



Bill Number: S.B. 1011

Rogers Floor Amendment

Reference to: JUDICIARY AND
ELECTIONS Committee Amendment

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Modifies early voting instructions that must be used beginning in 2026 to indicate that voters must:
 - a) mail their ballot to the county recorder, where it must be received no later than 7:00PM on election day;
 - b) hand deliver their ballot to the county recorder no later than 7:00 PM on election day; or
 - c) deposit their ballot at any voting location in the county by 7:00 PM on the Friday before election day either;
 - i. after 7:00 PM on the Friday before election day, for counties that *do* provide for on-site tabulation, bring the ballot to any voting location in the county and submit it to election officials for separation from the envelope and further processing; or
 - ii. after 7:00 PM on the Friday before election day, for counties that *do not* provide for on-site tabulation, bring the ballot to any polling place in the county and present acceptable identification.
2. Allows in-person early voting to take place on the Sunday before election day, rather than just the Saturday and Monday before election day.
3. Requires early mail voters to confirm their address before receiving an early ballot by mail, regardless of whether the early mail voter is on AEVL, either:
 - a) each election cycle if the voter lives in a county with 500,000 persons or more; or
 - b) every four-year period that constitutes two consecutive election cycles, if the voter lives in a county with fewer than 500,000 persons.
4. Requires the county recorder to allow an early mail voter to confirm their address by way of mail notification, telephone call or through a county website portal.
5. Outlines formatting requirements for the notification sent to early mail voters.

- 6. Stipulates that an address confirmation received after the last day to request an early ballot will be processed for the next upcoming election for which the early mail voter is eligible in the current election cycle.**
- 7. Reverts the early ballot distribution date from 29 days before the election back to 27 days before the election.**
- 8. Requires the county board of supervisors or other officer in charge of elections in a county that provides for on-site tabulation to test electronic ballot tabulating equipment for logic and accuracy within 50 days before the election day.**
- 9. Specifies that the 50-day deadline does not impact deadlines for performing logic and accuracy testing on other equipment.**
- 10. Specifies that county recorders must count the number of early ballots returned at voting locations on election day and must post the count on its website with unofficial election night results if the county does not provide for on-site tabulation.**
- 11. Clarifies that a voter who appears personally at an on-site tabulation location must submit, rather than surrender, their early ballot and affidavit.**
- 12. Adds a severability clause.**
- 13. Adds a legislative findings clause.**
- 14. Makes technical and conforming changes.**

ROGERS FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1011
(Reference to JUDICIARY AND ELECTIONS Committee amendment)

Amendment instruction key:

[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute

or previously enacted session law.

[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.

~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.

~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.

~~<<Double green caret~~s enclosing an entire section>> indicates that the amendment is adding the section to the bill.

~~<<Green strikeout with double green caret~~s enclosing an entire section>> indicates that the amendment is removing the section to the bill.

{[ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS]} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.

{[Orange lowercase underlining in double curly brackets]} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.

~~{[ORANGE UPPERCASE STRIKEOUT IN DOUBLE CURLY BRACKETS]}~~ indicates that the amendment to an amendment is removing new text from statute or previously enacted session law.

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~~<<Double orange underlined caret~~s enclosing an entire section>> indicate that the amendment to an amendment is adding the section to the bill.

~~<<Orange strikeout with double orange underlined caret~~s enclosing an entire section>> indicates that the amendment to an amendment is removing the section 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

1 comply with this subsection, the board of supervisors shall adjust these
2 precinct boundaries as soon as is practicable.

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

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

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

18 3. On a specific finding of the board that the number of persons
19 who are listed as early voters pursuant to section 16-544 and who are not
20 expected to have their ballots tabulated at the polling place as
21 prescribed in section 16-579.02 is likely to substantially reduce the
22 number of voters appearing at one or more specific polling places at that
23 election, adjacent precincts may be consolidated by combining polling
24 places and precinct boards for that election. The board of supervisors
25 shall ensure that a reasonable and adequate number of polling places will
26 be designated for that election. Any consolidated polling places shall be
27 listed in separate sections of the order or resolution of the board.

28 4. On a specific resolution of the board, the board may authorize
29 the use of voting centers in place of or in addition to specifically
30 designated polling places. A voting center shall allow any voter in that
31 county to receive the appropriate ballot for that voter on election day
32 after presenting identification as prescribed in section 16-579 and to
33 lawfully cast the ballot. Voting centers may be established in
34 coordination and consultation with the county recorder, at other county
35 offices or at other locations in the county deemed appropriate.

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

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

42 ~~(b) A qualified elector voting at an emergency voting center shall~~
43 ~~provide identification as prescribed in section 16-579, except that~~
44 ~~notwithstanding section 16-579, subsection A, paragraph 2, for any voting~~
45 ~~at an emergency voting center, the county recorder or other officer in~~
46 ~~charge of elections may allow a qualified elector to update the elector's~~

1 ~~voter registration information as provided for in the secretary of state's~~
2 ~~instructions and procedures manual adopted pursuant to section 16-452.~~

3 ~~(c) If an emergency voting center established pursuant to this~~
4 ~~section becomes unavailable and there is not sufficient time for the board~~
5 ~~of supervisors to convene to approve an alternate location for that~~
6 ~~emergency voting center, the county recorder or other officer in charge of~~
7 ~~elections may make changes to the approved emergency voting center~~
8 ~~location and shall notify the public and the board of supervisors~~
9 ~~regarding that change as soon as practicable. The alternate emergency~~
10 ~~voting center shall be as close in proximity to the approved emergency~~
11 ~~voting center location as possible.~~

12 C. If the board fails to designate the place for holding the
13 election, or if it cannot be held at or about the place designated, the
14 justice of the peace in the precinct, two days before the election, by an
15 order, copies of which the justice of the peace shall immediately post in
16 three public places in the precinct, shall designate the place within the
17 precinct for holding the election. If there is no justice of the peace in
18 the precinct, or if the justice of the peace fails to do so, the election
19 board of the precinct shall designate and give notice of the place within
20 the precinct of holding the election. For any election in which there are
21 no candidates for elected office appearing on the ballot, the board may
22 consolidate polling places and precinct boards and may consolidate the
23 tabulation of results for that election if all of the following apply:

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

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

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

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

35 E. ~~[Except as provided in subsection F of this section,]~~ A public
36 school shall provide sufficient space for use as a ~~{{polling place}}~~
37 ~~{{VOTING LOCATION}}~~ for any city, county or state election when requested
38 by the officer in charge of elections.

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

44 ~~1. Space is not available at the school.~~

45 ~~2. The safety or welfare of the children would be jeopardized.]~~

46 ~~[G.] [F.]~~ Beginning in 2026, the department of administration
47 shall coordinate with state agencies and counties to provide available and

1 appropriate state-owned facilities for use as a voting location for any
2 city, county or state election when requested by the officer in charge of
3 elections.

