

PROPOSED
SENATE AMENDMENTS TO S.B. 1011
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

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 voting centers; electioneering; wait times

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

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

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

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

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

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

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

18 4. On a specific resolution of the board, the board may authorize
19 the use of voting centers in place of or in addition to specifically
20 designated polling places. A voting center shall allow any voter in that
21 county to receive the appropriate ballot for that voter on election day
22 after presenting identification as prescribed in section 16-579 and to
23 lawfully cast the ballot. Voting centers may be established in
24 coordination and consultation with the county recorder, at other county
25 offices or at other locations in the county deemed appropriate.

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

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

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

39 ~~(c) If an emergency voting center established pursuant to this~~
40 ~~section becomes unavailable and there is not sufficient time for the board~~
41 ~~of supervisors to convene to approve an alternate location for that~~
42 ~~emergency voting center, the county recorder or other officer in charge of~~
43 ~~elections may make changes to the approved emergency voting center~~
44 ~~location and shall notify the public and the board of supervisors~~
45 ~~regarding that change as soon as practicable. The alternate emergency~~
46 ~~voting center shall be as close in proximity to the approved emergency~~
47 ~~voting center location as possible.~~

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

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

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

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

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

24 E. ~~[Except as provided in subsection F of this section,]~~ A public
25 school shall provide sufficient space for use as a polling place for any
26 city, county or state election when requested by the officer in charge of
27 elections.

28 ~~[F. The principal of the school may deny a request to provide space
29 for use as a polling place for any city, county or state election if,
30 within two weeks after a request has been made, the principal provides a
31 written statement indicating a reason the election cannot be held in the
32 school, including any of the following:~~

- 33 ~~1. Space is not available at the school.~~
34 ~~2. The safety or welfare of the children would be jeopardized.]~~

35 ~~[G.] [E.]~~ Beginning in 2026, the department of administration
36 shall coordinate with state agencies and counties to provide available and
37 appropriate state-owned facilities for use as a voting location for any
38 city, county or state election when requested by the officer in charge of
39 elections.

40 ~~[H.] [G.]~~ The board shall make available to the public as a public
41 record a list of the polling places for all precincts in which the
42 election is to be held.

43 ~~[I.] [H.]~~ Except in the case of an emergency, any facility that is
44 used as a polling place on election day or that is used as an early voting
45 site during the period of early voting shall allow persons to electioneer
46 and engage in other political activity outside of the seventy-five foot
47 limit prescribed by section 16-515 in public areas and parking lots used

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

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

25 1. An act of God renders a previously set polling place as
26 unusable.

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

31 ~~[K.]~~ [J.] The secretary of state shall provide through the
32 instructions and procedures manual adopted pursuant to section 16-452 the
33 maximum allowable wait time for any election that is subject to section
34 16-204 and provide for a method to reduce voter wait time at the polls in
35 the primary and general elections. The method shall consider at least all
36 of the following for primary and general elections in each precinct:

37 1. The number of ballots voted in the prior primary and general
38 elections.

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

41 3. The number of registered voters and the number of registered
42 voters who cast an early ballot for the current primary or general
43 election.

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

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

3 Sec. 2. Section 16-542, Arizona Revised Statutes, is amended to
4 read:

5 16-542. Request for ballot; civil penalties; violation;
6 classification

7 A. Within ninety-three days before any election called pursuant to
8 the laws of this state, an elector may make a verbal or signed request to
9 the county recorder, or other officer in charge of elections for the
10 applicable political subdivision of this state in whose jurisdiction the
11 elector is registered to vote, for an official early ballot. In addition
12 to name and address, the requesting elector shall provide the date of
13 birth and state or country of birth or other information that if compared
14 to the voter registration information on file would confirm the identity
15 of the elector. If the request indicates that the elector needs a primary
16 election ballot and a general election ballot, the county recorder or
17 other officer in charge of elections shall honor the request. For any
18 partisan primary election, if the elector is not registered as a member of
19 a political party that is entitled to continued representation on the
20 ballot pursuant to section 16-804, the elector shall designate the ballot
21 of only one of the political parties that is entitled to continued
22 representation on the ballot and the elector may receive and vote the
23 ballot of only that one political party, which also shall include any
24 nonpartisan offices and ballot questions, or the elector shall designate
25 the ballot for nonpartisan offices and ballot questions only and the
26 elector may receive and vote the ballot that contains only nonpartisan
27 offices and ballot questions. The county recorder or other officer in
28 charge of elections shall process any request for an early ballot for a
29 municipal election pursuant to this subsection. The county recorder may
30 establish on-site early voting locations at the recorder's office, which
31 shall be open and available for use beginning the same day that a county
32 begins to send out the early ballots. The county recorder may also
33 establish any other early voting locations in the county the recorder
34 deems necessary. Any on-site early voting location or other early voting
35 location shall ~~[BE OPEN AND AVAILABLE FOR USE ON THE SATURDAY AND MONDAY~~
36 ~~BEFORE ELECTION DAY AND SHALL]~~ require each elector to present
37 identification as prescribed in section 16-579 before receiving a ballot.
38 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
39 early voting location or other early voting location the county recorder
40 or other officer in charge of elections may provide for a qualified
41 elector to update the elector's voter registration information as provided
42 for in the secretary of state's instructions and procedures manual adopted
43 pursuant to section 16-452.

