

REFERENCE TITLE: elections; mailing; curing; canvassing; precincts

State of Arizona
House of Representatives
Fifty-sixth Legislature
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HB 2876

Introduced by
Representatives Carbone: Carter, Parker J

AN ACT

AMENDING SECTIONS 16-411, 16-541, 16-542, 16-550, 16-558.01, 16-642 AND
16-648, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-411, Arizona Revised Statutes, is amended to
3 read:

4 16-411. Designation of election precincts and polling places;
5 electioneering; wait times

6 A. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS, THE
7 COUNTY RECORDER AND THE COUNTY OFFICER IN CHARGE OF ELECTIONS MAY NOT USE
8 A VOTING CENTER, AN EARLY VOTING LOCATION OR ANOTHER SIMILAR METHOD OF
9 VOTING, AND ALL VOTING SHALL OCCUR IN INDIVIDUAL PRECINCTS WITH BALLOTS
10 THAT ARE PRINTED BEFORE DELIVERY TO THE POLLING PLACE. The board of
11 supervisors of each county, on or before October 1 of each year preceding
12 the year of a general election, by an order, shall establish a convenient
13 number of election precincts in the county and define the boundaries of
14 the precincts as follows:

15 1. The election precinct boundaries shall be established so as to
16 be included within election districts prescribed by law for elected
17 officers of the state and its political subdivisions, including community
18 college district precincts, except those elected officers provided for in
19 titles 30 and 48.

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

25 B. At least twenty days before a general or primary election, and
26 at least ten days before a special election, the board shall designate one
27 polling place within each precinct where the election shall be held,
28 except that:

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

33 2. Adjacent precincts may be combined if boundaries so established
34 are included in election districts prescribed by law for state elected
35 officials and political subdivisions including community college districts
36 but not including elected officials prescribed by titles 30 and 48. The
37 officer in charge of elections may also split a precinct for
38 administrative purposes. The polling places shall be listed in separate
39 sections of the order or resolution.

40 ~~3. On a specific finding of the board that the number of persons~~
41 ~~who are listed as early voters pursuant to section 16-544 and who are not~~
42 ~~expected to have their ballots tabulated at the polling place as~~
43 ~~prescribed in section 16-579.02 is likely to substantially reduce the~~
44 ~~number of voters appearing at one or more specific polling places at that~~

1 ~~election, adjacent precincts may be consolidated by combining polling~~
2 ~~places and precinct boards for that election. The board of supervisors~~
3 ~~shall ensure that a reasonable and adequate number of polling places will~~
4 ~~be designated for that election. Any consolidated polling places shall be~~
5 ~~listed in separate sections of the order or resolution of the board.~~

6 ~~4. On a specific resolution of the board, the board may authorize~~
7 ~~the use of voting centers in place of or in addition to specifically~~
8 ~~designated polling places. A voting center shall allow any voter in that~~
9 ~~county to receive the appropriate ballot for that voter on election day~~
10 ~~after presenting identification as prescribed in section 16-579 and to~~
11 ~~lawfully cast the ballot. Voting centers may be established in~~
12 ~~coordination and consultation with the county recorder, at other county~~
13 ~~offices or at other locations in the county deemed appropriate.~~

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

18 ~~(a) The board shall specify in the resolution the location and the~~
19 ~~hours of operation of the emergency voting centers.~~

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

27 ~~(c) If an emergency voting center established pursuant to this~~
28 ~~section becomes unavailable and there is not sufficient time for the board~~
29 ~~of supervisors to convene to approve an alternate location for that~~
30 ~~emergency voting center, the county recorder or other officer in charge of~~
31 ~~elections may make changes to the approved emergency voting center~~
32 ~~location and shall notify the public and the board of supervisors~~
33 ~~regarding that change as soon as practicable. The alternate emergency~~
34 ~~voting center shall be as close in proximity to the approved emergency~~
35 ~~voting center location as possible.~~

36 C. If the board fails to designate the place for holding the
37 election, or if it cannot be held at or about the place designated, the
38 justice of the peace in the precinct, two days before the election, by an
39 order, copies of which the justice of the peace shall immediately post in
40 three public places in the precinct, shall designate the place within the
41 precinct for holding the election. If there is no justice of the peace in
42 the precinct, or if the justice of the peace fails to do so, the election
43 board of the precinct shall designate and give notice of the place within
44 the precinct of holding the election. For any election in which there are

1 no candidates for elected office appearing on the ballot, the board may
2 consolidate polling places and precinct boards and may consolidate the
3 tabulation of results for that election if all of the following apply:

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

6 2. Notice of the change in polling places includes notice of the
7 new voting location, notice of the hours for voting on election day and
8 notice of the telephone number to call for voter assistance.