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

7 ~~[F.]~~ [H.] Except in the case of an emergency, any facility that is
8 used as a polling place on election day or that is used as an early voting
9 site during the period of early voting shall allow persons to electioneer
10 and engage in other political activity outside of the seventy-five foot
11 limit prescribed by section 16-515 in public areas and parking lots used
12 by voters. This subsection does not allow the temporary or permanent
13 construction of structures in public areas and parking lots or the
14 blocking or other impairment of access to parking spaces for voters. The
15 county recorder or other officer in charge of elections shall post on its
16 website at least two weeks before election day a list of those polling
17 places in which emergency conditions prevent electioneering and shall
18 specify the reason the emergency designation was granted and the number of
19 attempts that were made to find a polling place before granting an
20 emergency designation. If the polling place is not on the website list of
21 polling places with emergency designations, electioneering and other
22 political activity shall be allowed outside of the seventy-five foot
23 limit. If an emergency arises after the county recorder or other officer
24 in charge of elections' initial website posting, the county recorder or
25 other officer in charge of elections shall update the website as soon as
26 is practicable to include any new polling places, shall highlight the
27 polling place location on the website and shall specify the reason the
28 emergency designation was granted and the number of attempts that were
29 made to find a polling place before granting an emergency designation.

30 ~~[F.]~~ [L.] For the purposes of this section, a county recorder or
31 other officer in charge of elections shall designate a polling place as an
32 emergency polling place and thus prohibit persons from electioneering and
33 engaging in other political activity outside of the seventy-five foot
34 limit prescribed by section 16-515 but inside the property of the facility
35 that is hosting the polling place if any of the following occurs:

36 1. An act of God renders a previously set polling place as
37 unusable.

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

42 ~~[K.]~~ [J.] The secretary of state shall provide through the
43 instructions and procedures manual adopted pursuant to section 16-452 the
44 maximum allowable wait time for any election that is subject to section
45 16-204 and provide for a method to reduce voter wait time at the polls in
46 the primary and general elections. The method shall consider at least all
47 of the following for primary and general elections in each precinct:

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

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

5 3. The number of registered voters and the number of registered
6 voters who cast an early ballot for the current primary or general
7 election.

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

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

13 ~~Sec. 2.~~ Section 16-449, Arizona Revised Statutes, is amended to
14 read:

15 16-449. Required test of equipment and programs: notice:
16 procedures manual

17 A. Within the period of time before the election day prescribed by
18 the secretary of state in the instructions and procedures manual adopted
19 pursuant to section 16-452, the board of supervisors or other ~~{{election}}~~
20 officer in charge~~{{OF ELECTIONS}}~~, or for an election involving state or
21 federal candidates, the secretary of state, shall ~~{{have}}~~ ~~{{TEST}}~~ the
22 automatic tabulating equipment and programs ~~{{tested}}~~ to ascertain that
23 the equipment and programs will correctly count the votes cast for all
24 offices and on all measures. Public notice of the time and place of the
25 test shall be given at least forty-eight hours ~~{{prior thereto}}~~ ~~{{BEFORE~~
26 ~~THE TEST}}~~ by publication once in one or more daily or weekly newspapers
27 published in the town, city or village using such equipment, if a
28 newspaper is published ~~{{therein}}~~ ~~{{IN THE TOWN, CITY OR VILLAGE}}~~,
29 otherwise in a newspaper of general circulation ~~{{therein}}~~. The test
30 shall be observed by at least two election inspectors, who shall not be of
31 the same political party, and shall be open to representatives of the
32 political parties, candidates, the press and the public. The test shall
33 be conducted by processing a preaudited group of ballots so marked as to
34 record a predetermined number of valid votes for each candidate and on
35 each measure and shall include for each office one or more ballots that
36 have votes in excess of the number allowed by law in order to test the
37 ability of the automatic tabulating equipment and programs to reject such
38 votes. If any error is detected, the cause ~~{{therefor}}~~ ~~{{FOR THE ERROR}}~~
39 shall be ascertained and corrected and an errorless count shall be made
40 before the automatic tabulating equipment and programs are approved. A
41 copy of a revised program shall be filed with the secretary of state
42 within forty-eight hours after the revision is made. If the error was
43 created by automatic tabulating equipment malfunction, a report shall be
44 filed with the secretary of state within forty-eight hours after the
45 correction is made, stating the cause and the corrective action taken.
46 The test shall be repeated immediately before the start of the official
47 count of the ballots in the same manner as set forth above. After the

1 completion of the count, the programs used and the ballots shall be
2 sealed, retained and disposed of as provided for paper ballots.

3 B. Electronic ballot tabulating systems shall be tested for logic
4 and accuracy within seven days before their use for early balloting
5 pursuant to the instructions and procedures manual for electronic voting
6 systems that is adopted by the secretary of state as prescribed by section
7 16-452. The instructions and procedures manual shall include procedures
8 for the handling of ballots, the electronic scanning of ballots and any
9 other matters necessary to ensure the maximum degree of correctness,
10 impartiality and uniformity in the administration of an electronic ballot
11 tabulating system.

12 C. Notwithstanding subsections A and B of this section, if a county
13 uses accessible voting equipment to mark ballots and that accessible
14 voting equipment does not independently tabulate or tally votes, the
15 secretary of state in cooperation with the county officer in charge of
16 elections may designate a single date to test the logic and accuracy of
17 both the accessible voting equipment and electronic ballot tabulating
18 systems.

19 {{D. NOTWITHSTANDING SUBSECTION B OF THIS SECTION, FOR ANY COUNTY
20 THAT PROVIDES FOR ON-SITE TABULATION PURSUANT TO SECTIONS 16-579.01 AND
21 16-579.02, THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS
22 SHALL TEST THE ELECTRONIC BALLOT TABULATING EQUIPMENT TO BE UTILIZED
23 PURSUANT TO SECTION 16-579.01 FOR LOGIC AND ACCURACY WITHIN FIFTY DAYS
24 BEFORE ELECTION DAY. THIS DOES NOT IMPACT THE DEADLINES FOR PERFORMING
25 LOGIC AND ACCURACY TESTING ON OTHER EQUIPMENT.}}>>

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

28 16-542. Request for ballot: civil penalties: violation:
29 classification

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

1 the ballot for nonpartisan offices and ballot questions only and the
2 elector may receive and vote the ballot that contains only nonpartisan
3 offices and ballot questions. The county recorder or other officer in
4 charge of elections shall process any request for an early ballot for a
5 municipal election pursuant to this subsection. The county recorder may
6 establish on-site early voting locations at the recorder's office, which
7 shall be open and available for use beginning the same day that a county
8 begins to send out the early ballots. The county recorder may also
9 establish any other early voting locations in the county the recorder
10 deems necessary. Any on-site early voting location or other early voting
11 location shall ~~[BE OPEN AND AVAILABLE FOR USE ON THE SATURDAY AND MONDAY~~
12 ~~BEFORE ELECTION DAY AND SHALL]~~ require each elector to present
13 identification as prescribed in section 16-579 before receiving a ballot.
14 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
15 early voting location or other early voting location the county recorder
16 or other officer in charge of elections may provide for a qualified
17 elector to update the elector's voter registration information as provided
18 for in the secretary of state's instructions and procedures manual adopted
19 pursuant 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 (P.L. 99-410; 52 United States Code section 20310) or a voter whose
24 information is protected pursuant to section 16-153 that is received by
25 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
41 ~~{{[TWENTY-NINE]}}~~ {{[twenty-seven]}} days before the election. If an
42 early ballot request is received on or before the thirty-first day before
43 the election, the early ballot shall be distributed not earlier than the
44 ~~{{[TWENTY-NINTH]}}~~ {{[twenty-seventh]}} day before the election and not
45 later than the twenty-fourth day before the election.