44 B. Notwithstanding subsection A of this section, a request for an
45 official early ballot from an absent uniformed services voter or overseas
46 voter as defined in the uniformed and overseas citizens absentee voting
47 act (P.L. 99-410; 52 United States Code section 20310) or a voter whose

1 information is protected pursuant to section 16-153 that is received by
2 the county recorder or other officer in charge of elections more than
3 ninety-three days before the election is valid. If requested by the
4 absent uniformed services or overseas voter, or a voter whose information
5 is protected pursuant to section 16-153, the county recorder or other
6 officer in charge of elections shall provide to the requesting voter early
7 ballot materials through the next regularly scheduled general election for
8 federal office immediately following receipt of the request unless a
9 different period of time, which does not exceed the next two regularly
10 scheduled general elections for federal office, is designated by the
11 voter.

12 C. The county recorder or other officer in charge of elections
13 shall mail the early ballot and the envelope for its return postage
14 prepaid to the address provided by the requesting elector within five days
15 after receipt of the official early ballots from the officer charged by
16 law with the duty of preparing ballots pursuant to section 16-545, except
17 that early ballot distribution shall not begin more than ~~[twenty-seven]~~
18 ~~[TWENTY-NINE]~~ days before the election. If an early ballot request is
19 received on or before the thirty-first day before the election, the early
20 ballot shall be distributed not earlier than the ~~[twenty-seventh]~~
21 ~~[TWENTY-NINTH]~~ day before the election and not later than the twenty-
22 fourth day before the election.

23 D. Only the elector may be in possession of that elector's unvoted
24 early ballot. If a complete and correct request is made by the elector
25 within ~~[twenty-seven]~~ ~~[TWENTY-NINE]~~ days before the election, the mailing
26 must be made within forty-eight hours after receipt of the
27 request. Saturdays, Sundays and other legal holidays are excluded from
28 the computation of the forty-eight-hour period prescribed by this
29 subsection. If a complete and correct request is made by an absent
30 uniformed services voter or an overseas voter before the election, the
31 regular early ballot shall be transmitted by mail, by fax or by other
32 electronic format approved by the secretary of state within twenty-four
33 hours after the early ballots are delivered pursuant to section 16-545,
34 subsection B, excluding Sundays.

35 E. In order to be complete and correct and to receive an early
36 ballot by mail, an elector's request that an early ballot be mailed to the
37 elector's residence or temporary address must include all of the
38 information prescribed by subsection A of this section and must be
39 received by the county recorder or other officer in charge of elections
40 not later than 5:00 p.m. on the eleventh day preceding the election. An
41 elector who appears personally not later than 7:00 p.m. on the ~~Friday~~
42 ~~MONDAY~~ preceding the election at an on-site early voting location ~~OR OTHER~~
43 ~~EARLY VOTING LOCATION~~ that is established by the county recorder or other
44 officer in charge of elections shall be given a ballot ~~[, SHALL COMPLETE AN~~
45 ~~EARLY VOTING CERTIFICATE]~~ after presenting identification as prescribed in
46 section 16-579 and shall be allowed to vote at the on-site location
47 ~~[WITHOUT ISSUING OR COMPLETING A MAIL AFFIDAVIT ENVELOPE].~~

1 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
2 early voting location the county recorder or other officer in charge of
3 elections may provide for a qualified elector to update the elector's
4 voter registration information as provided for in the secretary of state's
5 instructions and procedures manual adopted pursuant to section 16-452. If
6 an elector's request to receive an early ballot is not complete and
7 correct but complies with all other requirements of this section, the
8 county recorder or other officer in charge of elections shall attempt to
9 notify the elector of the deficiency of the request.