9 3. All affected voters receive information on early voting that
10 includes the application used to request an early voting ballot.

11 D. The board is not required to designate a polling place for
12 special district mail ballot elections held pursuant to article 8.1 of
13 this chapter, but the board may designate one or more sites for voters to
14 deposit marked ballots until 7:00 p.m. on the day of the election.

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

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

24 1. Space is not available at the school.

25 2. The safety or welfare of the children would be jeopardized.

26 G. The board shall make available to the public as a public record
27 a list of the polling places for all precincts in which the election is to
28 be held.

29 H. Except in the case of an emergency, any facility that is used as
30 a polling place on election day ~~or that is used as an early voting site~~
31 ~~during the period of early voting~~ shall allow persons to electioneer and
32 engage in other political activity outside of the seventy-five foot limit
33 prescribed by section 16-515 in public areas and parking lots used by
34 voters. This subsection does not allow the temporary or permanent
35 construction of structures in public areas and parking lots or the
36 blocking or other impairment of access to parking spaces for voters. The
37 county recorder or other officer in charge of elections shall post on its
38 website at least two weeks before election day a list of those polling
39 places in which emergency conditions prevent electioneering and shall
40 specify the reason the emergency designation was granted and the number of
41 attempts that were made to find a polling place before granting an
42 emergency designation. If the polling place is not on the website list of
43 polling places with emergency designations, electioneering and other
44 political activity shall be allowed outside of the seventy-five foot

1 limit. If an emergency arises after the county recorder or other officer
2 in charge of elections' initial website posting, the county recorder or
3 other officer in charge of elections shall update the website as soon as
4 is practicable to include any new polling places, shall highlight the
5 polling place location on the website and shall specify the reason the
6 emergency designation was granted and the number of attempts that were
7 made to find a polling place before granting an emergency designation.

8 I. For the purposes of this section, a county recorder or other
9 officer in charge of elections shall designate a polling place as an
10 emergency polling place and thus prohibit persons from electioneering and
11 engaging in other political activity outside of the seventy-five foot
12 limit prescribed by section 16-515 but inside the property of the facility
13 that is hosting the polling place if any of the following occurs:

14 1. An act of God renders a previously set polling place as
15 unusable.

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

20 J. The secretary of state shall provide through the instructions
21 and procedures manual adopted pursuant to section 16-452 the maximum
22 allowable wait time for any election that is subject to section 16-204 and
23 provide for a method to reduce voter wait time at the polls in the primary
24 and general elections. The method shall consider at least all of the
25 following for primary and general elections in each precinct:

26 1. The number of ballots voted in the prior primary and general
27 elections.

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

30 3. The number of registered voters and the number of registered
31 voters who cast an early ballot for the current primary or general
32 election.

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

36 5. The number of election board members and clerks and the number
37 of rosters that will reduce voter wait time at the polls.

38 Sec. 2. Section 16-541, Arizona Revised Statutes, is amended to
39 read:

40 16-541. Early voting

41 A. Any election called pursuant to the laws of this state shall
42 provide for early voting **AS PRESCRIBED BY THIS SECTION**, including voting
43 by the use of an accessible vote by United States mail option for persons
44 who are blind or have a visual impairment. ~~Any qualified elector may vote~~

1 ~~by early ballot.~~ NOTWITHSTANDING ANY OTHER LAW, A QUALIFIED ELECTOR MAY
2 VOTE BY EARLY BALLOT ONLY IF:

3 1. THE QUALIFIED ELECTOR IS REGISTERED TO VOTE IN THIS STATE AND IS
4 A STUDENT WHO IS TEMPORARILY ABSENT FROM THIS STATE FOR THE PURPOSE OF
5 ATTENDING SCHOOL. THE STUDENT SHALL PROVIDE DOCUMENTATION TO THE COUNTY
6 RECORDER THAT DEMONSTRATES THE STUDENT IS TEMPORARILY ABSENT FROM THIS
7 STATE TO ATTEND SCHOOL.

8 2. THE QUALIFIED ELECTOR IS REGISTERED TO VOTE IN THIS STATE AND IS
9 REQUIRED TO TEMPORARILY RESIDE OUTSIDE THIS STATE. THE QUALIFIED ELECTOR
10 SHALL PROVIDE DOCUMENTATION TO THE COUNTY RECORDER THAT DEMONSTRATES THAT
11 THE QUALIFIED ELECTOR IS REQUIRED TO TEMPORARILY RESIDE OUTSIDE THIS
12 STATE.

