 8 9 PRESCRIBED IN THIS TITLE, INCLUDING IN SECTION 16-602. 10 B. WHEN ADOPTING THE RULES FOR RISK-LIMITING AUDITS IN THE

11 INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-452, THE SECRETARY OF STATE SHALL CONSULT RECOGNIZED STATISTICAL EXPERTS, EQUIPMENT 12 13 VENDORS AND COUNTY RECORDERS AND SHALL CONSIDER BEST PRACTICES FOR 14 CONDUCTING RISK-LIMITING AUDITS.

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C. FOR THE PURPOSES OF THIS SECTION:

16 1. "INCORRECT OUTCOME" MEANS AN OUTCOME THAT IS INCONSISTENT WITH 17 THE ELECTION OUTCOME THAT WOULD BE OBTAINED BY CONDUCTING A FULL HAND 18 RECOUNT.

19 "LIMIT" MEANS THE LARGEST STATISTICAL PROBABILITY THAT AN 2. 20 INCORRECT REPORTED TABULATION OUTCOME IS NOT DETECTED AND CORRECTED IN A 21 RISK-LIMITING AUDIT.

22 3. "RISK-LIMITING AUDIT" MEANS AN AUDIT PROTOCOL THAT USES STATISTICAL METHODS AND THAT IS DESIGNED TO LIMIT TO ACCEPTABLE LEVELS THE 23 24 RISK OF CERTIFYING A PRELIMINARY ELECTION OUTCOME THAT CONSTITUTES AN 25 INCORRECT OUTCOME.

26 Sec. 17. Section 16-901, Arizona Revised Statutes, is amended to 27 read:

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16-901. Definitions

In this chapter, unless the context otherwise requires:

"Advertisement" means information or materials, other than 30 1. 31 nonpaid social media messages, that are mailed, e-mailed EMAILED, posted, distributed, published, displayed, delivered, broadcasted or placed in a 32 communication medium and that are for the purpose of influencing an 33 34 election.

2. "Affiliate" means any organization that controls, is controlled 35 36 by or is under common control with a corporation, limited liability 37 company or labor organization.

3. "Agent" means any person who has actual authority, either 38 express or implied, to represent or make decisions on behalf of another 39 40 person.

41 4. "Ballot measure expenditure" means an expenditure made by a 42 person that expressly advocates the support or opposition of a clearly 43 identified ballot measure.

5. "Best effort" means that a committee treasurer or treasurer's 44 45 agent makes at least one written effort, including an attempt by e-mail

EMAIL, text message, private message through social media or other similar communication, or at least one oral effort that is documented in writing to identify the contributor of an incomplete contribution.

6. "Calendar quarter" means a period of three consecutive calendar months ending on March 31, June 30, September 30 or December 31.

6 7. "Candidate" means an individual who receives contributions or 7 makes expenditures or who gives consent to another person to receive 8 contributions or make expenditures on behalf of that individual in 9 connection with the candidate's nomination, election or retention for any 10 public office.

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8. "Candidate committee" includes the candidate.

9. "Clearly identified candidate" means that the name or a
description, image, photograph or drawing of the candidate appears or the
identity of the candidate is otherwise apparent by unambiguous reference.

15 10. "Committee" means a candidate committee, a political action 16 committee or a political party.

17 11. "Contribution" means any money, advance, deposit or other thing 18 of value that is made to a person for the purpose of influencing an 19 election. Contribution includes:

20 (a) A contribution that is made to retire campaign debt from a 21 previous election cycle.

(b) Money or the fair market value of anything that is directly or
 indirectly provided to an elected official for the specific purpose of
 defraying the expense of communications with constituents.

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(c) The full purchase price of any item from a committee.

26 (d) A loan that is made to a committee for the purpose of 27 influencing an election, to the extent the loan remains outstanding.

12. "Control" means to possess, directly or indirectly, the power to direct or to cause the direction of the management or policies of another organization, whether through voting power, ownership, contract or otherwise.

32 13. "Coordinate", "coordinated" or "coordination" means the
 33 coordination of an expenditure as prescribed by section 16-922.

14. "Coordinated party expenditures" means expenditures that are made by a political party to directly pay for goods or services on behalf of its nominee.

37 15. "District office" means an elected office established or38 organized pursuant to title 15 or 48.

39 16. "Earmarked" means a designation, instruction or encumbrance
40 between the transferor of a contribution and a transferee that requires
41 the transferee to make a contribution to a clearly identified candidate.

42 17. "Election" means any election for any ballot measure in this
43 state or any candidate election during a primary, general, recall, special
44 or runoff election for any office in this state other than a federal

1 office and a political party office prescribed by chapter 5, article 2 of 2 this title.

3 18. "Election cycle" means the two-year period beginning on January 4 1 in the year after a statewide general election and ending on December 31 5 in the year of a statewide THE NEXT SUCCESSIVE general election FOR A 6 PARTICULAR ELECTED OFFICE, or, for cities and towns, the two-year period 7 beginning on the first day of the calendar quarter after the calendar 8 quarter in which the city's or town's second, runoff or general election 9 is scheduled and ending on the last day of the calendar quarter in which the city's or town's immediately following second, runoff or general 10 11 election is scheduled, however that election is designated by the city or 12 town FOR EACH ELECTED OFFICE. For the purposes of a:

13 (a) Recall election, "election cycle" means the period between 14 issuance of a recall petition serial number and the latest of the 15 following:

16 (i) The date of the recall election that is called pursuant to 17 section 19-209.

18 (ii) The date that a resignation is accepted pursuant to section 19 19-208.