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

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

19 ~~H. As a result of experiencing an emergency between 7:00 p.m. on
20 the Friday preceding the election and 5:00 p.m. on the Monday preceding
21 the election, qualified electors may request to vote in the manner
22 prescribed by the board of supervisors of their respective county. Before
23 voting pursuant to this subsection, an elector who experiences an
24 emergency shall provide identification as prescribed in section 16-579 and
25 shall sign a statement under penalty of perjury that states that the
26 person is experiencing or experienced an emergency after 7:00 p.m. on the
27 Friday immediately preceding the election and before 5:00 p.m. on the
28 Monday immediately preceding the election that would prevent the person
29 from voting at the polls. Signed statements received pursuant to this
30 subsection are not subject to inspection pursuant to title 39, chapter 1,
31 article 2. For the purposes of this subsection, "emergency" means any
32 unforeseen circumstances that would prevent the elector from voting at the
33 polls.~~

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

40 ~~⌚~~ H. A candidate, political committee or other organization may
41 distribute early ballot request forms to voters. If the early ballot
42 request forms include a printed address for return, the addressee shall be
43 the political subdivision that will conduct the election. Failure to use
44 the political subdivision as the return addressee is punishable by a civil
45 penalty of up to three times the cost of the production and distribution
46 of the request.

1 ~~I~~. I. All original and completed early ballot request forms that
2 are received by a candidate, political committee or other organization
3 shall be submitted within six business days after receipt by a candidate,
4 political committee or other organization or eleven days before the
5 election day, whichever is earlier, to the political subdivision that will
6 conduct the election. Any person, political committee or other
7 organization that fails to submit a completed early ballot request form
8 within the prescribed time is subject to a civil penalty of up to \$25 per
9 day for each completed form withheld from submittal. Any person who
10 knowingly fails to submit a completed early ballot request form before the
11 submission deadline for the election immediately following the completion
12 of the form is guilty of a class 6 felony.

13 ~~J~~. J. Except for a voter who is on the active early voting list
14 prescribed by section 16-544, a voter who requests a onetime early ballot
15 pursuant to this section or for an election conducted pursuant to section
16 16-409 or article 8.1 of this chapter, a county recorder, city or town
17 clerk or other election officer may not deliver or mail an early ballot to
18 a person who has not requested an early ballot for that election. An
19 election officer who knowingly violates this subsection is guilty of a
20 class 5 felony.

21 Sec. 3. Section 16-547, Arizona Revised Statutes, is amended to
22 read:

23 16-547. Mail affidavit; early voting certificate; form

24 A. The early ballot shall be accompanied by an envelope bearing on
25 the front the name, official title and post office address of the recorder
26 or other officer in charge of elections and on the other side a printed
27 affidavit in substantially the following form:

28 I declare the following under penalty of perjury: I am
29 a registered voter in _____ county Arizona, I have not
30 voted and will not vote in this election in any other county
31 or state, I understand that knowingly voting more than once in
32 any election is a class 5 felony and I voted the enclosed
33 ballot and signed this MAIL affidavit personally unless noted
34 below.

35 If the voter was assisted by another person in marking
36 the ballot, complete the following:

37 I declare the following under penalty of perjury: At
38 the registered voter's request I assisted the voter identified
39 in this MAIL affidavit with marking the voter's ballot, I
40 marked the ballot as directly instructed by the voter, I
41 provided the assistance because the voter was physically
42 unable to mark the ballot solely due to illness, injury or
43 physical limitation and I understand that there is no power of
44 attorney for voting and that the voter must be able to make
45 the voter's selection even if the voter cannot physically mark
46 the ballot.

47 Name of voter assistant: _____

1 Address of voter assistant: _____

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

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

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

15 D. The county recorder or other officer in charge of elections
16 shall supply printed instructions to early voters that direct them to sign
17 the MAIL affidavit, mark the ballot and return both in the enclosed
18 self-addressed envelope that complies with section 16-545, and:

19 1. Through 2025, the instructions shall include the following
20 statement:

21 In order to be valid and counted, the ballot and mail
22 affidavit must be delivered to the office of the county
23 recorder or other officer in charge of elections or may be
24 deposited at any polling place in the county not later than
25 7:00 p.m. on election day. The ballot will not be counted
26 without the voter's signature on the envelope.