46 D. Only the elector may be in possession of that elector's unvoted
47 early ballot. If a complete and correct request is made by the elector

1 within ~~{{[twenty-seven]}}~~ ~~{{[TWENTY-NINE]}}~~ days before the election, the
2 mailing must be made within forty-eight hours after receipt of the
3 request. Saturdays, Sundays and other legal holidays are excluded from
4 the computation of the forty-eight-hour period prescribed by this
5 subsection. If a complete and correct request is made by an absent
6 uniformed services voter or an overseas voter before the election, the
7 regular early ballot shall be transmitted by mail, by fax or by other
8 electronic format approved by the secretary of state within twenty-four
9 hours after the early ballots are delivered pursuant to section 16-545,
10 subsection B, excluding Sundays.

11 E. In order to be complete and correct and to receive an early
12 ballot by mail, an elector's request that an early ballot be mailed to the
13 elector's residence or temporary address must include all of the
14 information prescribed by subsection A of this section and must be
15 received by the county recorder or other officer in charge of elections
16 not later than 5:00 p.m. on the eleventh day preceding the election. An
17 elector who appears personally not later than 7:00 p.m. on the ~~Friday~~
18 ~~MONDAY~~ preceding the election at an on-site early voting location ~~OR OTHER~~
19 ~~EARLY VOTING LOCATION~~ that is established by the county recorder or other
20 officer in charge of elections shall be given a ballot~~[, SHALL COMPLETE AN~~
21 ~~EARLY VOTING CERTIFICATE]~~ after presenting identification as prescribed in
22 section 16-579 and shall be allowed to vote at the on-site location
23 ~~[WITHOUT ISSUING OR COMPLETING A MAIL AFFIDAVIT ENVELOPE].~~
24 Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site
25 early voting location the county recorder or other officer in charge of
26 elections may provide for a qualified elector to update the elector's
27 voter registration information as provided for in the secretary of state's
28 instructions and procedures manual adopted pursuant to section 16-452. If
29 an elector's request to receive an early ballot is not complete and
30 correct but complies with all other requirements of this section, the
31 county recorder or other officer in charge of elections shall attempt to
32 notify the elector of the deficiency of the request.

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

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

42 ~~H. As a result of experiencing an emergency between 7:00 p.m. on~~
43 ~~the Friday preceding the election and 5:00 p.m. on the Monday preceding~~
44 ~~the election, qualified electors may request to vote in the manner~~
45 ~~prescribed by the board of supervisors of their respective county. Before~~
46 ~~voting pursuant to this subsection, an elector who experiences an~~
47 ~~emergency shall provide identification as prescribed in section 16-579 and~~

~~1 shall sign a statement under penalty of perjury that states that the
2 person is experiencing or experienced an emergency after 7:00 p.m. on the
3 Friday immediately preceding the election and before 5:00 p.m. on the
4 Monday immediately preceding the election that would prevent the person
5 from voting at the polls. Signed statements received pursuant to this
6 subsection are not subject to inspection pursuant to title 39, chapter 1,
7 article 2. For the purposes of this subsection, "emergency" means any
8 unforeseen circumstances that would prevent the elector from voting at the
9 polls.~~

~~10 I. Notwithstanding section 16-579, subsection A, paragraph 2, for
11 any voting pursuant to subsection H of this section, the county recorder
12 or other officer in charge of elections may allow a qualified elector to
13 update the elector's voter registration information as provided for in the
14 secretary of state's instructions and procedures manual adopted pursuant
15 to section 16-452.~~

~~16~~ ~~H.~~ H. A candidate, political committee or other organization may
17 distribute early ballot request forms to voters. If the early ballot
18 request forms include a printed address for return, the addressee shall be
19 the political subdivision that will conduct the election. Failure to use
20 the political subdivision as the return addressee is punishable by a civil
21 penalty of up to three times the cost of the production and distribution
22 of the request.

~~23~~ ~~K.~~ I. All original and completed early ballot request forms that
24 are received by a candidate, political committee or other organization
25 shall be submitted within six business days after receipt by a candidate,
26 political committee or other organization or eleven days before the
27 election day, whichever is earlier, to the political subdivision that will
28 conduct the election. Any person, political committee or other
29 organization that fails to submit a completed early ballot request form
30 within the prescribed time is subject to a civil penalty of up to \$25 per
31 day for each completed form withheld from submittal. Any person who
32 knowingly fails to submit a completed early ballot request form before the
33 submission deadline for the election immediately following the completion
34 of the form is guilty of a class 6 felony.

~~35~~ ~~L.~~ J. Except for a voter who is on the active early voting list
36 prescribed by section 16-544, a voter who requests a onetime early ballot
37 pursuant to this section or for an election conducted pursuant to section
38 16-409 or article 8.1 of this chapter, a county recorder, city or town
39 clerk or other election officer may not deliver or mail an early ballot to
40 a person who has not requested an early ballot for that election. An
41 election officer who knowingly violates this subsection is guilty of a
42 class 5 felony.

1 ~~Sec.~~ 4. Section 16-544, Arizona Revised Statutes, is amended to
2 read:

3 16-544. Active early voting list; civil penalty; violation;
4 classification; definition

5 A. Any voter may request to be included on a list of voters to
6 receive an early ballot by mail for any election for which the county
7 voter registration roll is used to prepare the election register. The
8 county recorder of each county shall maintain the active early voting list
9 as part of the voter registration roll.