20 (iii) The date that the receiving officer provides notice pursuant 21 to section 19-208.01 that the number of signatures is insufficient.

(b) Special election, "election cycle" means the period between the date of issuance of a proclamation or order calling the special election and the last day of the calendar quarter in which the special election is held.

26 19. "Employee" means an individual who is entitled to compensation 27 for labor or services performed for the individual's employer.

28 20. "Employer" means any person that pays compensation to and 29 directs the labor or services of any individual in the course of 30 employment.

21. "Enforcement officer" means the attorney general or the county,
 city or town attorney with authority to collect fines or issue penalties
 with respect to a given election pursuant to section 16-938.

22. "Entity" means a corporation, limited liability company, labor organization, partnership, trust, association, organization, joint venture, cooperative, unincorporated organization or association or other organized group that consists of more than one individual.

38 23. "Excess contribution" means a contribution that exceeds the 39 applicable contribution limits for a particular election.

40 24. "Exclusive insurance contract" means an insurance producer's 41 contract with an insurer that does either of the following:

42 (a) Prohibits the producer from soliciting insurance business for 43 any other insurer.

44 (b) Requires a right of first refusal on all lines of insurance45 business written by the insurer and solicited by the producer.

1 25. "Expenditure" means any purchase, payment or other thing of 2 value that is made by a person for the purpose of influencing an election.

26. "Family contribution" means any contribution that is provided to a candidate's committee by the parent, grandparent, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members, regardless of whether the relation is established by marriage or adoption.

8 27. "Filing officer" means the secretary of state or the county, 9 city or town officer in charge of elections for that jurisdiction who 10 accepts statements and reports for those elections pursuant to section 11 16-928.

12 28. "Firewall" means a written policy that precludes one person 13 from sharing information with another person.

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29. "Identification" or "identify" means:

(a) For an individual, the individual's first and last name,
 residence location or street address and occupation and the name of the
 individual's primary employer.

18 (b) For any other person, the person's full name and physical 19 location or street address.

20 30. "Incomplete contribution" means any contribution that is 21 received by a committee for which the contributor's complete 22 identification has not been obtained.

23 31. "Independent expenditure" means an expenditure by a person, 24 other than a candidate committee, that complies with both of the 25 following:

26 (a) Expressly advocates the election or defeat of a clearly 27 identified candidate.

28 (b) Is not made in cooperation or consultation with or at the 29 request or suggestion of the candidate or the candidate's agent.

30 32. "In-kind contribution" means a contribution of goods, services 31 or anything of value that is provided without charge or at less than the 32 usual and normal charge.

33. "Insurance producer" means a person that:

34 (a) Is required to be licensed to sell, solicit or negotiate35 insurance.

(b) Has an exclusive insurance contract with an insurer.

37 34. "Itemized" means that each contribution received or expenditure38 made is set forth separately.

39 35. "Labor organization" means any employee representation 40 organization that exists for the purpose of dealing with employers 41 concerning grievances, labor disputes, wages, rates of pay, hours of 42 employment or other conditions of employment.

43 36. "Legislative office" means the office of representative in the 44 state house of representatives or senator in the state senate. 1 37. "Mega PAC status" means official recognition that a political 2 action committee has received contributions from five hundred or more 3 individuals in amounts of ten dollars \$10 or more in the four-year period 4 immediately before application to the secretary of state.

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38. "Nominee" means a candidate who prevails in a primary election 6 for partisan office and includes the nominee's candidate committee.

7 39. "Person" means an individual or a candidate, nominee, committee, corporation, limited liability company, labor organization, 8 9 partnership, trust, association, organization, joint venture, cooperative or unincorporated organization or association. 10

40. "Personal monies" means any of the following:

12 (a) Assets to which the individual or individual's spouse has 13 either legal title or an equitable interest.

14 (b) Salary and other earned income from bona fide employment of the 15 individual or individual's spouse.

16 (c) Dividends and proceeds from the sale of investments of the 17 individual or individual's spouse.

18

(d) Bequests to the individual or individual's spouse.

19 (e) Income to the individual or individual's spouse from revocable 20 trusts for which the individual or individual's spouse is a beneficiary.

21 (f) Gifts of a personal nature to the individual or individual's 22 spouse that would have been given regardless of whether the individual 23 became a candidate or accepted a contribution.

24 (g) The proceeds of loans obtained by the individual or 25 individual's spouse that are secured by collateral or security provided by 26 the individual or individual's spouse.

27

(h) Family contributions.

41. "Political action committee" means an entity that is required 28 29 to register as a political action committee pursuant to section 16-905.

30 42. "Political party" means a committee that meets the requirements 31 for recognition as a political party pursuant to chapter 5 of this title.

43. "Primary purpose" means an entity's predominant purpose. 32 Notwithstanding any other law or rule, an entity is not organized for the 33 primary purpose of influencing an election if all of the following apply 34 35 at the time the contribution or expenditure is made:

36 (a) The entity has tax exempt status under section 501(a) of the 37 internal revenue code.

(b) Except for a religious organization, assembly or institution, 38 the entity has properly filed a form 1023 or form 1024 with the internal 39 40 revenue service or the equivalent successor form designated by the 41 internal revenue service.

(c) The entity's tax exempt status has not been denied or revoked 42 43 by the internal revenue service.

(d) The entity has properly filed a form 990 with the internal 44 45 revenue service or the equivalent successor form designated by the

internal revenue service in compliance with the most recent filing
 deadline established by internal revenue service regulations or policies.

3 44. "Retention" means the election process by which a superior 4 court judge, appellate court judge or supreme court justice is retained in 5 office as prescribed by article VI, section 38 or 40, Constitution of 6 Arizona.

