



Bill Number: S.B. 1733

Rogers Floor Amendment

Reference to: Printed Bill

Amendment drafted by: Anna Nguyen

## FLOOR AMENDMENT EXPLANATION

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### *Dates*

1. Reverts the primary election to the second Tuesday in August, rather than the second Tuesday in May.
2. Makes session law, the requirement that the cure period is five calendar days, rather than business days.
3. Reverts all modified dates relating to:
  - a) determining qualified political parties;
  - b) computing the minimum number of required nomination petition signatures; and
  - c) the effective date of new precincts;
4. Specifies that the governing bodies of a city, town or special district must meet and canvass between 6 and 20 days following an election.

### *Voting*

5. Modifies the early ballot instructions.
6. Requires the Arizona Department of Administration to coordinate with state agencies and counties to provide available and appropriate state-owned facilities for use as a voting location for any city, county or state election when requested by the officer in charge of elections.
7. Removes the requirement that, beginning in 2026:
  - a) district high schools provide sufficient space for use as a polling place, when requested;
  - b) district high schools must close on every primary and general election day
  - c) teachers and staff receive or conduct in-service training or development activities on the election days.

Amendment explanation prepared by Anna Nguyen

02/08/2024

8. Removes the prohibition on teachers and staff using personal, vacation or other leave time on those election days.
9. Reinserts the statutory requirement that a public school provide sufficient space for use as a polling place for any city, county or state election when requested by the office in charge of election.
10. Reinserts the ability of the principal of a school to deny a request for use as a polling place for outlined reasons.
11. Specifies that the early ballot of a voter who provided valid identification must be stamped and placed in secured ballot box.

#### *Signature Verification*

12. Declares the Legislature's intent to codify the procedures based on the 2020 Secretary of State Signature Verification Guide (Guide).
13. Specifies that, in the event of any conflict between the Guide and the statute based thereon, the statute controls.
14. Stipulates that the added section:
  - a) is not intended to require modify the grounds on which a party-appointed challenger may challenge an early ballot;
  - b) does not require signature evaluators to examine broad or local characteristics one at a time; and
  - c) is not intended to require an exact match.
15. Specifies that all early ballots delivered without valid identification are subject to signature verification.
16. Specifies that a signature noted for second review is upon a combination of broad and local characteristic differences that cannot be reasonably explained.

#### *Recount*

17. Clarifies that a recount is required if any canvass, rather than only a county canvass, shows that a recount is statutorily required.
18. Removes the ability of a candidate within the recount margin to decline a recount.

- 19. Specifies that the post-election hand count audit may begin before the machine tabulation of ballots for the court-ordered recount is complete.**
- 20. Removes the specification that the SOS may request assistance from the Elections Assistance Commission field services program staff for the purposes of logic and accuracy testing.**
- 21. Removes the ability of the SOS to use contract staff to assist in conducting the logic and accuracy testing.**
- 22. Requires each team conducting a logic and accuracy test to be supervised by a certified election officer.**
- 23. Prohibits a person from serving on the logic and accuracy testing team to test the automated tabulating system, if the person has been affiliated with or received any income in the previous three years from a voting system vendor used in that county, rather than within the previous five years with a person or entity that provides election equipment or services in Arizona.**

***Miscellaneous***

- 24. Requires, in addition to county recorder's regular business hours, city clerk's offices remain open during regular business hours to allow for curing signatures.**
- 25. Requires the lists of voters with missing and inconsistent signatures to include voters who voted with a conditional provisional and requires the list to be sent to all state recognized political parties, rather than the two largest political parties.**
- 26. Removes the \$1,200,000 appropriation from the state General Fund (GF) in FY 2024 to the SOS.**
- 27. Removes the appropriation in the unspecified amount from the Citizens Clean Elections Fund in FY 2024 to the SOS.**
- 28. Makes technical and conforming changes.**

ROGERS FLOOR AMENDMENT  
SENATE AMENDMENTS TO S.B. 1733  
(Reference to printed bill)