10 B. In order to be included on the active early voting list, the
11 ~~{{EARLY MAIL}}~~ voter shall make a written request specifically requesting
12 that the ~~{{EARLY MAIL}}~~ voter's name be added to the active early voting
13 list for all elections in which the applicant is eligible to vote. ~~{{A~~
14 ~~COUNTY WITH A POPULATION OF FIVE HUNDRED THOUSAND PERSONS OR MORE SHALL~~
15 ~~REQUIRE THE EARLY MAIL VOTER, THROUGH AN AFFIRMATIVE ACT ON THE PART OF~~
16 ~~THE EARLY MAIL VOTER, TO CONFIRM THE EARLY MAIL VOTER'S ADDRESS PURSUANT~~
17 ~~TO THIS SECTION EACH ELECTION CYCLE BEFORE RECEIVING AN EARLY BALLOT BY~~
18 ~~MAIL REGARDLESS OF WHETHER THE EARLY MAIL VOTER IS ON THE ACTIVE EARLY~~
19 ~~VOTING LIST. A COUNTY WITH A POPULATION OF FEWER THAN FIVE HUNDRED~~
20 ~~THOUSAND PERSONS SHALL REQUIRE AN EARLY MAIL VOTER, THROUGH AN AFFIRMATIVE~~
21 ~~ACT ON THE PART OF THE EARLY MAIL VOTER, TO CONFIRM THE EARLY MAIL VOTER'S~~
22 ~~ADDRESS PURSUANT TO THIS SECTION DURING THE FOUR-YEAR PERIOD THAT~~
23 ~~CONSTITUTES TWO CONSECUTIVE ELECTION CYCLES BEFORE RECEIVING AN EARLY~~
24 ~~BALLOT BY MAIL REGARDLESS OF WHETHER THE EARLY MAIL VOTER IS ON THE ACTIVE~~
25 ~~EARLY VOTING LIST.}}~~ An early ~~{{MAIL}}~~ voter request form shall conform
26 to requirements prescribed in the instructions and procedures manual
27 issued pursuant to section 16-452. The application shall allow for the
28 ~~{{EARLY MAIL}}~~ voter to provide the ~~{{EARLY MAIL}}~~ voter's name, residence
29 address, mailing address in the ~~{{EARLY MAIL}}~~ voter's county of
30 residence, date of birth and signature and shall state that the ~~{{EARLY~~
31 ~~MAIL}}~~ voter is attesting that the voter is a registered voter who is
32 eligible to vote in the county of residence. The ~~{{EARLY MAIL}}~~ voter
33 shall not list a mailing address that is outside of this state for the
34 purpose of the active early voting list unless the ~~{{EARLY MAIL}}~~ voter is
35 an absent uniformed services voter or overseas voter as defined in the
36 uniformed and overseas citizens absentee voting act (P.L. 99-410; 52
37 United States Code section 20310). In lieu of the application, the
38 applicant may submit a written request that contains the required
39 information. ~~{{THE COUNTY RECORDER SHALL ALLOW THE EARLY MAIL VOTER TO~~
40 ~~PERFORM AN AFFIRMATIVE ACT TO CONFIRM THE EARLY MAIL VOTER'S ADDRESS BY~~
41 ~~ANY ONE OR MORE OF THE FOLLOWING METHODS:~~

42 1. MAILING THE EARLY MAIL VOTER A NOTICE TO CONFIRM OR UPDATE THE
43 EARLY MAIL VOTER'S ADDRESS.

44 2. CALLING THE EARLY MAIL VOTER OR NOTIFYING THE EARLY MAIL VOTER
45 TO CALL THE COUNTY RECORDER TO CONFIRM OR UPDATE THE EARLY MAIL VOTER'S
46 ADDRESS.

1 3. ALLOWING THE EARLY MAIL VOTER TO CONFIRM OR UPDATE THE EARLY
2 MAIL VOTER'S ADDRESS BY WAY OF A COUNTY WEBSITE PORTAL. A COUNTY WEBSITE
3 PORTAL FOR THIS PURPOSE SHALL PROMPT THE EARLY MAIL VOTER TO CONFIRM OR
4 UPDATE THE EARLY MAIL VOTER'S ADDRESS EACH TIME THE EARLY MAIL VOTER LOGS
5 IN IF THE VOTER'S ADDRESS HAS NOT YET BEEN CONFIRMED FOR THAT ELECTION
6 CYCLE.

7 C. A NOTICE SENT TO A VOTER TO CONFIRM THE VOTER'S ADDRESS PURSUANT
8 TO SUBSECTION B. PARAGRAPH 1 OF THIS SECTION SHALL BE IN THE FOLLOWING
9 FORM AND INCLUDE CHECK BOXES:

10 _____ [CHECK BOX] I AFFIRM THAT I HAVE NOT MOVED AND MY
11 ADDRESS IS THE SAME AS THE ADDRESS INDICATED ON THE FRONT OF
12 THE ENVELOPE.

13 _____ [CHECK BOX] MY ADDRESS HAS CHANGED AND I WOULD
14 LIKE TO UPDATE MY ADDRESS: _____

15 D. ADDRESS CONFIRMATION RECEIVED AFTER THE LAST DAY TO REQUEST AN
16 EARLY BALLOT WILL BE PROCESSED FOR THE NEXT UPCOMING ELECTION FOR WHICH
17 THE EARLY MAIL VOTER IS ELIGIBLE IN THE CURRENT ELECTION CYCLE.}}

18 ~~{{C.}}~~ {{E.}} On receipt of a request to be included on the active
19 early voting list, the county recorder or other officer in charge of
20 elections shall compare the signature on the request form with the voter's
21 signature on the voter's registration form and, if the request is from the
22 voter, shall mark the voter's registration file as an active early ballot
23 request.

24 ~~{{D.}}~~ {{E.}} Not less than ninety days before any polling place
25 election scheduled in March or August, the county recorder or other
26 officer in charge of elections shall mail to all voters who are eligible
27 for the election and who are included on the active early voting list an
28 election notice by nonforwardable mail that is marked with the statement
29 required by the postmaster to receive an address correction notification.
30 If an election is not formally called by a jurisdiction by the one hundred
31 eightieth day before the election, the recorder or other officer in charge
32 of elections is not required to send the election notice. The notice
33 shall include the dates of the elections that are the subject of the
34 notice, the dates that the voter's ballot is expected to be mailed and the
35 address where the ballot will be mailed. If the upcoming election is a
36 partisan open primary election and the voter is not registered as a member
37 of one of the political parties that is recognized for purposes of that
38 primary, the notice shall include information on the procedure for the
39 voter to designate a political party ballot. The notice shall be
40 delivered with return postage prepaid and shall also include a means for
41 the voter to do any of the following:

42 1. Change the mailing address for the voter's ballot to another
43 location in the voter's county of residence.

44 2. Update the voter's residence address in the voter's county of
45 residence.

46 3. Request that the voter not be sent a ballot for the upcoming
47 election or elections indicated on the notice.

1 ~~{{F.}}~~ {{G.}} If the notice that is mailed to the voter is
2 returned undeliverable by the postal service, the county recorder or other
3 officer in charge of elections shall take the necessary steps to contact
4 the voter at the voter's new residence address in order to update that
5 voter's address or to move the voter to inactive status as prescribed in
6 section 16-166, subsection A. If a voter is moved to inactive status, the
7 voter shall be removed from the active early voting list. If the voter is
8 removed from the active early voting list, the voter shall only be added
9 to the active early voting list again if the voter submits a new request
10 pursuant to this section.

11 ~~{{F.}}~~ {{H.}} Not later than the first day of early voting, the
12 county recorder or other officer in charge of elections shall mail an
13 early ballot to all eligible voters included on the active early voting
14 list in the same manner prescribed in section 16-542, subsection C. If
15 the voter has not returned the notice or otherwise notified the election
16 officer within forty-five days before the election that the voter does not
17 wish to receive an early ballot by mail for the election or elections
18 indicated, the ballot shall automatically be scheduled for mailing.