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

29 2. Beginning in 2026, the instructions shall include the following
30 statement:

31 In order to be valid and counted, the mail affidavit
32 that contains the mail ballot must have the voter's signature
33 on the envelope and must be returned to the office of the
34 county recorder by any one of the following methods:

35 (a) Delivering it to the office of the county recorder
36 or other officer in charge of elections not later than
37 7:00 p.m. on election day.

38 (b) Depositing it at any ~~polling place~~ VOTING LOCATION
39 in the county not later than 7:00 p.m. on THE FRIDAY BEFORE
40 election day.

41 [(c) Bringing the ballot to any polling place in the
42 county not later than 7:00 p.m. on election day and choosing
43 to present valid identification that complies with section
44 16-579, subsection A, paragraph 1, Arizona Revised Statutes.]

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

1 ~~[E. BEGINNING IN 2026, A PERSON WHO APPEARS PERSONALLY AT AN EARLY~~
2 ~~VOTING LOCATION DURING THE PERIOD OF EARLY VOTING, INCLUDING ON THE~~
3 ~~SATURDAY AND MONDAY BEFORE ELECTION DAY, SHALL BE GIVEN A BALLOT AFTER~~
4 ~~PRESENTING IDENTIFICATION AS PRESCRIBED BY SECTION 16-579, SHALL COMPLETE~~
5 ~~AN EARLY VOTING CERTIFICATE AND SHALL BE ALLOWED TO VOTE AT THE EARLY~~
6 ~~VOTING LOCATION WITHOUT ISSUING OR COMPLETING A MAIL AFFIDAVIT ENVELOPE.~~
7 ~~THE EARLY VOTING CERTIFICATE SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:~~

8 ~~EARLY VOTING CERTIFICATE~~

9 ~~I, _____, A QUALIFIED~~
10 ~~ELECTOR FOR THIS ELECTION AND REGISTERED VOTER IN~~
11 ~~_____ COUNTY, ARIZONA, DO SOLEMNLY SWEAR OR~~
12 ~~AFFIRM THAT I AM THE PERSON LISTED ON THE VOTER REGISTRATION~~
13 ~~ROLLS OF _____ COUNTY AND THAT I RESIDE AT THE~~
14 ~~LISTED ADDRESS. I UNDERSTAND THAT IF I COMMIT OR ATTEMPT TO~~
15 ~~COMMIT FRAUD IN CONNECTION WITH VOTING, VOTE A FRAUDULENT~~
16 ~~BALLOT OR VOTE MORE THAN ONCE IN AN ELECTION, I COULD BE~~
17 ~~CONVICTED OF A FELONY AND FINED OR IMPRISONED, OR BOTH. I~~
18 ~~UNDERSTAND THAT MY FAILURE TO SIGN THIS CERTIFICATE~~
19 ~~INVALIDATES MY BALLOT.]~~

20 ~~[E.] [F.]~~ The printed instructions prescribed by subsection D of
21 this section shall also include the following information regarding
22 section 16-1005, subsections H and I in substantially the following form:

23 A person may only handle or return their own ballot or
24 the ballot of family members, household members or persons for
25 whom they are a caregiver. It is unlawful under section
26 16-1005, ARIZONA REVISED STATUTES, to handle or return the
27 ballot of any other person.

28 Sec. 4. Section 16-548, Arizona Revised Statutes, is amended to
29 read:

30 16-548. Preparation and transmission of ballot

31 A. The early voter shall make and sign the affidavit and shall then
32 mark ~~his~~ THE ballot in ~~such~~ a manner that ~~his~~ THE EARLY VOTER'S vote
33 cannot be seen. The early voter shall fold the ballot, if a paper ballot,
34 so as to conceal the vote, ~~and~~ deposit the voted ballot in the envelope
35 provided for that purpose, which shall be securely sealed and, together
36 with the affidavit, ~~delivered or~~ RETURN THE VOTED BALLOT BY ONE OF THE
37 FOLLOWING METHODS:

38 1. ~~mailed~~ MAIL THE VOTED BALLOT to the county recorder or other
39 officer in charge of elections of the political subdivision in which the
40 ~~elector~~ VOTER is registered ~~or deposited by the voter or the voter's agent~~
41 ~~at any polling place in the county~~. In order to be counted and valid, the
42 ballot must be received by the county recorder or other officer in charge
43 of elections ~~or deposited at any polling place in the county no~~ NOT later
44 than 7:00 p.m. on election day.