- 1 Page 1, strike lines 2 through 45
- 2 Strike pages 2 through 9
- 3 Page 10, strike lines 1 through 21
- 4 Renumber to conform
- 5 Line 26, strike "~~October~~"
- 6 Line 27, strike "~~JULY~~" insert "October"
- 7 Line 35, strike "~~October~~ JULY" insert "October"
- 8 Page 12, lines 28 and 29, strike "~~AND THROUGH 2025~~"
- 9 Line 32, strike "~~THROUGH 2025,~~"
- 10 Strike lines 39 through 42, insert:
  - 11 "G. BEGINNING IN 2026, THE DEPARTMENT OF ADMINISTRATION SHALL
  - 12 COORDINATE WITH STATE AGENCIES AND COUNTIES TO PROVIDE AVAILABLE AND
  - 13 APPROPRIATE STATE-OWNED FACILITIES FOR USE AS A VOTING LOCATION FOR ANY
  - 14 CITY, COUNTY OR STATE ELECTION WHEN REQUESTED BY THE OFFICER IN CHARGE OF
  - 15 ELECTIONS."
- 16 Page 14, strike lines 13 through 42
- 17 Renumber to conform
- 18 Page 15, line 16, after "chairman" insert "OR CANDIDATE"
- 19 Line 17, after "chairman's" insert "OR CANDIDATE'S"
- 20 Line 18, strike "in" insert "ON"
- 21 Page 16, line 26, strike "~~IN~~" insert "ON"
- 22 Page 21, strike lines 43 through 45

1 Page 22, strike lines 1 through 6, insert:

2 "IN ORDER TO BE VALID AND COUNTED, THE MAIL AFFIDAVIT THAT CONTAINS  
3 THE MAIL BALLOT MUST HAVE THE VOTER'S SIGNATURE ON THE ENVELOPE AND MUST BE  
4 RETURNED TO THE OFFICE OF THE COUNTY RECORDER BY ANY ONE OF THE FOLLOWING  
5 METHODS:

6 (a) DELIVERING IT TO THE OFFICE OF THE COUNTY RECORDER OR OTHER  
7 OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

8 (b) DEPOSITING IT AT ANY POLLING PLACE IN THE COUNTY NOT LATER THAN  
9 7:00 P.M. ON ELECTION DAY.

10 (c) BRINGING THE BALLOT TO ANY POLLING PLACE IN THE COUNTY NOT LATER  
11 THAN 7:00 P.M. ON ELECTION DAY AND CHOOSING TO PRESENT VALID IDENTIFICATION  
12 THAT COMPLIES WITH SECTION 16-579, SUBSECTION A, PARAGRAPH 1, ARIZONA  
13 REVISED STATUTES."

14 Line 23, strike "3" insert "4"

15 Line 24, strike "~~ballot~~ MAIL" insert "MAIL ballot"

16 Line 34, strike "~~business~~ CALENDAR" insert "business"

17 Line 37, strike "COUNTY"

18 Line 38, strike the first "RECORDER'S" insert "OFFICE'S"; after the second  
19 "RECORDER'S" insert "AND CITY OR TOWN CLERKS'"

20 Line 39, after "OPEN" insert "DURING REGULAR BUSINESS HOURS"; after the first  
21 and second "THE" insert "FRIDAY AND"

22 Page 23, strike lines 3 and 4, insert "SIGNATURES THAT CANNOT BE VERIFIED  
23 PURSUANT TO SECTION 16-550.01 OR CURED PURSUANT TO THIS SECTION SHALL BE  
24 REJECTED. BEGINNING WITH THE FIRST MISSING OR"

25 Line 8, strike "TWO LARGEST POLITICAL PARTIES IN THIS STATE" insert "POLITICAL  
26 PARTIES THAT ARE QUALIFIED FOR CONTINUED REPRESENTATION ON THE STATE  
27 BALLOT"

28 Line 11, strike "FIFTH CALENDAR DAY" insert "END OF THE SIGNATURE CURE PERIOD"

29 Line 15, strike "TWO LARGEST POLITICAL PARTIES IN THIS STATE" insert  
30 "POLITICAL PARTIES THAT ARE QUALIFIED FOR CONTINUED REPRESENTATION ON THE  
31 STATE BALLOT"