7 45. "Separate segregated fund" means a fund established by a 8 corporation, limited liability company, labor organization or partnership 9 that is required to register as a political action committee.

10 46. "Social media messages" means forms of communication, including 11 internet sites for social networking or blogging, through which users 12 create a personal profile and participate in online communities to share 13 information, ideas and personal messages.

"Sponsor" means any person that establishes, administers or 14 47. 15 contributes financial support to the administration of a political action 16 committee or that has common or overlapping membership or officers with 17 that political action committee AN ENTITY THAT PAYS THE COSTS OF 18 ESTABLISHING, ADMINISTERING AND SOLICITING CONTRIBUTIONS FROM ITS 19 EMPLOYEES, MEMBERS, EXECUTIVES, STOCKHOLDERS AND RETIREES AND THEIR 20 FAMILIES FOR ITS SEPARATE SEGREGATED FUND AND THAT ARE NOT CONTRIBUTIONS 21 PURSUANT TO SECTION 16-911.

48. "Standing committee" means a political action committee or political party that is active in more than one reporting jurisdiction in this state and that files a statement of organization in a format prescribed by the secretary of state.

49. "Statewide office" means the office of governor, secretary of
state, state treasurer, attorney general, superintendent of public
instruction, corporation commissioner or mine inspector.

29 50. "Surplus monies" means those monies of a terminating committee 30 that remain after all of the committee's expenditures have been made, all 31 debts have been extinguished and the committee ceases accepting 32 contributions.

33 Sec. 18. Section 16-912, Arizona Revised Statutes, is amended to 34 read:

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16-912. Individual contribution limits; requirements

A. An individual may not contribute more than the following amounts per election cycle:

38 1. Six thousand two hundred fifty dollars \$1,000 to a candidate 39 committee for city, town, county or district office.

40 2. Six thousand two hundred fifty dollars \$1,000 to a candidate 41 committee for legislative office.

42 3. Six thousand two hundred fifty dollars \$2,500 to a candidate 43 committee for statewide office.

44 B. An individual may make unlimited contributions to persons other 45 than candidate committees.

1 C. An individual may only make contributions using personal monies, 2 except that a contribution from an unemancipated minor child shall be 3 treated as a contribution by the child's custodial parent or parents. 4 Sec. 19. Section 16-914, Arizona Revised Statutes, is amended to 5 read: 6 16-914. Political action committee contribution limits; 7 requirements A. A political action committee without mega PAC status may not 8 9 contribute more than the following amounts per election cycle: 10 1. Six thousand two hundred fifty dollars \$1,000 to a candidate 11 committee for city, town, county or district office. 12 2. Six thousand two hundred fifty dollars \$1,000 to a candidate 13 committee for legislative office. 14 3. Six thousand two hundred fifty dollars \$2,500 to a candidate committee for statewide office. 15 16 B. A political action committee with mega PAC status may contribute 17 twice the amounts prescribed in subsection A of this section per election 18 cycle if the political action committee provides the recipient candidate 19 committee a copy of the political action committee's certification of mega 20 PAC status. 21 C. A political action committee may only contribute to a candidate 22 committee using monies contributed by an individual, a partnership, a candidate committee, a political action committee or a political party. 23 24 D. A political action committee may make unlimited contributions to 25 persons other than candidate committees. 26 Sec. 20. Section 16-917, Arizona Revised Statutes, is amended to 27 read: 28 16-917. Partnership contribution limits: requirements 29 A. A partnership may not contribute more than the following amounts 30 per election cycle: 31 1. Six thousand two hundred fifty dollars \$1,000 to a candidate 32 committee for city, town, county or district office. 33 2. Six thousand two hundred fifty dollars \$1,000 to a candidate 34 committee for legislative office. 35 3. Six thousand two hundred fifty dollars \$2,500 to a candidate 36 committee for statewide office. 37 B. A partnership may make unlimited contributions to persons other 38 than candidate committees. 39 C. Partnership contributions are subject to the following: 40 Partnership contributions shall be attributed to each 1. 41 contributing partner as designated by the partnership. The partnership 42 shall provide the recipient committee written notice identifying the 43 contributing partners and the amount attributed to each.

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1 2. Partnership contributions shall count against both the 2 partnership's and the individual partners' contribution limits to a 3 recipient. The portion attributed to each partner shall be aggregated 4 with the individual partner's nonpartnership contributions to that 5 recipient and shall not exceed the individual partner's contribution 6 limit. 7 3. The partnership shall not attribute any contribution to a 8 partner that is a corporation, limited liability company or labor 9 organization. 4. Partnership contributions need not be accompanied by 10 the signature of each contributing partner. 11 12 D. A partnership may establish a separate segregated fund as 13 prescribed in section 16-916. 14 Sec. 21. Subject to the requirements of article IV, part 1, section 1, Constitution of Arizona, section 16-941, Arizona Revised 15 16 Statutes, is amended to read: 17 16-941. Limits on spending and contributions for political 18 <u>campaigns</u> 19 Α. Notwithstanding any law to the contrary, a participating 20 candidate: 21 1. Shall not accept any contributions, other than a limited number 22 of five-dollar \$5 qualifying contributions as specified in section 16-946, SUPPLEMENTAL QUALIFYING CONTRIBUTIONS AS SPECIFIED IN SECTION 16-951.01 23 24 and early contributions as specified in section 16-945, except in the 25 emergency situation specified in section 16-954, subsection 두 D. 26 2. Shall not make expenditures of more than a total of five hundred 27 dollars \$500 of the candidate's personal monies for a candidate for the legislature or more than one thousand dollars \$1,000 for a candidate for 28 29 statewide office. 30 3. Shall not make expenditures in the primary election period in 31 excess of the adjusted primary election spending limit AND THE AMOUNT THE PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL 32 FUNDING GRANTS UNDER SECTION 16-951.01. 33 34 4. Shall not make expenditures in the general election period in 35 excess of the adjusted general election spending limit AND THE AMOUNT THE 36 PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL FUNDING GRANTS UNDER SECTION 16-951.01. 37 Shall comply with section 16-948 regarding campaign accounts and 38 5. 39 section 16-953 regarding returning unused monies to the citizens clean 40 elections fund described in this article. 41 B. Notwithstanding any law to the contrary, a nonparticipating 42 candidate shall not accept contributions in excess of an amount that is 43 twenty per cent less than the limits specified in section 16-905, subsections A through E THIS TITLE, as adjusted by the secretary of state