45 2. DELIVER THE VOTED BALLOT TO THE OFFICE OF THE COUNTY RECORDER OR
46 OTHER OFFICER IN CHARGE OF ELECTIONS OF THE POLITICAL SUBDIVISION IN WHICH
47 THE VOTER IS REGISTERED. IN ORDER TO BE COUNTED AND VALID, THE BALLOT

1 MUST BE RECEIVED BY THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF
2 ELECTIONS NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

3 3. DEPOSIT THE VOTED BALLOT AT ANY VOTING LOCATION IN THE COUNTY.
4 IN ORDER TO BE COUNTED AND VALID, THE BALLOT MUST BE RECEIVED AT THE
5 VOTING LOCATION NOT LATER THAN 7:00 P.M. ON THE FRIDAY BEFORE ELECTION
6 DAY.

7 B. A PERSON WHO APPEARS PERSONALLY AT AN EARLY VOTING LOCATION
8 DURING THE PERIOD OF EARLY VOTING, INCLUDING ON THE SATURDAY AND MONDAY
9 BEFORE ELECTION DAY, SHALL PRESENT IDENTIFICATION AS PRESCRIBED BY SECTION
10 16-579, SIGN THE EARLY VOTER ~~[CERTIFICATE]~~ [AFFIDAVIT], MARK THE BALLOT IN
11 A MANNER THAT THE EARLY VOTER'S VOTE CANNOT BE SEEN AND RETURN THE VOTED
12 BALLOT TO THE ELECTION OFFICIAL AT THE EARLY VOTING LOCATION. ~~[A MAIL~~
13 ~~AFFIDAVIT ENVELOPE MAY NOT BE REQUIRED.]~~ [FOR A COUNTY THAT PROVIDES FOR
14 ON-SITE TABULATION OF BALLOTS PURSUANT TO SECTIONS 16-579.01 AND 16-579.02
15 DURING THE SATURDAY OR MONDAY IMMEDIATELY PRECEDING ELECTION DAY, THE
16 FOLLOWING APPLY:

17 1. THE EARLY VOTER SHALL APPEAR PERSONALLY AT THE ON-SITE
18 TABULATION LOCATION AND SURRENDER THE VOTER'S EARLY BALLOT AND AFFIDAVIT.

19 2. THE ELECTION OFFICIAL SHALL ALLOW THE EARLY VOTER TO TABULATE
20 THE EARLY BALLOT ON-SITE AS PRESCRIBED BY SECTIONS 16-579.01 AND
21 16-579.02.]

22 [C. FOR EARLY BALLOTS THAT ARE CAST IN PERSON PURSUANT TO
23 SUBSECTION B OF THIS SECTION, THE OFFICER IN CHARGE OF ELECTIONS SHALL
24 ENSURE THAT CHAIN OF CUSTODY PROCEDURES FOR THESE EARLY BALLOTS ARE
25 IDENTICAL TO THOSE PRESCRIBED FOR IN-PERSON ELECTION DAY VOTING.]

26 ~~B.~~ ~~[C.]~~ ~~[D.]~~ If the early voter is an overseas citizen, a
27 qualified elector absent from the United States or in the United States
28 service, a spouse or dependent residing with the early voter or a
29 qualified elector of a special district mail ballot election as provided
30 in article 8.1 of this chapter, the early voter may subscribe to the
31 affidavit before and obtain the signature and military identification
32 number or passport number, if available, of any person who is a United
33 States citizen eighteen years of age or older.

34 <<Sec. 5. Section 16-551, Arizona Revised Statutes, is amended to
35 read:

36 16-551. Early election board; violation; classification

37 A. The board of supervisors or the governing body of the political
38 subdivision shall appoint one or more early election boards to serve at
39 places to be designated by the board of supervisors or the governing body
40 to canvass and tally early election ballots. Members of early election
41 boards shall be selected in accordance with the provisions for selecting
42 members of regular election boards as provided in section 16-531.

