

COMMITTEE ON JUDICIARY
SENATE AMENDMENTS TO S.B. 1466
(Reference to printed bill)

- 1 Page 1, line 45, strike "HAS SOLE AUTHORITY TO" insert "SHALL"
- 2 Page 2, line 6, strike "~~shall allow~~ IS A FACILITY IN"
- 3 Line 7, strike "WHICH" insert "shall allow"; strike "~~to receive~~ RECEIVES"
- 4 insert "to receive"
- 5 Line 8, strike "~~Voting~~"
- 6 Strike lines 9 through 11, insert "Voting centers may be established in
- 7 coordination and consultation with the county recorder OR OTHER OFFICER IN
- 8 CHARGE OF ELECTIONS, at other county offices or at other locations in the
- 9 county deemed appropriate."
- 10 Line 17, after period strike remainder of line
- 11 Strike line 18
- 12 Strike lines 25 and 26
- 13 Page 4, after line 34, insert:
- 14 "Sec. 2. Section 16-542, Arizona Revised Statutes, is amended to
- 15 read:
- 16 16-542. Request for ballot; civil penalties; violation;
- 17 classification
- 18 A. Within ninety-three days before any election called pursuant to
- 19 the laws of this state, an elector may make a verbal or signed request to
- 20 the county recorder, or other officer in charge of elections for the
- 21 applicable political subdivision of this state in whose jurisdiction the
- 22 elector is registered to vote, for an official early ballot. In addition
- 23 to name and address, the requesting elector shall provide the date of birth
- 24 and state or country of birth or other information that if compared to the
- 25 voter registration information on file would confirm the identity of the

1 elector. If the request indicates that the elector needs a primary
2 election ballot and a general election ballot, the county recorder or other
3 officer in charge of elections shall honor the request. For any partisan
4 primary election, if the elector is not registered as a member of a
5 political party that is entitled to continued representation on the ballot
6 pursuant to section 16-804, the elector shall designate the ballot of only
7 one of the political parties that is entitled to continued representation
8 on the ballot and the elector may receive and vote the ballot of only that
9 one political party. The county recorder may establish on-site early
10 voting locations at the recorder's office, which shall be open and
11 available for use beginning the same day that a county begins to send out
12 the early ballots. **ON A RESOLUTION OF THE BOARD OF SUPERVISORS IN A COUNTY
13 WITH A POPULATION OF 500,000 OR MORE PERSONS,** The county recorder may also
14 establish any other early voting locations in the county the recorder deems
15 necessary.

16 B. Notwithstanding subsection A of this section, a request for an
17 official early ballot from an absent uniformed services voter or overseas
18 voter as defined in the uniformed and overseas citizens absentee voting act
19 of 1986 (P.L. 99-410; 52 United States Code section 20310) or a voter whose
20 information is protected pursuant to section 16-153 that is received by the
21 county recorder or other officer in charge of elections more than
22 ninety-three days before the election is valid. If requested by the absent
23 uniformed services or overseas voter, or a voter whose information is
24 protected pursuant to section 16-153, the county recorder or other officer
25 in charge of elections shall provide to the requesting voter early ballot
26 materials through the next regularly scheduled general election for federal
27 office immediately following receipt of the request unless a different
28 period of time, which does not exceed the next two regularly scheduled
29 general elections for federal office, is designated by the voter.

30 C. The county recorder or other officer in charge of elections shall
31 mail the early ballot and the envelope for its return postage prepaid to
32 the address provided by the requesting elector within five days after
33 receipt of the official early ballots from the officer charged by law with
34 the duty of preparing ballots pursuant to section 16-545, except that early

1 ballot distribution shall not begin more than twenty-seven days before the
2 election. If an early ballot request is received on or before the
3 thirty-first day before the election, the early ballot shall be distributed
4 not earlier than the twenty-seventh day before the election and not later
5 than the twenty-fourth day before the election.

6 D. Only the elector may be in possession of that elector's unvoted
7 early ballot. If a complete and correct request is made by the elector
8 within twenty-seven days before the election, the mailing must be made
9 within forty-eight hours after receipt of the request. Saturdays, Sundays
10 and other legal holidays are excluded from the computation of the
11 forty-eight hour period prescribed by this subsection. If a complete and
12 correct request is made by an absent uniformed services voter or an
13 overseas voter before the election, the regular early ballot shall be
14 transmitted by mail, by fax or by other electronic format approved by the
15 secretary of state within twenty-four hours after the early ballots are
16 delivered pursuant to section 16-545, subsection B, excluding Sundays.