pursuant to section $\frac{16-905}{16}$, subsection H 16-931. Any violation of this

1 subsection shall be subject to the civil penalties and procedures set 2 forth in section 16-905, subsections J through M and section 16-924 3 16-942.

4 C. Notwithstanding any law to the contrary, a candidate, whether 5 participating or nonparticipating:

6 1. If specified in a written agreement signed by the candidate and 7 one or more opposing candidates and filed with the citizens clean 8 elections commission, shall not make any expenditure in the primary or 9 general election period exceeding an agreed-upon amount lower than 10 spending limits otherwise applicable by statute.

11 2. Shall continue to be bound by all other applicable election and 12 campaign finance statutes and rules, with the exception of those 13 provisions in express or clear conflict with this article.

14 D. Notwithstanding any law to the contrary, any person who makes 15 independent expenditures related to a particular office cumulatively 16 exceeding five hundred dollars \$500 in an election cycle, with the 17 exception of any expenditure listed in section 16-920 and any independent 18 expenditure by an organization arising from a communication directly to 19 the organization's members, shareholders, employees, affiliated persons 20 and subscribers, shall file reports with the secretary of state in 21 accordance with section 16-958 so indicating, identifying the office and 22 the candidate or group of candidates whose election or defeat is being 23 advocated and stating whether the person is advocating election or 24 advocating defeat.

25 Sec. 22. Subject to the requirements of article IV, part 1, 26 section 1, Constitution of Arizona, section 16-945, Arizona Revised 27 Statutes, is amended to read:

28

16-945. Limits on early contributions

A. A participating candidate may accept early contributions only from individuals and only during the exploratory period and the qualifying period, subject to the following limitations:

Notwithstanding any law to the contrary, no contributor shall
 give, and no participating candidate shall accept, contributions from a
 contributor exceeding one hundred dollars \$100 during an election cycle.

2. Notwithstanding any law to the contrary, early contributions to a participating candidate from all sources for an election cycle shall not exceed, for a candidate for governor, forty thousand dollars or, for other candidates, ten per cent PERCENT of the sum of the original primary election spending limit and the original general election spending limit.

3. Qualifying contributions specified in section 16-946 AND
 SUPPLEMENTAL QUALIFYING CONTRIBUTIONS AS SPECIFIED IN SECTION 16-951.01
 shall not be included in determining whether the limits in this subsection
 have been exceeded.

B. Early contributions specified in subsection A of this section and The candidate's personal monies specified in section 16-941, subsection A, paragraph 2 may be spent only during the exploratory period and the qualifying period. Any early contributions not spent by the end of the qualifying period shall be paid to the fund EARLY CONTRIBUTIONS PRESCRIBED IN SUBSECTION A OF THIS SECTION MAY BE SPENT AT ANY TIME DURING THE CANDIDATE'S CANDIDACY.

8 C. If a participating candidate has a debt from an election campaign 9 in this state during a previous election cycle in which the candidate was not a participating candidate, then, during the exploratory period only, 10 11 the candidate may accept, in addition to early contributions specified in 12 subsection A of this section, contributions subject to the limitations in 13 section 16-941, subsection B, or may exceed the limit on personal monies in section 16-941, subsection A, paragraph 2, provided that such 14 15 contributions and monies are used solely to retire such debt.

16 Sec. 23. Subject to the requirements of article IV, part 1, 17 section 1, Constitution of Arizona, section 16–951, Arizona Revised 18 Statutes, is amended to read:

19

16-951. <u>Clean elections funding</u>

A. At the beginning of the primary election period, the commission shall pay from the fund to the campaign account of each candidate who qualifies for clean elections funding:

For a candidate who qualifies for clean elections funding for a
 party primary election, an amount equal to the original primary election
 spending limit.

26 2. For an independent candidate who qualifies for clean elections 27 funding, an amount equal to seventy percent of the sum of the original 28 primary election spending limit and the original general election spending 29 limit.

30 3. For a qualified participating candidate who is unopposed for an 31 office in that candidate's primary, in the primary of any other party and 32 by any opposing independent candidate, an amount equal to five dollars \$5 33 times the number of qualifying contributions for that candidate certified 34 by the commission.

B. At any time after the first day of January of an election year, 35 36 any candidate who has met the requirements of section 16-950 may sign and cause to be filed a nomination paper in the form specified by section 37 16-311, subsection A, with a nominating petition and signatures, instead 38 39 of filing such papers after the earliest time set for filing specified by 40 that subsection. Upon ON such filing and verification of the signatures, 41 the commission shall pay the amount specified in subsection A of this 42 section AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS 43 QUALIFIED FOR immediately, rather than waiting for the beginning of the 44 primary election period.

