

House Engrossed

voter registrations; recorder; inactive status

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

# HOUSE BILL 2405

AN ACT

AMENDING SECTION 16-166, ARIZONA REVISED STATUTES; RELATING TO  
QUALIFICATION AND REGISTRATION OF ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-166, Arizona Revised Statutes, is amended to  
3 read:

4 16-166. Verification of registration

5 A. Except for the mailing of sample ballots, a county recorder who  
6 mails an item to any elector shall send the mailing by nonforwardable  
7 first class mail marked with the statement required by the postmaster to  
8 receive an address correction notification. If the item is returned  
9 undelivered, the county recorder shall send a follow-up notice to that  
10 elector within three weeks of receipt of the returned notice. The county  
11 recorder shall send the follow-up notice to the address that appears in  
12 the general county register or to the forwarding address provided by the  
13 United States postal service. The follow-up notice shall include an  
14 appropriate internet address for revising voter registration information  
15 or a registration form and the information prescribed by section 16-131,  
16 subsection C and shall state that if the elector does not complete and  
17 return a new registration form with current information to the county  
18 recorder or make changes to the elector's voter registration information  
19 that is maintained online within thirty-five days, the elector's  
20 registration status shall be changed from active to inactive.

21 B. If the elector provides the county recorder with a new  
22 registration form or otherwise revises the elector's information, the  
23 county recorder shall change the general register to reflect the changes  
24 indicated on the new registration. If the elector indicates a new  
25 residence address outside that county, the county recorder shall forward  
26 the voter registration form or revised information to the county recorder  
27 of the county in which the elector's address is located. If the elector  
28 provides a new residence address that is located outside this state, the  
29 county recorder shall cancel the elector's registration.

30 C. The county recorder shall maintain on the inactive voter list  
31 the names of electors who have been removed from the general register  
32 pursuant to subsection A or E of this section for a period of four years  
33 or through the date of the second general election for federal office  
34 following the date of the notice from the county recorder that is sent  
35 pursuant to subsection E of this section.

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

41 E. The county recorder on or before May 1 of each year preceding a  
42 state primary and general election or more frequently as the recorder  
43 deems necessary may use the change of address information supplied by the  
44 postal service through its licensees and the information provided by an  
45 electronic voter registration information center to identify registrants

1 whose addresses may have changed. If it appears from information provided  
2 by the postal service or an electronic voter registration information  
3 center that a registrant has moved to a different residence address, the  
4 county recorder shall send the registrant a notice of the change by  
5 forwardable mail and a postage prepaid preaddressed return form or an  
6 appropriate internet address for revising voter registration information  
7 by which the registrant may verify or correct the registration  
8 information. If the registrant fails to revise the information or return  
9 the form postmarked not later than thirty-five days after the mailing of  
10 the notice, the elector's registration status shall be changed from active  
11 to inactive. If the notice sent by the recorder is not returned, the  
12 registrant may be required to provide affirmation or confirmation of the  
13 registrant's address in order to vote. If the registrant does not vote in  
14 an election during the period after the date of the notice from the  
15 recorder through the date of the second general election for federal  
16 office following the date of that notice, the registrant's name shall be  
17 removed from the list of inactive voters. If the registrant has changed  
18 residence to a new county, the county recorder shall provide information  
19 on how the registrant can continue to be eligible to vote.

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

24 1. The number of the applicant's driver license or nonoperating  
25 identification license issued after October 1, 1996 by the department of  
26 transportation or the equivalent governmental agency of another state  
27 within the United States if the agency indicates on the applicant's driver  
28 license or nonoperating identification license that the person has  
29 provided satisfactory proof of United States citizenship.

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

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

36 4. A presentation to the county recorder of the applicant's United  
37 States naturalization documents or the number of the certificate of  
38 naturalization. If only the number of the certificate of naturalization  
39 is provided, the applicant shall not be included in the registration rolls  
40 until the number of the certificate of naturalization is verified with the  
41 United States immigration and naturalization service by the county  
42 recorder.

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

- 1           6. The applicant's bureau of Indian affairs card number, tribal  
2 treaty card number or tribal enrollment number.
- 3           G. Notwithstanding subsection F of this section, any person who is  
4 registered in this state on the effective date of this amendment to this  
5 section is deemed to have provided satisfactory evidence of citizenship  
6 and shall not be required to resubmit evidence of citizenship unless the  
7 person is changing voter registration from one county to another.
- 8           H. For the purposes of this section, proof of voter registration  
9 from another state or county is not satisfactory evidence of citizenship.
- 10          I. A person who modifies voter registration records with a new  
11 residence ballot shall not be required to submit evidence of citizenship.  
12 After citizenship has been demonstrated to the county recorder, the person  
13 is not required to resubmit satisfactory evidence of citizenship in that  
14 county.
- 15          J. After a person has submitted satisfactory evidence of  
16 citizenship, the county recorder shall indicate this information in the  
17 person's permanent voter file. After two years the county recorder may  
18 destroy all documents that were submitted as evidence of citizenship.
- 19          K. ON RECEIPT OF INFORMATION THAT PROVIDES REASONABLE CAUSE TO  
20 BELIEVE A PERSON HAS FRAUDULENTLY REGISTERED TO VOTE OR THAT THE PERSON'S  
21 REGISTRATION INFORMATION IS INCORRECT, THE COUNTY RECORDER MAY PLACE THAT  
22 PERSON'S VOTER REGISTRATION INFORMATION IN INACTIVE STATUS AND PROVIDE  
23 NOTICE TO THE PERSON AS OTHERWISE PROVIDED BY LAW.