19 ~~{{G.}}~~ {{I.}} If a voter who is on the active early voting list is
20 not registered as a member of a recognized political party and fails to
21 notify the county recorder of the voter's choice for political party
22 ballot within forty-five days before a partisan open primary election, the
23 following apply:

24 1. The voter shall not automatically be sent a ballot for that
25 partisan open primary election only and the voter's name shall remain on
26 the active early voting list for future elections.

27 2. To receive an early ballot for the primary election, the voter
28 shall submit the voter's choice for political party ballot to the county
29 recorder.

30 ~~{{H.}}~~ {{J.}} After a voter has requested to be included on the
31 active early voting list, the voter shall be sent an early ballot by mail
32 automatically for any election at which a voter at that residence address
33 is eligible to vote until any of the following occurs:

34 1. The voter requests in writing to be removed from the active
35 early voting list.

36 2. The voter's registration or eligibility for registration is
37 moved to inactive status or canceled as otherwise provided by law.

38 3. The notice sent by the county recorder or other officer in
39 charge of elections is returned undeliverable and the county recorder or
40 officer in charge of elections is unable to contact the voter to determine
41 the voter's continued desire to remain on the list.

42 4. The voter fails to vote an early ballot in all elections for two
43 consecutive election cycles. For the purposes of this paragraph,
44 "election" means any regular primary or regular general election for which
45 there was a federal race on the ballot or for which a city or town
46 candidate primary or first election or city or town candidate second,

1 general or runoff election was on the ballot. This paragraph does not
2 apply to:

3 (a) A special taxing district that is authorized pursuant to
4 section 16-191 to conduct its own elections.

5 (b) A special district mail ballot election that is conducted
6 pursuant to article 8.1 of this chapter.

7 ~~{{J.}}~~ ~~{{K.}}~~ A voter may make a written request at any time to be
8 removed from the active early voting list. The request shall include the
9 voter's name, residence address, date of birth and signature. On receipt
10 of a completed request to remove a voter from the active early voting
11 list, the county recorder or other officer in charge of elections shall
12 remove the voter's name from the list as soon as practicable.

13 ~~{{J.}}~~ ~~{{L.}}~~ An absent uniformed services voter or overseas voter
14 as defined in the uniformed and overseas citizens absentee voting act
15 (P.L. 99-410; 52 United States Code section 20310) is eligible to be
16 placed on the active early voting list pursuant to this section.

17 ~~{{K.}}~~ ~~{{M.}}~~ A voter's failure to vote an early ballot once
18 received does not constitute grounds to remove the voter from the active
19 early voting list, except that a county recorder shall remove a voter from
20 the active early voting list if both of the following apply:

21 1. The county recorder or other officer in charge of elections
22 complies with subsection ~~{{M.}}~~ ~~{{Q.}}~~ of this section.

23 2. The voter fails to vote using an early ballot in all of the
24 following elections for two consecutive election cycles:

25 (a) A regular primary and regular general election for which there
26 was a federal race on the ballot.

27 (b) A city or town candidate primary or first election and a city
28 or town candidate second, general or runoff election.

29 ~~{{L.}}~~ ~~{{N.}}~~ On or before January 15 of each odd-numbered year,
30 the county recorder or other officer in charge of elections shall send a
31 notice to each voter who is on the active early voting list and who did
32 not vote an early ballot in all elections for two consecutive election
33 cycles as prescribed by subsection ~~{{K.}}~~ ~~{{M.}}~~ of this section. If the
34 voter has provided the voter's telephone or mobile phone number or email
35 address to the county recorder, the county recorder may additionally
36 provide the notice to the voter by telephone call, text message or email.
37 The notice shall inform the voter that if the voter wishes to remain on
38 the active early voting list, the voter shall do both of the following
39 with the notice received:

40 1. Confirm in writing the voter's desire to remain on the active
41 early voting list.

42 2. Return the completed notice to the county recorder or other
43 officer in charge of elections within ninety days after the notice is sent
44 to the voter. The notice shall be signed by the voter and shall contain
45 the voter's address and date of birth.

1 ~~{{M.}}~~ ~~{{Q.}}~~ If a voter receives a notice as prescribed by
2 subsection ~~{{T.}}~~ ~~{{N.}}~~ of this section and the voter fails to respond
3 within the ninety-day period, the county recorder or other officer in
4 charge of elections shall remove the voter's name from the active early
5 voting list.

6 ~~{{N.}}~~ ~~{{P.}}~~ A candidate, political committee or other organization
7 may distribute active early voting list request forms to voters. If the
8 active early voting list request forms include a printed address for
9 return, that address shall be the political subdivision that will conduct
10 the election. Failure to use the political subdivision as the return
11 addressee is punishable by a civil penalty of up to three times the cost
12 of the production and distribution of the active early voting list
13 request.

14 ~~{{O.}}~~ ~~{{Q.}}~~ All original and completed active early voting list
15 request forms that are received by a candidate, political committee or
16 other organization shall be submitted within six business days after
17 receipt by a candidate or political committee or eleven days before the
18 election day, whichever is earlier, to the political subdivision that will
19 conduct the election. Any person, political committee or other
20 organization that fails to submit a completed active early voting list
21 request form within the prescribed time is subject to a civil penalty of
22 up to \$25 per day for each completed form withheld from submittal. Any
23 person who knowingly fails to submit a completed active early voting list
24 request form before the submission deadline for the election immediately
25 following the completion of the form is guilty of a class 6 felony.

26 ~~{{P.}}~~ ~~{{R.}}~~ A person who receives an early ballot at an address
27 at which another person formerly resided, without voting the ballot or
28 signing the envelope, shall write "not at this address" on the envelope
29 and place the mail piece in a United States postal service collection box
30 or other mail receptacle. On receipt the county recorder or other officer
31 in charge of elections shall proceed in the manner prescribed in
32 subsection ~~{{E.}}~~ ~~{{G.}}~~ of this section.

33 ~~{{O.}}~~ ~~{{S.}}~~ When the county recorder receives confirmation from
34 another county that a person registered has registered to vote in that
35 other county, the county recorder shall remove that person from the active
36 early voting list.

37 ~~{{R.}}~~ ~~{{I.}}~~ If the county recorder receives credible information
38 that a person has registered to vote in a different county, the county
39 recorder shall confirm the person's voter registration with that other
40 county and, on confirmation, shall remove that person from the county's
41 active early voting list pursuant to subsection ~~{{O.}}~~ ~~{{S.}}~~ of this
42 section.