C. At the beginning of the general election period, the commission shall pay from the fund to the campaign account of each candidate who qualifies for clean elections funding for the general election, except those candidates identified in subsection A, paragraph 2 or subsection D of this section, an amount equal to the original general election spending limit AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS QUALIFIED FOR PURSUANT TO SECTION 16-951.01, SUBSECTION F.

8 D. At the beginning of the general election period, the commission 9 shall pay from the fund to the campaign account of a qualified 10 participating candidate who has not received funds MONIES pursuant to 11 subsection A, paragraph 3 of this section and who is unopposed by any 12 other party nominee or any opposing independent candidate an amount equal 13 to five dollars \$5 times the number of qualifying contributions for that 14 candidate certified by the commission.

E. The special original general election spending limit, for a candidate who has received funds MONIES pursuant to subsection A, paragraphs PARAGRAPH 2 or 3 or subsection D of this section, shall be equal to the amount that the commission is obligated to pay to that candidate.

20 Sec. 24. Subject to the requirements of article IV, part 1, 21 section 1, Constitution of Arizona, title 16, chapter 6, article 2, 22 Arizona Revised Statutes, is amended by adding section 16-951.01, to read:

23

16-951.01. <u>Supplemental clean elections funding</u>

24 A. DURING OR AFTER THE QUALIFYING PERIOD, A QUALIFIED PARTICIPATING CANDIDATE MAY QUALIFY FOR SUPPLEMENTAL CLEAN ELECTIONS FUNDING BY 25 26 PRESENTING TO THE SECRETARY OF STATE A LIST OF NAMES OF PERSONS WHO HAVE MADE SUPPLEMENTAL QUALIFYING CONTRIBUTIONS ON BEHALF OF THE CANDIDATE. 27 THE METHOD FOR MAKING AND COLLECTING SUPPLEMENTAL QUALIFYING CONTRIBUTIONS 28 29 SHALL BE THE SAME AS FOR INITIAL QUALIFYING CONTRIBUTIONS PURSUANT TO 30 SECTION 16-946, INCLUDING THAT SUPPLEMENTAL QUALIFYING CONTRIBUTIONS SHALL 31 BE DEPOSITED IN THE CANDIDATE'S CAMPAIGN COMMITTEE'S ACCOUNT AND PAID TO 32 THE FUND NOTWITHSTANDING SECTION 16-948, SUBSECTION A.

B. TO QUALIFY FOR ONE SUPPLEMENTAL FUNDING GRANT, A QUALIFIED
PARTICIPATING CANDIDATE MUST HAVE OBTAINED AN AMOUNT OF QUALIFYING
CONTRIBUTIONS EQUAL TO TWENTY PERCENT OF THE AMOUNT NEEDED FOR INITIAL
QUALIFICATION UNDER SECTION 16-950.

37 C. THE SECRETARY OF STATE SHALL APPROVE CANDIDATES FOR SUPPLEMENTAL FUNDING GRANTS IN THE SAME MANNER PROVIDED IN SECTION 16-950 FOR INITIAL 38 FUNDING APPROVAL, EXCEPT THAT THE RANDOM SAMPLE OF NONDUPLICATIVE NAMES 39 40 DRAWN FOR A SUPPLEMENTAL FUNDING APPLICATION MAY NOT BE FEWER THAN TWENTY 41 NAMES. IF IN ORDER TO COMPLY WITH THIS REQUIREMENT, THE SECRETARY OF STATE SELECTS A PERCENTAGE OF THE NONDUPLICATIVE NAMES THAT DEVIATES FROM 42 43 THE PERCENTAGES PROVIDED IN SECTION 16-950, THE SECRETARY OF STATE SHALL MAKE A CORRESPONDING ADJUSTMENT TO THE NUMBER FOR MULTIPLICATION UNDER 44 45 THAT SECTION.

1 D. THE COMMISSION SHALL PAY FROM THE FUND TO THE CAMPAIGN ACCOUNT 2 OF A CANDIDATE APPROVED FOR A SUPPLEMENTAL FUNDING GRANT AN AMOUNT EQUAL 3 TO TEN PERCENT OF THE SUM OF THE ORIGINAL PRIMARY ELECTION SPENDING LIMIT 4 FOR THE APPROPRIATE OFFICE.

5 E. A CANDIDATE FOR STATEWIDE OFFICE MAY RECEIVE NOT MORE THAN TEN 6 SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE AND NOT MORE THAN 7 SIX SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD. Α 8 CANDIDATE FOR LEGISLATIVE OFFICE MAY RECEIVE NOT MORE THAN TWENTY 9 SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE AND NOT MORE THAN TWELVE SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD. 10 11 NOT LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE COMMISSION MAY 12 ADOPT RULES CHANGING THE NUMBER OF SUPPLEMENTAL GRANTS AVAILABLE FOR ANY 13 OFFICE, FOR THE ELECTION CYCLE OR THE PRIMARY ELECTION PERIOD, BY NOT MORE 14 THAN TWENTY PERCENT OF THE NUMBER APPLICABLE FOR THE PRECEDING ELECTION.

F. A CANDIDATE WHO HAS RECEIVED THE MAXIMUM NUMBER OF SUPPLEMENTAL FUNDING GRANTS FOR THE PRIMARY ELECTION PERIOD MAY CONTINUE TO QUALIFY FOR ADDITIONAL SUPPLEMENTAL FUNDING GRANTS TO BE RECEIVED AT THE BEGINNING OF HE GENERAL ELECTION PERIOD IF THE CANDIDATE ADVANCES TO THE GENERAL ELECTION, EXCEPT THAT A CANDIDATE WHO IS UNOPPOSED IN THE GENERAL ELECTION MAY NOT RECEIVE SUPPLEMENTAL FUNDING GRANTS DURING THE GENERAL ELECTION PERIOD.

