

COMMITTEE ON ELECTIONS
SENATE AMENDMENTS TO H.C.R. 2032
(Reference to House engrossed resolution)

1 Page 1, strike lines 16 through 45

2 Strike pages 2 through 4

3 Page 5, strike lines 1 through 30, insert:

4 "A. The board of supervisors of each county, on or
5 before October 1 of each year preceding the year of a general
6 election, by an order, shall establish a convenient number of
7 election precincts in the county and define the boundaries of
8 the precincts as follows:

9 1. The election precinct boundaries shall be established
10 so as to be included within election districts prescribed by
11 law for elected officers of the state and its political
12 subdivisions, including community college district precincts,
13 except those elected officers provided for in titles 30
14 and 48. AT THE TIME ELECTION PRECINCTS ARE DESIGNATED, AN
15 ELECTION PRECINCT MAY NOT CONTAIN MORE THAN ONE THOUSAND
16 REGISTERED VOTERS.

17 2. If after October 1 of the year preceding the year of
18 a general election the board of supervisors must further adjust
19 precinct boundaries due to the redistricting of election
20 districts as prescribed by law and to comply with this
21 subsection, the board of supervisors shall adjust these
22 precinct boundaries as soon as is practicable.

23 B. At least twenty days before a general or primary
24 election, and at least ten days before a special election, the

1 board shall designate one polling place within each precinct
2 where the election shall be held, except that:

3 1. On a specific finding of the board, included in the
4 order or resolution designating polling places pursuant to this
5 subsection, that no suitable polling place is available within
6 a precinct, a polling place for that precinct may be designated
7 within an adjacent precinct.

8 2. Adjacent precincts may be combined if boundaries so
9 established are included in election districts prescribed by
10 law for state elected officials and political subdivisions
11 including community college districts but not including elected
12 officials prescribed by titles 30 and 48. The officer in
13 charge of elections may also split a precinct for
14 administrative purposes. The polling places shall be listed in
15 separate sections of the order or resolution.

16 3. On a specific finding of the board that the number of
17 persons who are listed as early voters pursuant to section
18 16-544 and who are not expected to have their ballots tabulated
19 at the polling place as prescribed in section 16-579.02 is
20 likely to substantially reduce the number of voters appearing
21 at one or more specific polling places at that election,
22 adjacent precincts may be consolidated by combining polling
23 places and precinct boards for that election. The board of
24 supervisors shall ensure that a reasonable and adequate number
25 of polling places will be designated for that election. Any
26 consolidated polling places shall be listed in separate
27 sections of the order or resolution of the board.

28 4. On a specific resolution of the board, the board OF
29 SUPERVISORS OF A COUNTY WITH A POPULATION OF LESS THAN FIVE
30 HUNDRED THOUSAND PERSONS may authorize the use of voting
31 centers in place of or in addition to specifically designated
32 polling places. A COUNTY WITH A POPULATION OF FIVE HUNDRED

1 THOUSAND PERSONS OR MORE MAY AUTHORIZE THE USE OF VOTING
2 CENTERS IN ADDITION TO SPECIFICALLY IDENTIFIED POLLING PLACES.

3 A voting center shall allow any voter in that county to receive
4 the appropriate ballot for that voter on election day after
5 presenting identification as prescribed in section 16-579 and
6 to lawfully cast the ballot. Voting centers may be established
7 in coordination and consultation with the county recorder, at
8 other county offices or at other locations in the county deemed
9 appropriate.

10 5. On a specific resolution of the board of supervisors
11 that is limited to a specific election date and that is voted
12 on by a recorded vote, the board may authorize the county
13 recorder or other officer in charge of elections to use
14 emergency voting centers as follows:

15 (a) The board shall specify in the resolution the
16 location and the hours of operation of the emergency voting
17 centers.

18 (b) A qualified elector voting at an emergency voting
19 center shall provide identification as prescribed in section
20 16-579, except that notwithstanding section 16-579, subsection
21 A, paragraph 2, for any voting at an emergency voting center,
22 the county recorder or other officer in charge of elections may
23 allow a qualified elector to update the elector's voter
24 registration information as provided for in the secretary of
25 state's instructions and procedures manual adopted pursuant to
26 section 16-452.

27 (c) If an emergency voting center established pursuant
28 to this section becomes unavailable and there is not sufficient
29 time for the board of supervisors to convene to approve an
30 alternate location for that emergency voting center, the county
31 recorder or other officer in charge of elections may make
32 changes to the approved emergency voting center location and

1 shall notify the public and the board of supervisors regarding
2 that change as soon as practicable. The alternate emergency
3 voting center shall be as close in proximity to the approved
4 emergency voting center location as possible.