43 ~~{{S.}}~~ ~~{{U.}}~~ For the purposes of this section, "election cycle"
44 means the two-year period beginning on January 1 in the year after a
45 statewide general election or, for cities and towns, the two-year period
46 beginning on the first day of the calendar quarter after the calendar
47 quarter in which the city's or town's second, runoff or general election

1 is scheduled and ending on the last day of the calendar quarter in which
2 the city's or town's immediately following second, runoff or general
3 election is scheduled, however that election is designated by the city or
4 town. >>

5 Sec. 5. Section 16-547, Arizona Revised Statutes, is amended to
6 read:

7 16-547. Mail affidavit: form

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

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

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

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

31 Name of voter assistant: _____

32 Address of voter assistant: _____

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

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

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

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

1 the MAIL affidavit, mark the ballot and return both in the enclosed
2 self-addressed envelope that complies with section 16-545, and:

3 1. Through 2025, the instructions shall include the following
4 statement:

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

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

13 2. Beginning in 2026, the instructions {{FOR A COUNTY THAT PROVIDES
14 ON-SITE TABULATION OF BALLOTS PURSUANT TO SECTION 16-579.01 OR 16-579.02}}
15 shall include the following statement:

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

20 (a) ~~{{Delivering}}~~ {{MAILING}} it to the office of the
21 county recorder or other officer in charge of elections
22 {{WHERE IT MUST BE RECEIVED}} not later than 7:00 p.m. on
23 election day.

24 (b) ~~{{Depositing it at any}}~~ polling place {{VOTING
25 LOCATION}} ~~{{in the county not later than 7:00 p.m. on}}~~ {{THE
26 FRIDAY BEFORE}} ~~{{election day.}}~~ {{HAND DELIVERING IT TO THE
27 OFFICE OF THE COUNTY RECORDER OR OFFICER IN CHARGE OF
28 ELECTIONS NOT LATER THAN 7:00 P.M. ON ELECTION DAY.}}

29 ~~{{[(c) Bringing the ballot to any polling place in the~~
30 ~~county not later than 7:00 p.m. on election day and choosing~~
31 ~~to present valid identification that complies with section~~
32 ~~16-579, subsection A, paragraph 1, Arizona Revised~~
33 ~~Statutes.]}}~~

34 {{(c) DEPOSITING IT AT ANY VOTING LOCATION IN THE
35 COUNTY BY 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY.

36 (d) AFTER 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY,
37 BRINGING THE BALLOT TO ANY VOTING LOCATION IN THE COUNTY THAT
38 OFFERS ON-SITE TABULATION AND SUBMITTING IT TO THE ELECTION
39 OFFICIALS FOR SEPARATION FROM THE ENVELOPE AND PROCESSING AS
40 REQUIRED BY THE COUNTY.

41 3. BEGINNING IN 2026, THE INSTRUCTIONS FOR A COUNTY
42 THAT DOES NOT PROVIDE ON-SITE TABULATION OF BALLOTS PURSUANT
43 TO SECTION 16-579.01 OR 16-579.02 SHALL INCLUDE THE FOLLOWING
44 STATEMENT:

45 IN ORDER TO BE VALID AND COUNTED, THE MAIL AFFIDAVIT
46 THAT CONTAINS THE MAIL BALLOT MUST HAVE THE VOTER'S SIGNATURE

1 ON THE ENVELOPE AND MUST BE RETURNED TO THE OFFICE OF THE
2 COUNTY RECORDER BY ANY ONE OF THE FOLLOWING METHODS:

3 (a) MAILING IT TO THE OFFICE OF THE COUNTY RECORDER OR
4 OTHER OFFICER IN CHARGE OF ELECTIONS, WHICH MUST BE RECEIVED
5 NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

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

9 (c) DEPOSITING IT AT ANY VOTING LOCATION IN THE COUNTY
10 NOT LATER THAN 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY.

11 (d) AFTER 7:00 P.M. ON THE FRIDAY BEFORE ELECTION DAY,
12 BRINGING THE BALLOT TO ANY POLLING PLACE IN THE COUNTY BUT NOT
13 LATER THAN 7:00 P.M. ON ELECTION DAY BY PRESENTING
14 IDENTIFICATION THAT COMPLIES WITH SECTION 16-579, SUBSECTION
15 A, PARAGRAPH 1, ARIZONA REVISED STATUTES.}}

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

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

25 ~~EARLY VOTING CERTIFICATE~~

26 ~~I, _____, A QUALIFIED~~
27 ~~ELECTOR FOR THIS ELECTION AND REGISTERED VOTER IN~~
28 ~~_____ COUNTY, ARIZONA, DO SOLEMNLY SWEAR OR~~
29 ~~AFFIRM THAT I AM THE PERSON LISTED ON THE VOTER REGISTRATION~~
30 ~~ROLLS OF _____ COUNTY AND THAT I RESIDE AT THE~~
31 ~~LISTED ADDRESS. I UNDERSTAND THAT IF I COMMIT OR ATTEMPT TO~~
32 ~~COMMIT FRAUD IN CONNECTION WITH VOTING, VOTE A FRAUDULENT~~
33 ~~BALLOT OR VOTE MORE THAN ONCE IN AN ELECTION, I COULD BE~~
34 ~~CONVICTED OF A FELONY AND FINED OR IMPRISONED, OR BOTH. I~~
35 ~~UNDERSTAND THAT MY FAILURE TO SIGN THIS CERTIFICATE~~
36 ~~INVALIDATES MY BALLOT.]~~

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

40 A person may only handle or return their own ballot or
41 the ballot of family members, household members or persons for
42 whom they are a caregiver. It is unlawful under section
43 16-1005, ARIZONA REVISED STATUTES, to handle or return the
44 ballot of any other person.

1 Sec. 6. Section 16-548, Arizona Revised Statutes, is amended to
2 read:

3 16-548. Preparation and transmission of ballot

4 A. The early voter shall make and sign the affidavit and shall then
5 mark ~~his~~ THE ballot in ~~{{such}}~~ a manner that ~~his~~ THE EARLY VOTER'S vote
6 cannot be seen. The early voter shall fold the ballot, if a paper ballot,
7 so as to conceal the vote~~{{,}}~~ ~~{{and}}~~ deposit the voted ballot in the
8 envelope provided for that purpose, which shall be securely sealed and,
9 together with the affidavit, ~~delivered or~~ RETURN THE VOTED BALLOT BY ONE
10 OF THE FOLLOWING METHODS:

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

18 2. ~~{{HAND}}~~ DELIVER THE VOTED BALLOT TO THE OFFICE OF THE COUNTY
19 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS OF THE POLITICAL
20 SUBDIVISION IN WHICH THE VOTER IS REGISTERED. IN ORDER TO BE COUNTED AND
21 VALID, THE BALLOT MUST BE RECEIVED BY THE COUNTY RECORDER OR OTHER OFFICER
22 IN CHARGE OF ELECTIONS NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