17 E. In order to be complete and correct and to receive an early
18 ballot by mail, an elector's request that an early ballot be mailed to the
19 elector's residence or temporary address must include all of the
20 information prescribed by subsection A of this section and must be received
21 by the county recorder or other officer in charge of elections no later
22 than 5:00 p.m. on the eleventh day preceding the election. An elector who
23 appears personally no later than 5:00 p.m. on the Friday preceding the
24 election at an on-site early voting location that is established by the
25 county recorder or other officer in charge of elections shall be given a
26 ballot and permitted to vote at the on-site location. If an elector's
27 request to receive an early ballot is not complete and correct but complies
28 with all other requirements of this section, the county recorder or other
29 officer in charge of elections shall attempt to notify the elector of the
30 deficiency of the request.

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

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

6 H. As a result of an emergency occurring between 5:00 p.m. on the
7 second Friday preceding the election and 5:00 p.m. on the Monday preceding
8 the election, qualified electors may request to vote early in the manner
9 prescribed by the county recorder of their respective county. For the
10 purposes of this subsection, "emergency" means any unforeseen circumstances
11 that would prevent the elector from voting at the polls.

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

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

31 Sec. 3. Section 16-1017, Arizona Revised Statutes, is amended to
32 read:

1 16-1017. Unlawful acts by voters with respect to voting;
2 classification

3 A voter who knowingly commits any of the following acts is guilty of
4 a class 2 misdemeanor:

5 1. Makes a false statement as to the voter's inability to mark a
6 ballot.

7 2. Interferes with a voter within the seventy-five foot limit of the
8 polling place as posted by the election marshal or within seventy-five feet
9 of the main outside entrance to an on-site early voting location
10 established ~~by a county recorder~~ pursuant to section 16-542, subsection A.

11 3. Endeavors while within the seventy-five foot limit for a polling
12 place or on-site early voting location to induce a voter to vote for or
13 against a particular candidate or issue.

14 4. Prior to the close of an election defaces or destroys a sample
15 ballot posted by election officers, or defaces, tears down, removes or
16 destroys a card of instructions posted for the instruction of voters.

17 5. Removes or destroys supplies or conveniences furnished to enable
18 a voter to prepare the voter's ballot.

19 6. Hinders the voting of others.

20 7. Votes in a county in which the voter no longer resides, except as
21 provided in section 16-125.

22 Sec. 4. Section 16-1018, Arizona Revised Statutes, is amended to
23 read:

24 16-1018. Additional unlawful acts by persons with respect to
25 voting; classification

26 A person who commits any of the following acts is guilty of a class 2
27 misdemeanor:

28 1. Knowingly electioneers on election day within a polling place or
29 in a public manner within seventy-five feet of the main outside entrance of
30 a polling place or on-site early voting location established ~~by a county~~
31 ~~recorder~~ pursuant to section 16-542, subsection A.

32 2. Intentionally disables or removes from the polling place, on-site
33 early voting location or custody of an election official a voting machine
34 or a voting record.

1 3. Knowingly removes an official ballot from a polling place before
2 closing the polls.

3 4. Shows another voter's ballot or the machine on which another
4 voter has voted to any person after it is prepared for voting in such a
5 manner as to reveal the contents, except to an authorized person lawfully
6 assisting the voter. A voter who makes available an image of the voter's
7 own ballot by posting on the internet or in some other electronic medium is
8 deemed to have consented to retransmittal of that image and that
9 retransmittal does not constitute a violation of this section.

10 5. Knowingly solicits a voter to show the voter's ballot, or
11 receives from a voter a ballot prepared for voting, unless the person is an
12 election official or unless otherwise authorized by law.

13 6. Knowingly receives an official ballot from a person other than an
14 election official having charge of the ballots.

15 7. Knowingly delivers an official ballot to a voter, unless the
16 voter is an election official.

17 8. Except for a completed ballot transmitted by an elector by fax or
18 other electronic format pursuant to section 16-543, knowingly places a mark
19 on the voter's ballot by which it can be identified as the one voted by the
20 voter.

21 9. After having received a ballot as a voter, knowingly fails to
22 return the ballot to the election official before leaving the polling place
23 or on-site early voting location.

24 Amend title to conform

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