

REFERENCE TITLE: early ballots; affidavits; privacy

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1357

Introduced by
Senator Mesnard

AN ACT

AMENDING SECTION 16-547, ARIZONA REVISED STATUTES; RELATING TO EARLY VOTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-547, Arizona Revised Statutes, is amended to
3 read:

4 16-547. Ballot affidavit; form

5 A. The early ballot shall be accompanied by an envelope bearing on
6 the front the name, official title and post office address of the recorder
7 or other officer in charge of elections and ~~on the other side~~ a printed
8 affidavit **THAT CAN BE CONCEALED WHEN DELIVERED OR MAILED TO THE COUNTY**
9 **RECORDER OR OTHER OFFICER IN CHARGE ELECTIONS AND THAT INCLUDES A**
10 **STATEMENT** in substantially the following form:

11 I declare the following under penalty of perjury: I am
12 a registered voter in _____ county Arizona, I have not
13 voted and will not vote in this election in any other county
14 or state, I understand that knowingly voting more than once in
15 any election is a class 5 felony and I voted the enclosed
16 ballot and signed this affidavit personally unless noted
17 below.

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

20 I declare the following under penalty of perjury: At
21 the registered voter's request I assisted the voter identified
22 in this affidavit with marking the voter's ballot, I marked
23 the ballot as directly instructed by the voter, I provided the
24 assistance because the voter was physically unable to mark the
25 ballot solely due to illness, injury or physical limitation
26 and I understand that there is no power of attorney for voting
27 and that the voter must be able to make the voter's selection
28 even if the voter cannot physically mark the ballot.

29 Name of voter assistant: _____

30 Address of voter assistant: _____

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

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

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

44 D. The county recorder or other officer in charge of elections
45 shall supply printed instructions to early voters that direct them to sign

1 the affidavit, mark the ballot and return both in the enclosed
2 self-addressed envelope that complies with section 16-545. The
3 instructions shall include the following statement:

4 In order to be valid and counted, the ballot and
5 affidavit must be delivered to the office of the county
6 recorder or other officer in charge of elections or may be
7 deposited at any polling place in the county not later than
8 7:00 p.m. on election day. The ballot will not be counted
9 without the voter's signature on the envelope.

10 (WARNING – It is a felony to offer or receive any compensation
11 for a ballot.)

12 E. The printed instructions prescribed by subsection D of this
13 section shall also include the following information regarding section
14 16-1005, subsections H and I in substantially the following form:

15 A person may only handle or return their own ballot or
16 the ballot of family members, household members or persons for
17 whom they are a caregiver. It is unlawful under section
18 16-1005 to handle or return the ballot of any other person.