- 1 Page 23, line 17, after "RECORD" insert "AND ALL VOTERS WHO VOTED WITH A  
2       CONDITIONAL PROVISIONAL BALLOT"; strike "SIGNATURE" insert "SIGNATURES"  
3 Line 19, strike "TWO MAJOR"; after "PARTIES" insert "THAT ARE QUALIFIED FOR  
4       CONTINUED REPRESENTATION ON THE STATE BALLOT"  
5 Lines 22 and 26, after "MAIL" insert "BALLOT"  
6 Line 44, strike "THE END OF BALLOT"  
7 Line 45, strike "TABULATION" insert "ALL BALLOT TABULATION IS COMPLETE"  
8 Page 25, line 6, after "ASSISTANT" insert ", EXCEPT THAT THE COUNTY RECORDER  
9       SHALL CONTACT THE VOTER BEFORE THE BALLOT IS TABULATED TO CONFIRM THE MARK  
10       AND THAT THE VOTER REQUIRED ASSISTANCE"  
11 Between lines 29 and 30, insert:  
12       "I. THE LEGISLATURE INTENDS BY THIS SECTION TO CODIFY PROCEDURES  
13       BASED ON THE 2020 SECRETARY OF STATE SIGNATURE VERIFICATION GUIDE, PROVIDED  
14       THAT IN THE EVENT OF ANY CONFLICT BETWEEN THE GUIDE AND THIS SECTION, THIS  
15       SECTION CONTROLS. THIS SECTION IS NOT INTENDED TO MODIFY THE GROUNDS ON  
16       WHICH A PARTY-APPOINTED CHALLENGER MAY CHALLENGE AN EARLY BALLOT. THIS  
17       SECTION DOES NOT REQUIRE SIGNATURE EVALUATORS TO EXAMINE BROAD OR LOCAL  
18       CHARACTERISTICS ONE AT A TIME. THIS SECTION IS NOT INTENDED TO REQUIRE AN  
19       EXACT MATCH."  
20 Page 26, line 2, strike "AND,"  
21 Strike line 3  
22 Line 4, strike "CONFIRMED AT A VOTING LOCATION"; after "MAIL" insert "BALLOT"  
23 Line 6, after the period insert "BEGINNING IN 2026, ALL EARLY BALLOTS THAT ARE  
24       DELIVERED BY A VOTER TO A VOTING LOCATION WITHOUT PRESENTING IDENTIFICATION  
25       THAT COMPLIES WITH SECTION 16-579, SUBSECTION A, PARAGRAPH 1 MUST BE  
26       SIGNATURE VERIFIED."  
27 Lines 42 and 44, after "MAIL" insert "BALLOT"  
28 Page 27, line 2, strike "3" insert "4"  
29 Page 28, lines 9, 13, 15 and 17, after "MAIL" insert "BALLOT"

1 Page 29, strike lines 40 and 41

2 Line 42, strike "STAMP THAT READS ID VERIFIED" insert:

3 "(c) STAMP THE SIGNED AFFIDAVIT WITH A STAMP THAT READS "ID  
4 VERIFIED" AND PLACE THE STAMPED AFFIDAVIT THAT CONTAINS THE EARLY BALLOT IN  
5 A SECURED BALLOT BOX THAT IS LABELED FOR EARLY BALLOTS"; strike "MAILED"  
6 insert "STAMPED"

7 Page 33, lines 15, 16, 19 and 21, after the comma insert "NOT LATER THAN"

8 Between lines 21 and 22, insert:

9 "3. THE GOVERNING BODY OF A CITY, TOWN OR SPECIAL DISTRICT SHALL  
10 MEET AND CANVASS THE ELECTION NOT LESS THAN SIX DAYS AND NOT MORE THAN  
11 TWENTY DAYS FOLLOWING THE ELECTION."

12 Page 36, line 22, strike "A."; strike "~~canvass shows~~ COUNTY CANVASSES SHOW"  
13 insert "canvass shows"

14 Strike lines 36 through 43

15 Page 37, line 24, after "SECTION" strike remainder of line

16 Strike line 25, insert "MAY BEGIN BEFORE THE MACHINE TABULATION OF BALLOTS FOR  
17 THE COURT-ORDERED RECOUNT IS COMPLETE."

18 Line 45, strike "WITHIN" insert "NOT MORE THAN"; strike "IN ORDER TO"

19 Page 38, strike lines 1 through 4

20 Line 5, strike "SYSTEMS" insert "EACH TEAM THAT IS CONDUCTING A LOGIC AND  
21 ACCURACY TEST SHALL BE SUPERVISED BY A CERTIFIED ELECTION OFFICER"

22 Line 8, strike "FIVE" insert "THREE"; after "FROM" strike remainder of line  
23 insert "A VOTING SYSTEM VENDOR FOR A VOTING SYSTEM THAT IS USED IN THAT  
24 COUNTY."

25 Strike lines 9 through 44

26 Page 39, strike lines 1 through 25

27 Renumber to conform

28 Page 40, strike lines 12 through 36, insert:

29 "Sec. 22. 2024, 2025 and 2026 elections; signature cure period  
30 Notwithstanding section 16-550, subsection A, Arizona Revised  
31 Statutes, as amended by this act, and any other law, the following apply:

1           1. For a primary, general or special election in 2024, 2025 and 2026  
2           that includes a federal office, the county recorder or other officer in  
3           charge of elections shall allow signatures to be corrected not later than  
4           the fifth calendar day after the election.

5           2. For all other elections in 2024, 2025 and 2026, the county  
6           recorder or other officer in charge of elections shall allow signatures to  
7           be corrected not later than the third business day after the election."

8 Renumber to conform

9 Amend title to conform

WENDY ROGERS

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C: MR