43 B. If an electronic voting system is in use for early voting, the
44 early election board shall consist of at least one inspector and two
45 judges who shall perform the processing requirements in accordance with
46 the rules issued by the secretary of state. The inspector and judges

1 shall be appointed in the same manner by party as provided in section
2 16-531.

3 C. All early ballots received by the county recorder or other
4 officer in charge of elections before 7:00 p.m. on election day and the
5 original mail ballot affidavit of the voter shall be delivered to the
6 early election boards for processing as provided in the rules of the
7 secretary of state. Beginning in 2026, all early ballots that are
8 delivered by a voter to a voting location without presenting
9 identification that complies with section 16-579, subsection A,
10 paragraph 1 must be signature verified. The office of the county recorder
11 or other officer in charge of elections shall remain open until 7:00 p.m.
12 on election day for the purpose of receiving early ballots. Partial or
13 complete tallies of the early election board shall not be released or
14 divulged before all precincts have reported or one hour after the closing
15 of the polls on election day, whichever occurs first. Any person who
16 unlawfully releases information regarding vote tallies or who possesses a
17 tally sheet or summary without authorization from the recorder or officer
18 in charge of elections is guilty of a class 6 felony.

19 D. ~~[The county recorder or other officer in charge of elections
20 shall count the number of early ballots that are returned at voting
21 locations on election day and shall post on its website those totals with
22 the last unofficial results that are released on election night pursuant
23 to section 16-622.]~~ Beginning with the day following the election, the
24 county recorder or other officer in charge of elections shall enter into
25 the county's ballot tracking system, if established, early ballots that
26 were returned at the voting location on election day.

27 E. The necessary printed blanks for poll lists, tally lists, lists
28 of voters, ballots, oaths and returns, together with envelopes in which to
29 enclose the returns, shall be furnished by the board of supervisors or the
30 governing body of the political subdivision to the early election board
31 for each election precinct at the expense of the county or the political
32 subdivision. >>

33 Sec. 6. Section 16-552, Arizona Revised Statutes, is amended to
34 read:

35 16-552. Early ballots; processing; challenges

36 A. In a jurisdiction that uses optical scan ballots, the officer in
37 charge of elections may use the procedure prescribed by this section or
38 may request approval from the secretary of state for a different method
39 for processing early ballots. The request shall be made in writing at
40 least ninety days before the election for which the procedure is intended
41 to be used. After the election official has confirmed with the secretary
42 of state that all election equipment passes the logic and accuracy test,
43 the election official may begin to count early ballots. No early ballot
44 results may be released except as prescribed by section 16-551.

45 B. EXCEPT FOR A PERSON WHO VOTES PERSONALLY AT AN EARLY VOTING
46 LOCATION DURING THE PERIOD OF EARLY VOTING AS PRESCRIBED BY SECTION
47 16-548, SUBSECTION B, the early election board shall check the voter's

1 mail ~~ballot~~ affidavit on the envelope containing the early ballot. If it
2 is found to be sufficient, the vote shall be allowed. If the mail ~~ballot~~
3 affidavit is insufficient, the vote shall not be allowed. Beginning in
4 2026, for an early ballot that is received and verified as prescribed by
5 section 16-579, subsection A, paragraph 4, additional signature
6 verification is not required.

7 C. The county chairman of each political party represented on the
8 ballot, by written appointment addressed to the early election board, may
9 designate party representatives and alternates to act as early ballot
10 challengers for the party. No party may have more than the number of such
11 representatives or alternates that were mutually agreed on by each
12 political party to be present at one time. If such agreement cannot be
13 reached, the number of representatives shall be limited to one for each
14 political party.

15 D. An early ballot may be challenged on any grounds set forth in
16 section 16-591. All challenges shall be made in writing with a brief
17 statement of the grounds before the early ballot is placed in the ballot
18 box. A record of all challenges and resulting proceedings shall be kept
19 in substantially the same manner as provided in section 16-594. If an
20 early ballot is challenged, it shall be set aside and retained in the
21 possession of the early election board or other officer in charge of early
22 ballot processing until a time that the early election board sets for
23 determination of the challenge, subject to the procedure in subsection E
24 of this section, at which time the early election board shall hear the
25 grounds for the challenge and shall decide what disposition shall be made
26 of the early ballot by majority vote. If the early ballot is not allowed,
27 it shall be handled pursuant to subsection G of this section.