5 C. If the board fails to designate the place for holding
6 the election, or if it cannot be held at or about the place
7 designated, the justice of the peace in the precinct, two days
8 before the election, by an order, copies of which the justice
9 of the peace shall immediately post in three public places in
10 the precinct, shall designate the place within the precinct for
11 holding the election. If there is no justice of the peace in
12 the precinct, or if the justice of the peace fails to do so,
13 the election board of the precinct shall designate and give
14 notice of the place within the precinct of holding the
15 election. For any election in which there are no candidates
16 for elected office appearing on the ballot, the board may
17 consolidate polling places and precinct boards and may
18 consolidate the tabulation of results for that election if all
19 of the following apply:

20 1. All affected voters are notified by mail of the
21 change at least thirty-three days before the election.

22 2. Notice of the change in polling places includes
23 notice of the new voting location, notice of the hours for
24 voting on election day and notice of the telephone number to
25 call for voter assistance.

26 3. All affected voters receive information on early
27 voting that includes the application used to request an early
28 voting ballot.

29 D. The board is not required to designate a polling
30 place for special district mail ballot elections held pursuant
31 to article 8.1 of this chapter, but the board may designate one

1 or more sites for voters to deposit marked ballots until 7:00
2 p.m. on the day of the election.

3 E. Except as provided in subsection F of this section, a
4 public school shall provide sufficient space for use as a
5 polling place for any city, county or state election when
6 requested by the officer in charge of elections.

7 F. The principal of the school may deny a request to
8 provide space for use as a polling place for any city, county
9 or state election if, within two weeks after a request has been
10 made, the principal provides a written statement indicating a
11 reason the election cannot be held in the school, including any
12 of the following:

- 13 1. Space is not available at the school.
- 14 2. The safety or welfare of the children would be
15 jeopardized.

16 G. Beginning in 2026, the department of administration
17 shall coordinate with state agencies and counties to provide
18 available and appropriate state-owned facilities for use as a
19 voting location for any city, county or state election when
20 requested by the officer in charge of elections.

21 H. The board shall make available to the public as a
22 public record a list of the polling places for all precincts in
23 which the election is to be held.

24 I. Except in the case of an emergency, any facility that
25 is used as a polling place OR VOTING CENTER on election day or
26 that is used as an early voting site during the period of early
27 voting shall allow persons to electioneer and engage in other
28 political activity outside of the seventy-five foot limit
29 prescribed by section 16-515 in public areas and parking lots
30 used by voters. This subsection does not allow the temporary
31 or permanent construction of structures in public areas and
32 parking lots or the blocking or other impairment of access to

1 parking spaces for voters. The county recorder or other
2 officer in charge of elections shall post on its website at
3 least two weeks before election day a list of those polling
4 places in which emergency conditions prevent electioneering and
5 shall specify the reason the emergency designation was granted
6 and the number of attempts that were made to find a polling
7 place before granting an emergency designation. If the polling
8 place is not on the website list of polling places with
9 emergency designations, electioneering and other political
10 activity shall be allowed outside of the seventy-five foot
11 limit. If an emergency arises after the county recorder or
12 other officer in charge of elections' initial website posting,
13 the county recorder or other officer in charge of elections
14 shall update the website as soon as is practicable to include
15 any new polling places, shall highlight the polling place
16 location on the website and shall specify the reason the
17 emergency designation was granted and the number of attempts
18 that were made to find a polling place before granting an
19 emergency designation.

20 J. For the purposes of this section, a county recorder
21 or other officer in charge of elections shall designate a
22 polling place as an emergency polling place and thus prohibit
23 persons from electioneering and engaging in other political
24 activity outside of the seventy-five foot limit prescribed by
25 section 16-515 but inside the property of the facility that is
26 hosting the polling place if any of the following occurs:

27 1. An act of God renders a previously set polling place
28 as unusable.

29 2. A county recorder or other officer in charge of
30 elections has exhausted all options and there are no suitable
31 facilities in a precinct that are willing to be a polling place
32 unless a facility can be given an emergency designation.

1 K. The secretary of state shall provide through the
2 instructions and procedures manual adopted pursuant to section
3 16-452 the maximum allowable wait time for any election that is
4 subject to section 16-204 and provide for a method to reduce
5 voter wait time at the polls in the primary and general
6 elections. The method shall consider at least all of the
7 following for primary and general elections in each precinct:

8 1. The number of ballots voted in the prior primary and
9 general elections.