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

27 B. A PERSON WHO APPEARS PERSONALLY AT AN EARLY VOTING LOCATION
28 ~~{{ESTABLISHED PURSUANT TO SECTION 16-542}}~~ DURING THE PERIOD OF EARLY
29 VOTING, INCLUDING ON THE SATURDAY~~{{, SUNDAY}}~~ AND MONDAY BEFORE ELECTION
30 DAY, SHALL PRESENT IDENTIFICATION AS PRESCRIBED BY SECTION 16-579, SIGN
31 THE EARLY VOTER [CERTIFICATE] [AFFIDAVIT], MARK THE BALLOT IN A MANNER
32 THAT THE EARLY VOTER'S VOTE CANNOT BE SEEN AND RETURN THE VOTED BALLOT TO
33 THE ELECTION OFFICIAL AT THE EARLY VOTING LOCATION. ~~[A MAIL AFFIDAVIT~~
34 ~~ENVELOPE MAY NOT BE REQUIRED.]~~ ~~[FOR A COUNTY THAT PROVIDES FOR ON-SITE~~
35 ~~TABULATION OF BALLOTS PURSUANT TO {{SECTIONS}} {{SECTION}} 16-579.01 {{AND~~
36 ~~16-579.02}}~~ DURING THE SATURDAY~~{{, SUNDAY}}~~ OR MONDAY IMMEDIATELY
37 PRECEDING ELECTION DAY, THE FOLLOWING APPLY:

38 1. THE EARLY VOTER SHALL APPEAR PERSONALLY AT THE ON-SITE
39 TABULATION LOCATION AND ~~{{SURRENDER}}~~ ~~{{SUBMIT}}~~ THE VOTER'S EARLY BALLOT
40 AND AFFIDAVIT.

41 2. THE ELECTION OFFICIAL SHALL ALLOW THE EARLY VOTER TO TABULATE
42 THE EARLY BALLOT ON-SITE AS PRESCRIBED BY SECTIONS 16-579.01 AND
43 16-579.02.]

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

1 ~~B.~~ ~~[C.]~~ ~~[D.]~~ If the early voter is an overseas citizen, a
2 qualified elector absent from the United States or in the United States
3 service, a spouse or dependent residing with the early voter or a
4 qualified elector of a special district mail ballot election as provided
5 in article 8.1 of this chapter, the early voter may subscribe to the
6 affidavit before and obtain the signature and military identification
7 number or passport number, if available, of any person who is a United
8 States citizen eighteen years of age or older.

9 <<Sec. 7. Section 16-551, Arizona Revised Statutes, is amended to
10 read:

11 16-551. Early election board; violation; classification

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

18 B. If an electronic voting system is in use for early voting, the
19 early election board shall consist of at least one inspector and two
20 judges who shall perform the processing requirements in accordance with
21 the rules issued by the secretary of state. The inspector and judges
22 shall be appointed in the same manner by party as provided in section
23 16-531.

24 C. All early ballots received by the county recorder or other
25 officer in charge of elections before 7:00 p.m. on election day and the
26 original mail ~~{{ballot}}~~ affidavit of the voter shall be delivered to the
27 early election boards for processing as provided in the rules of the
28 secretary of state. Beginning in 2026, all early ballots that are
29 delivered by a voter to a voting location without presenting
30 identification that complies with section 16-579, subsection A,
31 paragraph 1 must be signature verified. The office of the county recorder
32 or other officer in charge of elections shall remain open until 7:00 p.m.
33 on election day for the purpose of receiving early ballots. Partial or
34 complete tallies of the early election board shall not be released or
35 divulged before all precincts have reported or one hour after the closing
36 of the polls on election day, whichever occurs first. Any person who
37 unlawfully releases information regarding vote tallies or who possesses a
38 tally sheet or summary without authorization from the recorder or officer
39 in charge of elections is guilty of a class 6 felony.

40 D. {{EXCEPT IN COUNTIES THAT TABULATE EARLY BALLOTS ON-SITE
41 PURSUANT TO SECTIONS 16-579.01 AND 16-579.02.}}[{{the county recorder or
42 other officer in charge of elections shall count the number of early
43 ballots that are returned at voting locations on election day and shall
44 post on its website those totals with the last unofficial results that are
45 released on election night pursuant to section 16-622.}}] Beginning with
46 the day following the election, the county recorder or other officer in
47 charge of elections shall enter into the county's ballot tracking system,

1 if established, early ballots that were returned at the voting location on
2 election day.

3 E. The necessary printed blanks for poll lists, tally lists, lists
4 of voters, ballots, oaths and returns, together with envelopes in which to
5 enclose the returns, shall be furnished by the board of supervisors or the
6 governing body of the political subdivision to the early election board
7 for each election precinct at the expense of the county or the political
8 subdivision.>>

9 Sec. 8. Section 16-552, Arizona Revised Statutes, is amended to
10 read:

11 16-552. Early ballots; processing; challenges

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

21 B. EXCEPT FOR A PERSON WHO VOTES PERSONALLY AT AN EARLY VOTING
22 LOCATION DURING THE PERIOD OF EARLY VOTING AS PRESCRIBED BY SECTION
23 16-548, SUBSECTION B, the early election board shall check the voter's
24 mail ~~ballot~~ affidavit on the envelope containing the early ballot. If it
25 is found to be sufficient, the vote shall be allowed. If the mail ~~ballot~~
26 affidavit is insufficient, the vote shall not be allowed. Beginning in
27 2026, for an early ballot that is received and verified as prescribed by
28 section 16-579, subsection A, paragraph 4, additional signature
29 verification is not required.

30 C. The county chairman of each political party represented on the
31 ballot, by written appointment addressed to the early election board, may
32 designate party representatives and alternates to act as early ballot
33 challengers for the party. No party may have more than the number of such
34 representatives or alternates that were mutually agreed on by each
35 political party to be present at one time. If such agreement cannot be
36 reached, the number of representatives shall be limited to one for each
37 political party.

38 D. An early ballot may be challenged on any grounds set forth in
39 section 16-591. All challenges shall be made in writing with a brief
40 statement of the grounds before the early ballot is placed in the ballot
41 box. A record of all challenges and resulting proceedings shall be kept
42 in substantially the same manner as provided in section 16-594. If an
43 early ballot is challenged, it shall be set aside and retained in the
44 possession of the early election board or other officer in charge of early
45 ballot processing until a time that the early election board sets for
46 determination of the challenge, subject to the procedure in subsection E
47 of this section, at which time the early election board shall hear the

1 grounds for the challenge and shall decide what disposition shall be made
2 of the early ballot by majority vote. If the early ballot is not allowed,
3 it shall be handled pursuant to subsection G of this section.

