

House Engrossed

voter registration database; updates; counties

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

# HOUSE BILL 2590

AN ACT

AMENDING SECTION 16-168, 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 16-168, Arizona Revised Statutes, is amended to  
3 read:

4 16-168. Precinct registers; date of preparation; contents;  
5 copies; reports; statewide database; violation;  
6 classification

7 A. By the tenth day preceding the primary and general elections the  
8 county recorder shall prepare from the original registration forms or from  
9 electronic media at least four lists that are printed or typed on paper,  
10 or at least two electronic media poll lists, or any combination of both,  
11 of all qualified electors in each precinct in the county, and the lists  
12 shall be the official precinct registers.

13 B. The official precinct registers for use at the polling place  
14 shall contain at least the names in full, party preference, date of  
15 registration and residence address of each qualified elector in the  
16 respective precincts. The names shall be in alphabetical order and, in a  
17 column to the left of the names, shall be numbered consecutively beginning  
18 with number 1 in each precinct register.

19 C. For the purposes of transmitting voter registration information  
20 as prescribed by this subsection, electronic media shall be the principal  
21 media. A county or state chairman who is eligible to receive copies of  
22 precinct lists as prescribed by this subsection may request that the  
23 recorder provide a paper copy of the precinct lists. In addition to  
24 preparing the official precinct lists, the county recorder shall provide a  
25 means for electronically reproducing the precinct lists. Unless otherwise  
26 agreed, the county recorder shall deliver one electronic media copy of  
27 each precinct list in the county without charge and on the same day within  
28 eight days after the close of registration for the primary and general  
29 elections to the county chairman and one electronic media copy to the  
30 state chairman of each party that has at least four candidates other than  
31 presidential electors appearing on the ballot in that county at the  
32 current election. The secretary of state shall establish a single format  
33 that prescribes the manner and template in which all county recorders  
34 provide this data to the secretary of state to ensure that the submissions  
35 are uniform from all counties in this state, that all submissions are  
36 identical in format, including the level of detail for voting history, and  
37 that information may readily be combined from two or more counties. The  
38 electronic media copies of the precinct lists that are delivered to the  
39 party chairmen shall include for each elector the following information:

- 40 1. Name in full and appropriate title.
- 41 2. Party preference.
- 42 3. Date of registration.
- 43 4. Residence address.
- 44 5. Mailing address, if different from residence address.

1           6. Zip code.  
2           7. Telephone number if given.  
3           8. Birth year.  
4           9. Occupation if given.  
5           10. Voting history for all elections in the prior four years and  
6 any other information regarding registered voters that the county recorder  
7 or city or town clerk maintains electronically and that is public  
8 information.  
9           11. All data relating to early voters, including ballot requests  
10 and ballot returns.  
11           D. The names on the precinct lists shall be in alphabetical order  
12 and the precinct lists in their entirety, unless otherwise agreed, shall  
13 be delivered to each county chairman and each state chairman within ten  
14 business days ~~of~~ AFTER the close of each date for counting registered  
15 voters prescribed by subsection G of this section other than the primary  
16 and general election registered voter counts in the same format and media  
17 as prescribed by subsection C of this section. During the thirty-three  
18 days immediately preceding an election and on request from a county or  
19 state chairman, the county recorder shall provide at no cost a daily list  
20 of persons who have requested an early ballot and shall provide at no cost  
21 a weekly listing of persons who have returned their early ballots. The  
22 recorder shall provide the daily and weekly information through the Friday  
23 preceding the election. On request from a county chairman or state  
24 chairman, the county recorder of a county with a population of more than  
25 eight hundred thousand persons shall provide at no cost a daily listing of  
26 persons who have returned their early ballots. The daily listing shall be  
27 provided Mondays through Fridays, beginning with the first Monday  
28 following the start of early voting and ending on the Monday before the  
29 election.  
30           E. Precinct registers and other lists and information derived from  
31 registration forms may be used only for purposes relating to a political  
32 or political party activity, a political campaign or an election, for  
33 revising election district boundaries or for any other purpose  
34 specifically authorized by law and may not be used for a commercial  
35 purpose as defined in section 39-121.03. The sale of registers, lists and  
36 information derived from registration forms to a candidate or a registered  
37 political committee for a use specifically authorized by this subsection  
38 does not constitute use for a commercial purpose. The county recorder,  
39 the secretary of state and other officers in charge of elections, on a  
40 request for an authorized use and within thirty days from receipt of the  
41 request, shall prepare additional copies of an official precinct list and  
42 furnish them to any person requesting them on payment of a fee equal to  
43 the following amounts for the following number of voter registration  
44 records provided:

1           1. For one to one hundred twenty-four thousand nine hundred  
2 ninety-nine records, \$93.75 plus \$0.0005 per record.

3           2. For one hundred twenty-five thousand to two hundred forty-nine  
4 thousand nine hundred ninety-nine records, \$156.25 plus \$0.000375 per  
5 record.

6           3. For two hundred fifty thousand to four hundred ninety-nine  
7 thousand nine hundred ninety-nine records, \$203.13 plus \$0.00025 per  
8 record.

9           4. For five hundred thousand to nine hundred ninety-nine thousand  
10 nine hundred ninety-nine records, \$265.63 plus \$0.000125 per record.

11          5. For one million or more records, \$328.13 plus \$0.0000625 per  
12 record.

13          F. Any person in possession of a precinct register or list, in  
14 whole or part, or any reproduction of a precinct register or list, shall  
15 not ~~permit~~ **ALLOW** the register or list to be used, bought, sold or  
16 otherwise transferred for any purpose except for uses otherwise authorized  
17 by this section. A person in possession of information derived from voter  
18 registration forms or precinct registers shall not distribute, post or  
19 otherwise provide access to any portion of that information through the  
20 internet except as authorized by subsection I of this section. ~~Nothing in~~  
21 This section ~~shall~~ **DOES NOT** preclude public inspection of voter  
22 registration records at the office of the county recorder for the purposes  
23 prescribed by this section, except that the month and day of birth date,  
24 the social security number or any portion thereof, the driver license  
25 number or nonoperating identification license number, the Indian census  
26 number, the father's name or mother's maiden name, the state or country of  
27 birth and the records containing a voter's signature and a voter's ~~e-mail~~  
28 **EMAIL** address shall not be accessible or reproduced by any person other  
29 than the voter, by an authorized government official in the scope of the  
30 official's duties, for any purpose by an entity designated by the  
31 secretary of state as a voter registration agency pursuant to the national  
32 voter registration act of 1993 (P.L. 103-31; 107 Stat. 77), for signature  
33 verification on petitions and candidate filings, for election purposes and  
34 for news gathering purposes by a person engaged in newspaper, radio,  
35 television or reportorial work, or connected with or employed by a  
36 newspaper, radio or television station or pursuant to a court  
37 order. Notwithstanding any other law, a voter's ~~e-mail~~ **EMAIL** address may  
38 not be released for any purpose. A person who violates this subsection or  
39 subsection E of this section is guilty of a class 6 felony.

40          G. The county recorder shall count the registered voters by  
41 political party by precinct, legislative district and congressional  
42 district as follows:

43           1. In even numbered years, the county recorder shall count all  
44 persons who are registered to vote as of:

45           (a) January 2.

1 (b) April 1.

2 (c) The last day on which a person may register to be eligible to  
3 vote in the next primary election.

4 (d) The last day on which a person may register to be eligible to  
5 vote in the next general election.

6 (e) The last day on which a person may register to be eligible to  
7 vote in the next presidential preference election.

8 2. In odd numbered years, the county recorder shall count all  
9 persons who are registered to vote as of:

10 (a) January 2.

11 (b) April 1.

12 (c) July 1.

13 (d) October 1.