22 G. NOT LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE 23 COMMISSION SHALL DETERMINE AND PUBLICIZE DEADLINES FOR SUBMITTING 24 APPLICATIONS FOR SUPPLEMENTAL FUNDING GRANTS FOR THE PRIMARY AND GENERAL 25 ELECTION PERIODS.

26 Sec. 25. Subject to the requirements of article IV, part 1, 27 section 1, Constitution of Arizona, section 16-953, Arizona Revised 28 Statutes, is amended to read:

29

16-953. <u>Return of monies to the citizens clean elections fund</u>

30 A. At the end of the primary election period, a participating 31 candidate who has received monies pursuant to section 16-951, subsection A, paragraph 1 shall return to the fund all monies in the candidate's 32 33 campaign account above an amount sufficient to pay any unpaid bills for 34 expenditures made during the primary election period and for goods or services directed to the primary election. THIS SUBSECTION DOES NOT APPLY 35 36 TO THE UNSPENT AMOUNT OF ANY EARLY CONTRIBUTIONS AND SUPPLEMENTAL FUNDING 37 GRANTS RECEIVED PURSUANT TO SECTION 16-951.01 IF THE PARTICIPATING CANDIDATE IS A PARTY NOMINEE OR INDEPENDENT CANDIDATE. 38

B. At the end of the general election period, a participating candidate shall return to the fund all monies in the candidate's campaign account above an amount sufficient to pay any unpaid bills for expenditures made before the general election and for goods or services directed to the general election. 1 C. A participating candidate shall pay all uncontested and unpaid 2 bills referenced in this section no NOT later than thirty days after the 3 primary or general election. A participating candidate shall make monthly 4 reports to the commission concerning the status of the dispute over any 5 contested bills. Any monies in a candidate's campaign account after 6 payment of bills shall be returned promptly to the fund.

7 D. If a participating candidate is replaced pursuant to section 8 16-343, and the replacement candidate files an oath with the secretary of 9 state certifying to section 16-947, subsection B, paragraph 3, the campaign account of the participating candidate shall be transferred to 10 11 the replacement candidate and the commission shall certify the replacement 12 candidate as a participating candidate without requiring compliance with 13 section 16-950 or the remainder of section 16-947. If the replacement 14 candidate does not file such an oath, the campaign account shall be liquidated and all remaining monies returned to the fund. 15

16 E. If a participating candidate who has received monies pursuant to 17 section 16-951, subsection A, paragraph 1 does not qualify for the ballot 18 for the primary election, the participating candidate shall:

19 1. Return to the fund all monies in the candidate's campaign 20 account above the amount sufficient to pay any unpaid bills for 21 expenditures made before the date the candidate failed to qualify for the 22 primary ballot.

23 2. Return to the commission, within fourteen days, all remaining 24 assets purchased with public funds in that election cycle, including all 25 political signs. The disqualified participating candidate is not required 26 to return political signs purchased in a previous election cycle.

27 3. Repay any monies paid to a family member unless the 28 participating candidate demonstrates that the payment made was for goods 29 or services actually provided before disqualification of the candidate and 30 the payment was for fair market value. For the purposes of this 31 paragraph, "family member" means a parent, grandparent, spouse, child or 32 sibling of the candidate or a parent or spouse of any of those persons.

33 Sec. 26. Subject to the requirements of article IV, part 1, 34 section 1, Constitution of Arizona, section 16-954, Arizona Revised 35 Statutes, is amended to read:

36

16-954. Disposition of excess monies

A. Beginning January 1, 1999, an additional surcharge of ten per Recent PERCENT shall be imposed on all civil and criminal fines and penalties collected pursuant to section 12-116.01 and shall be deposited into the fund.

B. At least once per year, the commission shall project the amount of monies that the fund will collect over the next four years and the time such monies shall become available. Whenever the commission determines that the fund contains more monies than the commission determines that it requires to meet current debts plus expected expenses, under the assumption that expected expenses will be at the expenditure limit in section 16-949, subsection A, and taking into account the projections of collections, the commission shall designate such monies as excess monies and so notify the state treasurer, who shall thereupon transfer the excess monies to the general fund.

6 C. At least once per year, the commission shall project the amount 7 of clean elections funding for which all candidates will have qualified 8 pursuant to this article for the following calendar year. By the end of 9 each year, the commission shall announce whether the amount that the commission plans to spend the following year pursuant to section 16-949, 10 11 subsection A exceeds the projected amount of clean elections funding. If 12 the commission determines that the fund contains insufficient monies or 13 the spending cap would be exceeded were all candidates' accounts to be 14 fully funded, the commission may include in the announcement 15 specifications for decreases in the following parameters, based on the 16 commission's projections of collections and expenses for the fund, 17 including that the fund will provide monies under section SECTIONS 16-951 18 AND 16-951.01 as a fraction of the amounts there specified.

19 D. If the commission cannot provide participating candidates with 20 all monies specified under sections 16-951, 16-951.01 and 16-952, as 21 decreased by any announcement pursuant to subsection C of this section, 22 the commission shall allocate any reductions in payments proportionately 23 among candidates entitled to monies and shall declare an emergency. Upon 24 ON declaration of an emergency, a participating candidate may accept private contributions to bring the total monies received by the candidate 25 26 from the fund and from such private contributions up to the adjusted 27 spending limits, as decreased by any announcement made pursuant to 28 subsection C of this section.