28 E. Within twenty-four hours of receipt of a challenge, the early
29 election board or other officer in charge of early ballot processing shall
30 mail, by first class mail, a notice of the challenge including a copy of
31 the written challenge, and also including the time and place at which the
32 voter may appear to defend the challenge, to the voter at the mailing
33 address shown on the request for an early ballot or, if none was provided,
34 to the mailing address shown on the registration rolls. Notice shall also
35 be mailed to the challenger at the address listed on the written challenge
36 and provided to the county chairman of each political party represented on
37 the ballot. The board shall meet to determine the challenge at the time
38 specified by the notice but, in any event, not earlier than ninety-six
39 hours after the notice is mailed, or forty-eight hours if the notifying
40 party chooses to deliver the notice by overnight or hand delivery, and not
41 later than 5:00 p.m. on the Monday following the election. The board
42 shall provide the voter with an informal opportunity to make, or to
43 submit, brief statements regarding the challenge. The board may decline
44 to permit comments, either in person or in writing, by anyone other than
45 the voter, the challenger and the party representatives. The burden of
46 proof is on the challenger to show why the voter should not be permitted
47 to vote. The fact that the voter fails to appear shall not be deemed to

1 be an admission of the validity of the challenge. The early election
2 board or other officer in charge of early ballot processing is not
3 required to provide the notices described in this subsection if the
4 written challenge fails to set forth at least one of the grounds listed in
5 section 16-591 as a basis for the challenge. In that event, the challenge
6 will be summarily rejected at the meeting of the board. Except for
7 election contests pursuant to section 16-672, the board's decision is
8 final and may not be appealed.

9 F. If the vote is allowed, the board shall open the envelope
10 containing the ballot in such a manner that the mail ~~ballot~~ affidavit
11 thereon is not destroyed, take out the ballot without unfolding it or
12 permitting it to be opened or examined and show by the records of the
13 election that the elector has voted.

14 G. If the vote is not allowed, the mail ~~ballot~~ affidavit envelope
15 containing the early ballot shall not be opened and the board shall mark
16 across the face of such envelope the grounds for rejection. The mail
17 ~~ballot~~ affidavit envelope and its contents shall then be deposited with
18 the opened mail ~~ballot~~ affidavit envelopes and shall be preserved with
19 official returns. If the voter does not enter an appearance, the board
20 shall send the voter a notice stating whether the early ballot was
21 disallowed and, if disallowed, providing the grounds for the
22 determination. The notice shall be mailed by first class mail to the
23 voter's mailing address as shown on the registration rolls within three
24 days after the board's determination.

25 H. Party representatives and alternates may be appointed as
26 provided in subsection C of this section to be present and to challenge
27 the verification of questioned ballots pursuant to section 16-584 on any
28 grounds allowed by this section. Questioned ballots that are challenged
29 shall be presented to the early election board for decision under the
30 provisions of this section.

31 <<Sec. 7. Section 16-558.01, Arizona Revised Statutes, is amended
32 to read:

33 16-558.01. Mailing of ballots

34 Not more than [~~twenty-seven~~] [TWENTY-NINE] days before the election
35 and not fewer than fifteen days before the election, the county recorder
36 or other officer in charge of elections for the special district shall
37 send by nonforwardable mail all official ballots with printed instructions
38 and a return envelope bearing a printed ballot affidavit as described in
39 section 16-547 to each qualified elector entitled to vote in the
40 election. The envelope in which the ballot is mailed shall be clearly
41 marked with the statement required by the postmaster to receive an address
42 correction and notification. The district governing board shall determine
43 whether the voter or the district governing board will pay for the postage
44 for the return of electors' marked ballots. An elector who votes in a
45 special district mail ballot election shall return the elector's marked
46 ballot to the recorder or other officer in charge of the election or to a

1 designated depository site as provided in section 16-411 no later than
2 7:00 p.m. on the day of the election. >>

3 <<Sec. 8. Section 16-579.01, Arizona Revised Statutes, is amended
4 to read:

5 16-579.01. Early ballots; on-site tabulation

6 A. Every county recorder or other officer in charge of elections
7 may provide for a qualified elector who appears at that elector's
8 designated polling location or at a voting center [AT ANY TIME DURING THE
9 PERIOD OF EARLY VOTING AND] on election day with the elector's voted early
10 ballot to have the elector's voted early ballot tabulated as prescribed in
11 section 16-579.02.