14 H. The county recorder shall report the totals to the secretary of  
15 state as soon as is practicable following each of the dates prescribed in  
16 subsection G of this section. The report shall include completed  
17 registration forms returned in accordance with section 16-134,  
18 subsection B. The county recorder shall also provide the report in a  
19 uniform electronic computer media format that shall be agreed on between  
20 the secretary of state and all county recorders. The secretary of state  
21 shall then prepare a summary report for the state and shall maintain that  
22 report as a permanent record.

23 I. The county recorder and the secretary of state shall protect  
24 access to voter registration information in an auditable format and method  
25 specified in the secretary of state's electronic voting system  
26 instructions and procedures manual that is adopted pursuant to section  
27 16-452.

28 J. The secretary of state shall develop and administer a statewide  
29 database of voter registration information that contains the name and  
30 registration information of every registered voter in this state. The  
31 statewide database is a matter of statewide concern and is not subject to  
32 modification or further regulation by a political subdivision. The  
33 database shall include an identifier that is unique for each individual  
34 voter. The database shall provide for access by voter registration  
35 officials and shall allow expedited entry of voter registration  
36 information after it is received by county recorders. As a part of the  
37 statewide voter registration database, county recorders shall provide for  
38 the electronic transmittal of that information to the secretary of state  
39 on a real time basis. The secretary of state shall provide for  
40 maintenance of the database, including provisions regarding removal of  
41 ineligible voters that are consistent with the national voter registration  
42 act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections  
43 20501 through 20511) and the help America vote act of 2002 (P.L. 107-252;  
44 116 Stat. 1666; 52 United States Code sections 20901 through 21145),  
45 provisions regarding removal of duplicate registrations and provisions to

1 ensure that eligible voters are not removed in error. ~~For the purpose of~~  
2 ~~maintaining compliance with the help America vote act of 2002, each county~~  
3 ~~voter registration system is subject to approval by the secretary of state~~  
4 ~~for compatibility with the statewide voter registration database system.~~  
5 EACH COUNTY SHALL PARTICIPATE IN THE STATEWIDE VOTER REGISTRATION  
6 DATABASE.

7 K. Except as provided in subsection L of this section, for requests  
8 for the use of registration forms and access to information as provided in  
9 subsections E and F of this section, the county recorder shall receive and  
10 respond to requests regarding federal, state and county elections.

11 L. Beginning January 1, 2008, recognized political parties shall  
12 request precinct lists and access to information as provided in  
13 subsections E and F of this section during the time periods prescribed in  
14 subsection C or D of this section and the county recorder shall receive  
15 and respond to those requests. If the county recorder does not provide  
16 the requested materials within the applicable time prescribed for the  
17 county recorder pursuant to subsection C or D of this section, a  
18 recognized political party may request that the secretary of state provide  
19 precinct lists and access to information as provided in subsections E and  
20 F of this section for federal, state and county elections. The secretary  
21 of state shall not provide access to precinct lists and information for  
22 recognized political parties unless the county recorder has failed or  
23 refused to provide the lists and materials as prescribed by this section.  
24 The secretary of state may charge the county recorder a fee determined by  
25 rule for each name or record produced.

26 M. For municipal registration information in those municipalities  
27 in which the county administers the municipal elections, county and state  
28 party chairmen shall request and obtain voter registration information and  
29 precinct lists from the city or town clerk during the time periods  
30 prescribed in subsection C or D of this section. If the city or town  
31 clerk does not provide that information within the same time prescribed  
32 for county recorders pursuant to subsection C or D of this section, the  
33 county or state party chairman may request and obtain the information from  
34 the county recorder. The county recorder shall provide the municipal  
35 voter registration and precinct lists within the time prescribed in  
36 subsection C or D of this section.

37 N. The county recorders and the secretary of state shall not  
38 prohibit any person or entity prescribed in subsection C of this section  
39 from distributing a precinct list to any person or entity that is deemed  
40 to be using the precinct list in a lawful manner as prescribed in  
41 subsections E and F of this section.