13 3. THE QUALIFIED ELECTOR IS REQUIRED TO TRAVEL ON ELECTION DAY AND
14 PROVIDES DOCUMENTATION TO THE COUNTY RECORDER THAT DEMONSTRATES THAT THE
15 QUALIFIED ELECTOR IS REQUIRED TO TRAVEL.

16 4. THE QUALIFIED ELECTOR IS ELDERLY OR IS A PERSON WITH A
17 DISABILITY.

18 5. THE QUALIFIED ELECTOR IS ELIGIBLE TO VOTE UNDER THE UNIFORMED
19 AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (P.L. 99-410; 100 STAT. 924; 52
20 UNITED STATES CODE SECTION 20310).

21 B. A qualified elector of a special district organized pursuant to
22 title 48 shall be permitted to vote early in any special district mail
23 ballot election as provided in article 8.1 of this chapter.

24 Sec. 3. Section 16-542, Arizona Revised Statutes, is amended to
25 read:

26 16-542. Request for ballot; civil penalties; violation;
27 classification

28 A. Within ninety-three days before any election called pursuant to
29 the laws of this state, an elector may make a verbal or signed request to
30 the county recorder, or other officer in charge of elections for the
31 applicable political subdivision of this state in whose jurisdiction the
32 elector is registered to vote, for an official early ballot. In addition
33 to name and address, the requesting elector shall provide the date of
34 birth and state or country of birth or other information that if compared
35 to the voter registration information on file would confirm the identity
36 of the elector. If the request indicates that the elector needs a primary
37 election ballot and a general election ballot, the county recorder or
38 other officer in charge of elections shall honor the request. For any
39 partisan primary election, if the elector is not registered as a member of
40 a political party that is entitled to continued representation on the
41 ballot pursuant to section 16-804, the elector shall designate the ballot
42 of only one of the political parties that is entitled to continued
43 representation on the ballot and the elector may receive and vote the
44 ballot of only that one political party, which also shall include any

1 nonpartisan offices and ballot questions, or the elector shall designate
2 the ballot for nonpartisan offices and ballot questions only and the
3 elector may receive and vote the ballot that contains only nonpartisan
4 offices and ballot questions. The county recorder or other officer in
5 charge of elections shall process any request for an early ballot for a
6 municipal election pursuant to this subsection. The county recorder may
7 establish on-site early voting locations at the recorder's office, which
8 shall be open and available for use beginning the same day that a county
9 begins to send out the early ballots. The county recorder may also
10 establish any other early voting locations in the county the recorder
11 deems necessary. Any on-site early voting location or other early voting
12 location shall require each elector to present identification as
13 prescribed in section 16-579 before receiving a ballot. Notwithstanding
14 section 16-579, subsection A, paragraph 2, at any on-site early voting
15 location or other early voting location the county recorder or other
16 officer in charge of elections may provide for a qualified elector to
17 update the elector's voter registration information as provided for in the
18 secretary of state's instructions and procedures manual adopted pursuant
19 to section 16-452.

20 B. Notwithstanding subsection A of this section, a request for an
21 official early ballot from an absent uniformed services voter or overseas
22 voter as defined in the uniformed and overseas citizens absentee voting
23 act ~~of 1986~~ (P.L. 99-410; 52 United States Code section 20310) or a voter
24 whose information is protected pursuant to section 16-153 that is received
25 by the county recorder or other officer in charge of elections more than
26 ninety-three days before the election is valid. If requested by the
27 absent uniformed services or overseas voter, or a voter whose information
28 is protected pursuant to section 16-153, the county recorder or other
29 officer in charge of elections shall provide to the requesting voter early
30 ballot materials through the next regularly scheduled general election for
31 federal office immediately following receipt of the request unless a
32 different period of time, which does not exceed the next two regularly
33 scheduled general elections for federal office, is designated by the
34 voter.