12 B. The county recorder or other officer in charge of elections
13 shall do all of the following if the on-site tabulation of early ballots
14 is allowed:

15 1. Designate an area within a precinct or voting center for
16 processing electors with their voted early ballots that is physically
17 separate from the area for voters who are voting pursuant to section
18 16-579.

19 2. Provide adequate poll workers, election officials and equipment
20 necessary to conduct voting pursuant to this section and section
21 16-579.02.

22 3. Categorize and tally separately in the official canvass and
23 other reports electors whose voted early ballots are tabulated at the
24 precinct or voting center. The tally shall be reported by precinct in the
25 official canvass and other voting reports.

26 4. Reconcile for that polling place or voting center the number of
27 electors who appear on the signature roster or e-pollbook with the number
28 of completed early ballot affidavits and the voted early ballots tabulated
29 on-site. >>

30 <<Sec. 9. Section 16-579.02, Arizona Revised Statutes, is amended
31 to read:

32 16-579.02. Election day early ballot on-site tabulation
33 procedure; fund

34 A. A qualified elector who appears at a voting center or at the
35 elector's designated polling place that allows for the on-site tabulation
36 of early ballots with the elector's voted early ballot shall present
37 identification as prescribed in section 16-579, subsection A, paragraph 1
38 and proceed as follows:

39 1. If the elector does not present identification that complies
40 with section 16-579, subsection A, paragraph 1, ~~[the elector shall either~~
41 ~~deposit the elector's voted early ballot in its affidavit envelope in an~~
42 ~~official drop box or]~~ proceed to the area designated for election day
43 voting to surrender the early ballot to the election board for retention
44 and not for tabulating. The elector shall then be allowed to vote a
45 provisional ballot as prescribed in section 16-584. An election official
46 may not allow for the on-site tabulation of an early ballot if the elector

1 does not present identification that complies with section 16-579,
2 subsection A, paragraph 1.

3 2. If the elector presents sufficient identification to comply with
4 section 16-579, subsection A, paragraph 1, the elector shall present the
5 elector's early ballot affidavit to the election official in charge of the
6 signature roster, and the election official shall confirm that the name
7 and address on the completed affidavit reasonably appear to be the same as
8 the name and address on the precinct register.

9 3. If the elector's affidavit is not complete, the election
10 official in charge of the signature roster shall allow the elector to
11 complete the affidavit. The election official may not allow for the
12 on-site tabulation of an early ballot until the elector presents a
13 completed early ballot affidavit.

14 B. If the elector's affidavit is complete, the elector's name shall
15 be numbered consecutively by the clerk and in the order of application for
16 early ballot tabulation.

17 C. For precincts in which a paper signature roster is used, each
18 qualified elector shall sign the elector's name in the signature roster as
19 prescribed in section 16-579, subsection D before proceeding to the
20 tabulating equipment.

21 D. For precincts in which an electronic pollbook is used, each
22 qualified elector shall sign the elector's name as prescribed in section
23 16-579, subsection E before proceeding to the tabulating equipment.

24 E. After signing the signature roster or electronic pollbook, the
25 elector shall proceed to the tabulating equipment and while under the
26 observation of an election official, remove the early ballot from the
27 completed affidavit envelope, deposit the empty completed affidavit
28 envelope in the secured and labeled drop box and insert the early ballot
29 into a tabulating machine. An early ballot that has been separated from
30 the elector's completed affidavit envelope may not be removed from the
31 on-site early ballot tabulation area.

32 F. The drop box prescribed in subsection E of this section shall be
33 clearly labeled to indicate that the completed affidavits are from ballots
34 tabulated pursuant to this section and shall be secured in a manner
35 substantially similar to other ballot boxes at that location.

36 G. Any qualified elector who lawfully brings to a polling place or
37 voting center another elector's voted early ballot that is sealed in its
38 affidavit envelope shall deposit the other elector's voted early ballot in
39 the appropriate ballot drop box before entering the on-site early ballot
40 tabulation area for purposes of tabulating the elector's own early ballot.
41 The county recorder or other officer in charge of elections shall ensure
42 that a voter is not in possession of another voter's ballot within the
43 on-site early ballot tabulation area. >>

44

45 Enroll and engross to conform

46 Amend title to conform

WENDY ROGERS

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