10 2. The number of registered voters who voted early in
11 the prior primary and general elections.

12 3. The number of registered voters and the number of
13 registered voters who cast an early ballot for the current
14 primary or general election.

15 4. The number of registered voters whose early ballots
16 were tabulated on-site as prescribed in section 16-579.02 in
17 the prior primary and general elections.

18 5. The number of election board members and clerks and
19 the number of rosters that will reduce voter wait time at the
20 polls."

21 Page 5, line 37, strike "~~or other voting location~~" insert "or other voting
22 location"

23 Page 8, between lines 4 and 5, insert:

24 "Sec. 3. Section 16-541, Arizona Revised Statutes, is
25 amended to read:

26 16-541. Absentee voting; qualifications

27 A. Any election called pursuant to the laws of this
28 state shall provide for ~~early~~ ABSENTEE voting, including voting
29 by the use of an accessible ~~vote by United States mail option~~
30 VOTING METHOD for persons who are blind or have a visual
31 impairment. ~~Any qualified elector~~ ONLY THE FOLLOWING QUALIFIED
32 ELECTORS may vote by ~~early~~ ABSENTEE ballot: ~~—~~

- 1 1. PERSONS WHO ARE SIXTY-FIVE YEARS OF AGE OR OLDER.
- 2 2. PERSONS WHO ARE RESIDING OUTSIDE THIS STATE AND WHO
- 3 ARE ENROLLED IN A COLLEGE OR UNIVERSITY THAT IS LOCATED OUTSIDE
- 4 THIS STATE.
- 5 3. PERSONS WHO ARE ABSENT UNIFORMED SERVICES VOTERS OR
- 6 OVERSEAS VOTERS AS DEFINED IN THE UNIFORMED AND OVERSEAS
- 7 CITIZENS ABSENTEE VOTING ACT (P.L. 99-410; 100 STAT. 924; 52
- 8 UNITED STATES CODE SECTION 20310).
- 9 4. PERSONS WHO ARE ACTIVE DUTY MILITARY MEMBERS AND WHO
- 10 ARE NOT INCLUDED IN PARAGRAPH 3 OF THIS SUBSECTION AND FAMILY
- 11 MEMBERS OF THOSE SAME ACTIVE DUTY MILITARY MEMBERS.
- 12 5. PERSONS WITH DISABILITIES.

13 B. A qualified elector of a special district organized

14 pursuant to title 48 shall be permitted to vote early in any

15 special district mail ballot election as provided in

16 article 8.1 of this chapter."

17 Renumber to conform

18 Page 8, strike lines 9 through 45

19 Strike pages 9 through 14

20 Page 15, strike lines 1 through 39, insert:

21 "A. Within ninety-three days before any election called

22 pursuant to the laws of this state, an elector **PRESCRIBED BY**

23 **SECTION 16-541** may make a verbal or signed request to the

24 county recorder, or other officer in charge of elections for

25 the applicable political subdivision of this state in whose

26 jurisdiction the elector is registered to vote, for an official

27 ~~early~~ **ABSENTEE** ballot. In addition to name and address, the

28 requesting elector shall provide the date of birth and state or

29 country of birth or other information that if compared to the

30 voter registration information on file would confirm the

31 identity of the elector **AND SPECIFY ONE OF THE REASONS FOR**

32 **VOTING ABSENTEE PRESCRIBED BY SECTION 16-541.** If the request

1 indicates that the elector needs a primary election ballot and
2 a general election ballot, the county recorder or other officer
3 in charge of elections shall honor the request. For any
4 partisan primary election, if the elector is not registered as
5 a member of a political party that is entitled to continued
6 representation on the ballot pursuant to section 16-804, the
7 elector shall designate the ballot of only one of the political
8 parties that is entitled to continued representation on the
9 ballot and the elector may receive and vote the ballot of only
10 that one political party, which also shall include any
11 nonpartisan offices and ballot questions, or the elector shall
12 designate the ballot for nonpartisan offices and ballot
13 questions only and the elector may receive and vote the ballot
14 that contains only nonpartisan offices and ballot
15 questions. The county recorder or other officer in charge of
16 elections shall process any request for an ~~early~~ ABSENTEE
17 ballot for a municipal election pursuant to this
18 subsection. The county recorder may establish on-site early
19 voting locations at the recorder's office, which shall be open
20 and available for use BY ALL ELECTORS beginning ~~the same day~~
21 ~~that a county begins to send out the early ballots~~ ON THE
22 SECOND FRIDAY BEFORE ELECTION DAY THROUGH THE FRIDAY BEFORE
23 ELECTION DAY. The county recorder may also establish any other
24 early voting locations THAT MAY BE OPEN AND AVAILABLE FOR USE
25 ON THOSE SAME DAYS in the county THAT the recorder deems
26 necessary. Any on-site early voting location or other early
27 voting location shall require each elector to present
28 identification as prescribed in section 16-579 before receiving
29 a ballot. Notwithstanding section 16-579, subsection A,
30 paragraph 2, at any on-site early voting location or other
31 early voting location the county recorder or other officer in
32 charge of elections may provide for a qualified elector to