35 C. The county recorder or other officer in charge of elections
36 shall mail the early ballot and the envelope for its return postage
37 prepaid to the address provided by the requesting elector within five days
38 after receipt of the official early ballots from the officer charged by
39 law with the duty of preparing ballots pursuant to section 16-545, except
40 that early ballot distribution shall not begin more than ~~twenty-seven~~
41 ~~THIRTY-FOUR~~ THIRTY-FOUR days before the election. If an early ballot request is
42 received on or before the ~~thirty-first~~ THIRTY-EIGHTH day before the
43 election, the early ballot shall be distributed not earlier than the

1 ~~twenty-seventh~~ THIRTY-FOURTH day before the election and not later than
2 the ~~twenty-fourth~~ THIRTY-FIRST day before the election.

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

15 E. In order to be complete and correct and to receive an early
16 ballot by mail, an elector's request that an early ballot be mailed to the
17 elector's residence or temporary address must include all of the
18 information prescribed by subsection A of this section and must be
19 received by the county recorder or other officer in charge of elections ~~no~~
20 NOT later than 5:00 p.m. on the eleventh day preceding the election. An
21 elector who appears personally ~~no~~ NOT later than 5:00 p.m. on the Friday
22 preceding the election at an on-site early voting location that is
23 established by the county recorder or other officer in charge of elections
24 shall be given a ballot after presenting identification as prescribed in
25 section 16-579 and shall be ~~permitted~~ ALLOWED to vote at the on-site
26 location. Notwithstanding section 16-579, subsection A, paragraph 2, at
27 any on-site early voting location the county recorder or other officer in
28 charge of elections may provide for a qualified elector to update the
29 elector's voter registration information as provided for in the secretary
30 of state's instructions and procedures manual adopted pursuant to section
31 16-452. If an elector's request to receive an early ballot is not
32 complete and correct but complies with all other requirements of this
33 section, the county recorder or other officer in charge of elections shall
34 attempt to notify the elector of the deficiency of the request.

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

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

1 H. As a result of experiencing an emergency between 5:00 p.m. on
 2 the Friday preceding the election and 5:00 p.m. on the Monday preceding
 3 the election, qualified electors may request to vote in the manner
 4 prescribed by the board of supervisors of their respective county. Before
 5 voting pursuant to this subsection, an elector who experiences an
 6 emergency shall provide identification as prescribed in section 16-579 and
 7 shall sign a statement under penalty of perjury that states that the
 8 person is experiencing or experienced an emergency after 5:00 p.m. on the
 9 Friday immediately preceding the election and before 5:00 p.m. on the
 10 Monday immediately preceding the election that would prevent the person
 11 from voting at the polls. Signed statements received pursuant to this
 12 subsection are not subject to inspection pursuant to title 39, chapter 1,
 13 article 2. For the purposes of this subsection, "emergency" means any
 14 unforeseen circumstances that would prevent the elector from voting at the
 15 polls.

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

22 J. A candidate, political committee or other organization may
 23 distribute early ballot request forms to voters. If the early ballot
 24 request forms include a printed address for return, the addressee shall be
 25 the political subdivision that will conduct the election. Failure to use
 26 the political subdivision as the return addressee is punishable by a civil
 27 penalty of up to three times the cost of the production and distribution
 28 of the request.

29 K. All original and completed early ballot request forms that are
 30 received by a candidate, political committee or other organization shall
 31 be submitted within six business days after receipt by a candidate,
 32 political committee or other organization or eleven days before the
 33 election day, whichever is earlier, to the political subdivision that will
 34 conduct the election. Any person, political committee or other
 35 organization that fails to submit a completed early ballot request form
 36 within the prescribed time is subject to a civil penalty of up to \$25 per
 37 day for each completed form withheld from submittal. Any person who
 38 knowingly fails to submit a completed early ballot request form before the
 39 submission deadline for the election immediately following the completion
 40 of the form is guilty of a class 6 felony.

41 L. Except for a voter who is on the active early voting list
 42 prescribed by section 16-544, a voter who requests a onetime early ballot
 43 pursuant to THIS section ~~16-542~~ or for an election conducted pursuant to
 44 section 16-409 or article 8.1 of this chapter, a county recorder, city or

1 town clerk or other election officer may not deliver or mail an early
2 ballot to a person who has not requested an early ballot for that
3 election. An election officer who knowingly violates this subsection is
4 guilty of a class 5 felony.