29 E. FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2024, A TAXPAYER WHO FILES ON A STATE INCOME TAX RETURN FORM MAY DESIGNATE A \$5 30 31 VOLUNTARY CONTRIBUTION PER TAXPAYER TO THE FUND BY MARKING AN OPTIONAL CHECK-OFF BOX. EVERY TAXPAYER WHO CHECKS THIS BOX SHALL RECEIVE A \$5 32 33 REDUCTION IN THE AMOUNT OF TAX, AND \$5 FROM THE AMOUNT PAID BY THE TAXPAYER SHALL BE TRANSFERRED BY THE DEPARTMENT OF REVENUE TO THE FUND. 34 35 THE DEPARTMENT OF REVENUE SHALL PROVIDE CHECK-OFF BOXES FOR DESIGNATIONS 36 PURSUANT TO THIS SUBSECTION, IDENTIFIED AS THE CLEAN ELECTIONS FUND TAX 37 REDUCTION, ON INCOME TAX RETURN FORMS IN THE SAME SECTION AS OTHER TAX 38 REDUCTIONS. EVERY TWO YEARS, THE SECRETARY OF STATE SHALL MAKE A SIMILAR 39 INFLATION ADJUSTMENT TO THOSE MADE IN SECTION 16-959, SUBSECTION A BY 40 MODIFYING THE DOLLAR VALUES IN THIS SUBSECTION TO REFLECT CUMULATIVE 41 INFLATION SINCE THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, EXCEPT THAT AMOUNTS SHALL BE ADJUSTED TO THE NEAREST DOLLAR. 42

1 Sec. 27. Subject to the requirements of article IV, part 1, 2 section 1, Constitution of Arizona, section 16-956, Arizona Revised 3 Statutes, is amended to read:

4

16-956. <u>Voter education and enforcement duties</u>

5

A. The commission shall:

6 1. Develop a procedure for publishing a document or section of a 7 document having a space of predefined size for a message chosen by each 8 candidate. For the document that is delivered before the primary 9 election, the document shall contain the names of every candidate for 10 every statewide and legislative district office in that primary election 11 without regard to whether the candidate is a participating candidate or a 12 nonparticipating candidate. For the document that is delivered before the 13 general election, the document shall contain the names of every candidate 14 for every statewide and legislative district office in that general election without regard to whether the candidate is a participating 15 16 candidate or a nonparticipating candidate. The commission shall deliver 17 one copy of each document to every household that contains a registered 18 voter. For the document that is delivered before the primary election, 19 the delivery may be made over a period of days but shall be sent in time 20 to be delivered to households before the earliest date for receipt by 21 registered voters of any requested early ballots for the primary election. 22 The commission may deliver the second document over a period of days but 23 shall send the second document in order to be delivered to households 24 before the earliest date for receipt by registered voters of any requested 25 early ballots for the general election. The primary election and general 26 election documents published by the commission shall comply with all of 27 the following:

(a) For any candidate who does not submit a message pursuant to
 this paragraph, the document shall include with the candidate's listing
 the words "no statement submitted".

(b) The document shall have printed on its cover the words "citizens clean elections commission voter education guide" and the words "primary election" or "general election" and the applicable year. The document shall also contain at or near the bottom of the document cover in type that is no larger than one-half the size of the type used for "citizens clean elections commission voter education guide" the words "paid for by the citizens clean elections fund".

38 (c) In order to prevent voter confusion, the document shall be 39 easily distinguishable from the publicity pamphlet that is required to be 40 produced by the secretary of state pursuant to section 19-123.

41 2. Sponsor debates among candidates, in such THE manner as 42 determined by the commission. The commission shall require participating 43 candidates to attend and participate in debates and may specify by rule 44 penalties for nonparticipation. The commission shall invite and permit 45 nonparticipating candidates to participate in debates. 1 3. Prescribe forms for reports, statements, notices and other 2 documents required by this article. The commission shall not require a 3 candidate to use a reporting system other than the reporting system 4 jointly approved by the commission and the office of the secretary of 5 state.

6 4. Prepare and publish instructions setting forth methods of 7 bookkeeping and preservation of records to facilitate compliance with this 8 article and explaining the duties of persons and committees under this 9 article.

10 5. Produce a yearly report describing the commission's activities 11 and any recommendations for changes of law, administration or funding 12 amounts and accounting for monies in the fund.

Adopt rules to implement the reporting requirements of section
 16-958, subsections D and E.

15 7. Enforce this article, ensure that money from the fund is placed 16 in candidate campaign accounts or otherwise spent as specified in this 17 article and not otherwise, monitor reports filed pursuant to this chapter 18 and financial records of candidates as needed and ensure that money 19 required by this article to be paid to the fund is deposited in the fund. 20 The commission shall not take action on any external complaint that is 21 filed more than ninety days after the postelection report is filed or 22 ninety days after the completion of the canvass of the election to which 23 the complaint relates, whichever is later.

B. The commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or the exercise of its powers.

29 C. The commission may adopt rules to carry out the purposes of this 30 article and to govern procedures of the commission. COMMISSION RULEMAKING 31 IS EXEMPT FROM TITLE 41, CHAPTER 6. The commission shall propose and 32 adopt rules in public meetings, with at least sixty days allowed for 33 interested parties to comment after the rules are proposed. The commission 34 shall also file the proposed rule in the format prescribed in section 41-1022 with the secretary of state's office for publication in the 35 36 Arizona administrative register. After consideration of the comments received in the sixty day comment period, the commission may adopt the 37 rule in an open meeting. Any rules given final approval in an open 38 meeting shall be filed in the format prescribed in section 41-1022 with 39 40 secretary of state's office for publication in the Arizona the 41 administrative register. Any rules adopted by the commission shall only 42 be applied prospectively from the date the rule was adopted.

