

REFERENCE TITLE: early ballots; identification; mailing

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1713

Introduced by
Senators Mesnard: Ugenti-Rita

AN ACT

AMENDING TITLE 16, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-167; AMENDING SECTIONS 16-547 AND 16-548, ARIZONA
REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 16, chapter 1, article 5, Arizona Revised
3 Statutes, is amended by adding section 16-167, to read:

4 16-167. Voter registration card; mailing

5 THE COUNTY RECORDER SHALL SEND BY NONFORWARDABLE MAIL A VOTER
6 REGISTRATION CARD TO EACH REGISTERED VOTER AT LEAST ONCE EVERY TWO YEARS.

7 Sec. 2. Section 16-547, Arizona Revised Statutes, is amended to
8 read:

9 16-547. Ballot affidavit; form

10 A. The early ballot shall be accompanied by an envelope bearing on
11 the front the name, official title and post office address of the recorder
12 or other officer in charge of elections and on the other side a printed
13 affidavit THAT IS DESIGNED TO FIT INSIDE THE RETURN ENVELOPE in
14 substantially the following form:

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

22 If the voter was assisted by another person in marking
23 the ballot, complete the following:

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

33 Name of voter assistant: _____

34 Address of voter assistant: _____

35 B. The face of each envelope in which a ballot is sent to a federal
36 postcard applicant or in which a ballot is returned by ~~such~~ THE applicant
37 to the recorder or other officer in charge of elections shall be in the
38 form prescribed in accordance with the uniformed and overseas citizens
39 absentee voting act of 1986 (P.L. 99-410; ~~42~~ 52 United States Code section
40 ~~1973ff~~ 20301). Otherwise, the envelopes shall be the same as those used to
41 send ballots to, or receive ballots from, other early voters.

42 C. The county recorder or other officer in charge of elections
43 shall supply printed instructions to early voters that direct them to
44 COMPLETE AND sign the affidavit, mark the ballot and return ~~both~~ THEM in

the enclosed self-addressed envelope that complies with section 16-545. The instructions shall include the following statement:

In order to be valid and counted, the ballot and affidavit, COMPLETE WITH REQUIRED VOTER INFORMATION AND SIGNATURE, must be delivered to the office of the county recorder or other officer in charge of elections or may be deposited at any polling place in the county ~~no~~ NOT later than 7:00 p.m. on election day.

WARNING-It is a felony to offer or receive any compensation for a ballot.

Sec. 3. Section 16-548, Arizona Revised Statutes, is amended to read:

16-548. Preparation and transmission of ballot

A. The early voter shall make and sign the affidavit and shall then mark ~~his~~ THE ballot in ~~such~~ a manner that ~~his~~ THE VOTER'S vote cannot be seen. The early voter shall fold the ballot, if a paper ballot, so as to conceal the vote and deposit the voted ballot in the envelope provided for that purpose, ~~which~~ ALONG WITH THE AFFIDAVIT PROVIDED BY THE COUNTY RECORDER AND COMPLETED BY THE VOTER THAT CONTAINS THE VOTER'S DATE OF BIRTH AND EITHER OF THE FOLLOWING VOTER INFORMATION:

1. THE NUMBER FROM THE VOTER'S ARIZONA DRIVER LICENSE, ARIZONA NONOPERATING IDENTIFICATION LICENSE, TRIBAL ENROLLMENT CARD OR OTHER FORM OF TRIBAL IDENTIFICATION OR A COPY OF A UNITED STATES FEDERAL, STATE OR LOCAL GOVERNMENT ISSUED IDENTIFICATION.

2. THE VOTER'S VOTER REGISTRATION NUMBER AND AN ITEM THAT CONTAINS THE NAME AND ADDRESS OF THE VOTER THAT REASONABLY APPEARS TO BE THE SAME AS THE VOTER'S VOTER REGISTRATION ADDRESS, INCLUDING A COPY OF A UTILITY BILL, A BANK OR CREDIT UNION STATEMENT THAT IS DATED WITHIN NINETY DAYS OF THE DATE OF THE ELECTION, A VALID ARIZONA VEHICLE REGISTRATION, AN ARIZONA VEHICLE INSURANCE CARD, AN INDIAN CENSUS CARD, TRIBAL ENROLLMENT CARD OR OTHER FORM OF TRIBAL IDENTIFICATION, A PROPERTY TAX STATEMENT, A RECORDER'S CERTIFICATE, A VOTER REGISTRATION CARD OR ANY OTHER MAILING THAT IS LABELED AS "OFFICIAL ELECTION MATERIAL".

B. THE VOTER'S COMPLETED AFFIDAVIT THAT INCLUDES THE VOTER'S SIGNATURE AND IDENTIFICATION AS PRESCRIBED IN SUBSECTION A OF THIS SECTION AND THE VOTED BALLOT shall be securely sealed and, ~~together with the affidavit,~~ delivered or mailed to the county recorder or other officer in charge of elections of the political subdivision in which the elector is registered or deposited by the voter or the voter's agent at any polling place in the county. In order to be counted and valid, the ballot AND COMPLETED AFFIDAVIT must be received by the county recorder or other officer in charge of elections or deposited at any polling place in the county ~~no~~ NOT later than 7:00 p.m. on election day.

~~B.~~ C. If the early voter is an overseas citizen, a qualified elector absent from the United States or in the United States service, a

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