5 Sec. 4. Section 16-550, Arizona Revised Statutes, is amended to
6 read:

7 16-550. Receipt of voter's ballot; cure period; tracking
8 system

9 A. Except for early ballots tabulated as prescribed in section
10 16-579.02, on receipt of the envelope containing the early ballot and the
11 ballot affidavit, the county recorder or other officer in charge of
12 elections shall compare the ~~signatures thereon~~ SIGNATURE ON THE ENVELOPE
13 with the signature of the elector on the elector's registration record.
14 If the signature is inconsistent with the elector's signature on the
15 elector's registration record, the county recorder or other officer in
16 charge of elections shall make reasonable efforts to contact the voter,
17 advise the voter of the inconsistent signature and allow the voter to
18 correct or the county to confirm the inconsistent signature. The county
19 recorder or other officer in charge of elections shall allow signatures to
20 be corrected not later than the ~~fifth~~ SECOND business day after ~~a primary,~~
21 ~~general or special election that includes a federal office or the third~~
22 ~~business day after any other~~ AN election. If the signature is missing,
23 the county recorder or other officer in charge of elections shall make
24 reasonable efforts to contact the elector, advise the elector of the
25 missing signature and allow the elector to add the elector's signature not
26 later than 7:00 p.m. on election day. If satisfied that the signatures
27 correspond, the recorder or other officer in charge of elections shall
28 hold the envelope containing the early ballot and the completed affidavit
29 unopened in accordance with the rules of the secretary of state.

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

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

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

1 elections shall provide voters with access to the early ballot tracking
2 system on the county's website.

3 E. This section does not apply to:

4 1. A special taxing district that is authorized pursuant to section
5 16-191 to conduct its own elections.

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

8 Sec. 5. Section 16-558.01, Arizona Revised Statutes, is amended to
9 read:

10 16-558.01. Mailing of ballots

11 Not more than ~~twenty-seven~~ THIRTY-FOUR days before the election and
12 not fewer than fifteen days before the election, the county recorder or
13 other officer in charge of elections for the special district shall send
14 by nonforwardable mail all official ballots with printed instructions and
15 a return envelope bearing a printed ballot affidavit as described in
16 section 16-547 to each qualified elector entitled to vote in the
17 election. The envelope in which the ballot is mailed shall be clearly
18 marked with the statement required by the postmaster to receive an address
19 correction and notification. The district governing board shall determine
20 whether the voter or the district governing board will pay for the postage
21 for the return of electors' marked ballots. An elector who votes in a
22 special district mail ballot election shall return the elector's marked
23 ballot to the recorder or other officer in charge of the election or to a
24 designated depository site as provided in section 16-411 ~~no~~ NOT later than
25 7:00 p.m. on the day of the election.

26 Sec. 6. Section 16-642, Arizona Revised Statutes, is amended to
27 read:

28 16-642. Canvass of election; postponements

29 A. The governing body holding an election shall meet and canvass
30 the election not less than six days nor more than ~~twenty~~ TWELVE days
31 following the election.

32 B. The governing body of a special district as defined in title 48
33 shall present to the board of supervisors a certified copy of the official
34 canvass of the election at the next regularly scheduled meeting of the
35 board of supervisors. For purposes of contesting a special district
36 election as described in section 16-673, the canvass is not complete until
37 the presentation to the board of supervisors is made.

38 C. If, at the time of the meeting of the governing body, the
39 returns from any polling place in the election district where the polls
40 were opened and an election held are found to be missing, the canvass
41 shall be postponed from day to day until all the returns are received or
42 until six postponements have been had.

1 Sec. 7. Section 16-648, Arizona Revised Statutes, is amended to
2 read:

3 16-648. Canvass for state offices, amendments and measures;
4 postponement

5 A. On the ~~fourth Monday~~ FOURTEENTH CALENDAR DAY following a general
6 election, the secretary of state, in the presence of the governor and the
7 attorney general, shall canvass all offices for which the nominees filed
8 nominating petitions and papers with the secretary of state pursuant to
9 section 16-311, subsection E.

10 B. The secretary of state, in the presence of the governor and the
11 chief justice of the supreme court, shall canvass all proposed
12 constitutional amendments and initiated or referred measures, as shown by
13 the certified copies of official canvass received from the several
14 counties, and forthwith certify the result to the governor.

15 C. If the official canvass of any county has not been received on
16 the ~~fourth Monday~~ FOURTEENTH CALENDAR DAY following the general election,
17 the canvass shall be postponed from day to day, not to exceed thirty days
18 from the date of the election, until canvasses from all counties are
19 received.

20 Sec. 8. Conforming legislation

21 The legislative council staff shall prepare proposed legislation
22 conforming the Arizona Revised Statutes to the provisions of this act for
23 consideration in the fifty-seventh legislature, first regular session.

24 Sec. 9. Short title

25 This act may be cited as the "Free, Fair and Transparent Elections
26 Act".