1 update the elector's voter registration information as provided
2 for in the secretary of state's instructions and procedures
3 manual adopted pursuant to section 16-452.

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

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

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

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

17 E. In order to be complete and correct and to receive an
18 ~~early~~ ABSENTEE ballot by mail, an elector's request that an
19 ~~early~~ ABSENTEE ballot be mailed to the elector's residence or
20 temporary address must include all of the information
21 prescribed by subsection A of this section and must be received
22 by the county recorder or other officer in charge of elections
23 not later than 5:00 p.m. on the eleventh day preceding the
24 election. An elector who REQUESTED AN ABSENTEE BALLOT AND WHO
25 appears personally ~~not later than~~ ON THE TUESDAY BEFORE
26 ELECTION DAY THROUGH 7:00 p.m. on the Friday preceding the
27 election AND ON THE MONDAY BEFORE ELECTION DAY at an ~~on-site~~
28 early voting location that is established by the county
29 recorder or other officer in charge of elections shall be given
30 a ballot after presenting identification as prescribed in
31 section 16-579 and shall be allowed to vote at the ~~on-site~~
32 EARLY VOTING location. Notwithstanding section 16-579,

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

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

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

21 H. As a result of experiencing an emergency between 7:00
22 p.m. on the Friday preceding the election and 5:00 p.m. on the
23 Monday preceding the election, qualified electors may request
24 to vote in the manner prescribed by the board of supervisors of
25 their respective county. Before voting pursuant to this
26 subsection, an elector who experiences an emergency shall
27 provide identification as prescribed in section 16-579 and
28 shall sign a statement under penalty of perjury that states
29 that the person is experiencing or experienced an emergency
30 after 7:00 p.m. on the Friday immediately preceding the
31 election and before 5:00 p.m. on the Monday immediately
32 preceding the election that would prevent the person from

1 voting at the polls. Signed statements received pursuant to
2 this subsection are not subject to inspection pursuant to title
3 39, chapter 1, article 2. For the purposes of this subsection,
4 "emergency" means any unforeseen circumstances that would
5 prevent the elector from voting at the polls.

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

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

21 K. All original and completed **early ABSENTEE** ballot
22 request forms that are received by a candidate, political
23 committee or other organization shall be submitted within six
24 business days after receipt by a candidate, political committee
25 or other organization or eleven days before the election day,
26 whichever is earlier, to the political subdivision that will
27 conduct the election. Any person, political committee or other
28 organization that fails to submit a completed **early ABSENTEE**
29 ballot request form within the prescribed time is subject to a
30 civil penalty of up to \$25 per day for each completed form
31 withheld from submittal. Any person who knowingly fails to
32 submit a completed **early ABSENTEE** ballot request form before

1 the submission deadline for the election immediately following
2 the completion of the form is guilty of a class 6 felony.

3 L. Except for a voter who is on the active early voting
4 list prescribed by section 16-544, a voter who requests a
5 onetime ~~early~~ ABSENTEE ballot pursuant to this section or for
6 an election conducted pursuant to section 16-409 or article 8.1
7 of this chapter, a county recorder, city or town clerk or other
8 election officer may not deliver or mail an ~~early~~ ABSENTEE
9 ballot to a person who has not requested an ~~early~~ ABSENTEE
10 ballot for that election. An election officer who knowingly
11 violates this subsection is guilty of a class 5 felony.

12 Sec. 5. Conforming legislation

13 The legislative council staff shall prepare proposed
14 legislation conforming the Arizona Revised Statutes to the
15 provisions of this act for consideration in the fifty-seventh
16 legislature, first regular session."

17 Amend title to conform

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