1 D. Rules adopted by the commission are not effective until January 2 1 in the year following the adoption of the rule, except that rules 3 adopted by unanimous vote of the commission may be made immediately 4 effective and enforceable.

5 E. If, in the view of the commission, the action of a particular 6 candidate or committee requires immediate change to a commission rule, a 7 unanimous vote of the commission is required. Any rule change made 8 pursuant to this subsection that is enacted with less than a unanimous 9 vote takes effect for the next election cycle.

F. Based on the results of the elections in any quadrennial 10 11 election after 2002, and within six months after such election, the commission may adopt rules changing the number of qualifying contributions 12 13 required for any office from those listed in section 16-950, subsection D 14 by no more than twenty percent of the number applicable for the preceding 15 election.

16 Sec. 28. Subject to the requirements of article IV, part 1, 17 section 1, Constitution of Arizona, section 16-961, Arizona Revised 18 Statutes, is amended to read:

19

16-961. Definitions

20 A. The terms "candidate's campaign committee," "contribution," 21 expenditure," "personal monies," "political committee" and "statewide office" are 22 23 defined HAVE THE SAME MEANINGS PRESCRIBED in section 16-901.

24 B. 1. "Election cycle" means the period between successive general 25 elections for a particular office.

26 2. "Exploratory period" means the period beginning on the day after 27 a general election and ending the day before the start of the qualifying 28 period.

29 "Qualifying period" means the period beginning on the first day 3. of August in a year preceding an election and ending one week before the 30 31 primary election UNLESS THE COMMISSION SETS THE QUALIFYING PERIOD FOR ANY 32 ELECTION CYCLE TO BEGIN EARLIER IN THE YEAR PRECEDING THE ELECTION AND MAKES REASONABLE EFFORTS TO PUBLICIZE ANY ALTERATION TO THE QUALIFYING 33 34 PERIOD FOR ANY PARTICULAR ELECTION CYCLE.

4. "Primary election period" means the nine-week period ending on 35 36 the day of the primary election.

5. "General election period" means the period beginning on the day 37 38 after the primary election and ending on the day of the general election.

39 6. For any recall election, the qualifying period shall begin when 40 the election is called and last for thirty days, there shall be no primary 41 election period and the general election period shall extend from the day 42 after the end of the qualifying period to the day of the recall election. 43 For recall elections, any reference to "general election" in this article 44 shall be treated as if referring to the recall election.

42

section.

1 C. 1. "Participating candidate" means a candidate who becomes 2 certified as a participating candidate pursuant to section 16-947. 3 2. "Nonparticipating candidate" means a candidate who does not 4 become certified as a participating candidate pursuant to section 16-947. 5 3. Any limitation of this article that is applicable to a 6 participating candidate or a nonparticipating candidate shall also apply 7 to that candidate's campaign committee or exploratory committee. 8 D. "Commission" means the citizens clean elections commission 9 established pursuant to section 16-955. 10 E. "Fund" means the citizens clean elections fund defined by this 11 article. 12 F. 1. "Party nominee" means a person who has been nominated by a 13 political party pursuant to section 16-301 or 16-343. 14 2. "Independent candidate" means a candidate who has properly filed nominating papers and nominating petitions with signatures pursuant to 15 16 section 16-341. 3. "Unopposed" means with reference to an election for: 17 18 (a) A member of the house of representatives, opposed by no more than one other candidate who has qualified for the ballot and who is 19 20 running in the same district. 21 (b) A member of the corporation commission, opposed by a number of 22 candidates who have qualified for the ballot that is fewer than the number of corporation commission seats open at that election and for which the 23 24 term of office ends on the same date. 25 (c) All other offices, opposed by no other candidate who has 26 qualified for the ballot and who is running in that district or running 27 for that same office and term. "Primary election spending limits" means: 28 G. 29 For a candidate for the legislature, twelve thousand nine 1. hundred twenty-one dollars \$22,651. 30 31 For a candidate for mine inspector, forty-one thousand three 32 hundred forty-nine dollars \$72,529. 33 3. For a candidate for treasurer, superintendent of public instruction or the corporation commission, eighty-two thousand six hundred 34 35 eighty dollars \$145,020. 36 4. For a candidate for secretary of state or attorney general, one 37 hundred sixty-five thousand three hundred seventy-eight dollars \$290,090. 38 5. For a candidate for governor, six hundred thirty-eight thousand 39 two hundred twenty-two dollars \$1,791,204. 40 H. "General election spending limits" means amounts fifty per cent 41 PERCENT greater than the amounts specified in subsection G of this

I. I. "Original" spending limit means a limit specified in subsections G and H of this section, as adjusted pursuant to section 16-959, or a special amount expressly set for a particular candidate by a provision of this title.

5 2. "Adjusted" spending limit means an original spending limit as 6 further adjusted pursuant to section 16-952.

7

Sec. 29. <u>Requirements for enactment; three-fourths vote</u>

8 Pursuant to article IV, part 1, section 1, Constitution of Arizona, 9 sections 16-152, 16-166, 16-941, 16-945, 16-951, 16-953, 16-954, 16-956 10 and 16-961, Arizona Revised Statutes, as amended by this act, and section 11 16-951.01, Arizona Revised Statutes, as added by this act, are effective 12 only on the affirmative vote of at least three-fourths of the members of 13 each house of the legislature.

14 Sec. 30. Emergency

15 This act is an emergency measure that is necessary to preserve the 16 public peace, health or safety and is operative immediately as provided by 17 law.