4 E. Within twenty-four hours of receipt of a challenge, the early
5 election board or other officer in charge of early ballot processing shall
6 mail, by first class mail, a notice of the challenge including a copy of
7 the written challenge, and also including the time and place at which the
8 voter may appear to defend the challenge, to the voter at the mailing
9 address shown on the request for an early ballot or, if none was provided,
10 to the mailing address shown on the registration rolls. Notice shall also
11 be mailed to the challenger at the address listed on the written challenge
12 and provided to the county chairman of each political party represented on
13 the ballot. The board shall meet to determine the challenge at the time
14 specified by the notice but, in any event, not earlier than ninety-six
15 hours after the notice is mailed, or forty-eight hours if the notifying
16 party chooses to deliver the notice by overnight or hand delivery, and not
17 later than 5:00 p.m. on the Monday following the election. The board
18 shall provide the voter with an informal opportunity to make, or to
19 submit, brief statements regarding the challenge. The board may decline
20 to permit comments, either in person or in writing, by anyone other than
21 the voter, the challenger and the party representatives. The burden of
22 proof is on the challenger to show why the voter should not be permitted
23 to vote. The fact that the voter fails to appear shall not be deemed to
24 be an admission of the validity of the challenge. The early election
25 board or other officer in charge of early ballot processing is not
26 required to provide the notices described in this subsection if the
27 written challenge fails to set forth at least one of the grounds listed in
28 section 16-591 as a basis for the challenge. In that event, the challenge
29 will be summarily rejected at the meeting of the board. Except for
30 election contests pursuant to section 16-672, the board's decision is
31 final and may not be appealed.

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

37 G. If the vote is not allowed, the mail ~~ballot~~ affidavit envelope
38 containing the early ballot shall not be opened and the board shall mark
39 across the face of such envelope the grounds for rejection. The mail
40 ~~ballot~~ affidavit envelope and its contents shall then be deposited with
41 the opened mail ~~ballot~~ affidavit envelopes and shall be preserved with
42 official returns. If the voter does not enter an appearance, the board
43 shall send the voter a notice stating whether the early ballot was
44 disallowed and, if disallowed, providing the grounds for the
45 determination. The notice shall be mailed by first class mail to the
46 voter's mailing address as shown on the registration rolls within three
47 days after the board's determination.

1 H. Party representatives and alternates may be appointed as
2 provided in subsection C of this section to be present and to challenge
3 the verification of questioned ballots pursuant to section 16-584 on any
4 grounds allowed by this section. Questioned ballots that are challenged
5 shall be presented to the early election board for decision under the
6 provisions of this section.

7 ~~{{<<Sec. 7. Section 16-558.01, Arizona Revised Statutes, is amended~~
8 ~~to read:~~

9 ~~16-558.01. Mailing of ballots~~

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

25 <<Sec. 9. Section 16-579.01, Arizona Revised Statutes, is amended
26 to read:

27 16-579.01. Early ballots; on-site tabulation

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

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

37 1. Designate an area within a precinct or voting center for
38 processing electors with their voted early ballots that is physically
39 separate from the area for voters who are voting pursuant to section
40 16-579.

41 2. Provide adequate poll workers, election officials and equipment
42 necessary to conduct voting pursuant to this section and section
43 16-579.02.

44 3. Categorize and tally separately in the official canvass and
45 other reports electors whose voted early ballots are tabulated at the
46 precinct or voting center. The tally shall be reported by precinct in the
47 official canvass and other voting reports.

1 4. Reconcile for that polling place or voting center the number of
2 electors who appear on the signature roster or ~~{{e-pollbook}}~~ ~~{{ELECTRONIC~~
3 ~~POLLBOOK}}~~ with the number of completed early ballot affidavits and the
4 voted early ballots tabulated on-site.>>

5 <<Sec. 10. Section 16-579.02, Arizona Revised Statutes, is amended
6 to read:

7 16-579.02. Election day early ballot on-site tabulation
8 procedure: fund

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

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

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

30 3. If the elector's affidavit is not complete, the election
31 official in charge of the signature roster shall allow the elector to
32 complete the affidavit. The election official may not allow for the
33 on-site tabulation of an early ballot until the elector presents a
34 completed early ballot affidavit.

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

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

42 D. For precincts in which an electronic pollbook is used, each
43 qualified elector shall sign the elector's name as prescribed in section
44 16-579, subsection E before proceeding to the tabulating equipment.

45 E. After signing the signature roster or electronic pollbook, the
46 elector shall proceed to the tabulating equipment and while under the
47 observation of an election official, remove the early ballot from the

1 completed affidavit envelope, deposit the empty completed affidavit
2 envelope in the secured and labeled drop box and insert the early ballot
3 into a tabulating machine. An early ballot that has been separated from
4 the elector's completed affidavit envelope may not be removed from the
5 on-site early ballot tabulation area.

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

10 G. Any qualified elector who lawfully brings to a polling place or
11 voting center another elector's voted early ballot that is sealed in its
12 affidavit envelope shall deposit the other elector's voted early ballot in
13 the appropriate ballot drop box before entering the on-site early ballot
14 tabulation area for purposes of tabulating the elector's own early ballot.
15 The county recorder or other officer in charge of elections shall ensure
16 that a voter is not in possession of another voter's ballot within the
17 on-site early ballot tabulation area.>>

18 <<Sec. 11. Severability

19 {{If a provision of this act or its application to any person or
20 circumstance is held invalid, the invalidity does not affect other
21 provisions or applications of the act that can be given effect without the
22 invalid provision or application, and to this end the provisions of this
23 act are severable.}}>>

24 <<Sec. 12. Legislative findings

25 {{The legislature finds that:

26 1. Arizona takes far longer than most other states to report its
27 final vote tabulations for elections.

28 2. The most significant causal factor in Arizona's delayed vote
29 count is matching signatures to the signatures in the voter file for
30 envelopes for early ballots that are returned on or shortly before
31 election day, sometimes called "late early ballots".

32 3. Another cause of administrative delays in Arizona elections is
33 the recent surge in emergency voting during the weekend before election
34 day. Originally intended to accommodate voters with bona fide last-minute
35 emergencies that would otherwise interfere with voting, emergency voting
36 has recently shifted to an unauthorized expansion of the early voting
37 period without any meaningful confirmation that voters are, in fact,
38 burdened by a last-minute emergency that would otherwise prevent them from
39 voting. This recent expansion of emergency voting diverts scarce
40 resources from elections officials' offices at the very end of the
41 election cycle, when time and manpower are most precious, that otherwise
42 could be used to fully process early ballots, ensure smooth operations on
43 election day and facilitate the prompt reporting of election results.

44 4. Arizona's delayed results are sometimes perceived as evidence of
45 election worker incompetence or inefficiency or as an opportunity for
46 unscrupulous participants to affect the ballot tabulation process

1 improperly. In this way, Arizona's delay in reporting final numbers
2 reduces public confidence in Arizona's voting system.

3 5. By decentralizing and streamlining the process for confirming
4 voter identity associated with late early ballots and eliminating
5 emergency voting during the days immediately before election day, Arizona
6 can substantially reduce administrative burdens, speed up the ballot
7 tabulation process and increase confidence in the electoral system.

8 6. By enlarging the overall early voting period and maintaining
9 other voting rights and processes such as in-person early voting, in
10 person election day voting, early voting by mail through the Friday before
11 election day, special election boards, accessible voting systems and
12 translations for protected language groups, the proposed changes in
13 Arizona election administration processes will not have a substantial net
14 effect on either access to or the ease of voting in Arizona.}}>>

15 Enroll and engross to conform

16 Amend title to conform

WENDY ROGERS

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