



Bill Number: S.B. 1466

Gray Floor Amendment

Reference to: JUDICIARY Committee amendment

Amendment drafted by: Jake Agron

FLOOR AMENDMENT EXPLANATION

1. **Makes the changes in the bill applicable statewide, instead of only in Maricopa County and Pima County.**
2. **Consolidates the definitions of voting centers and early voting centers and clarifies that a voting center can be used for early voting and ballot replacement.**
3. **Removes language requiring the Board of Supervisors to determine the method and manner of voting at polling locations, including whether voting equipment must tabulate ballots.**
4. **Permits a county recorder or other officer in charge of elections to make changes to a voting center, but requires notification to the public and the Board of Supervisors as soon as is practicable.**
5. **Permits a county recorder to continue to operate early voting locations during the three-day period immediately preceding election day under certain conditions.**
6. **Creates voting center election boards to oversee voting centers.**

Amendment explanation prepared by Vicente Reyna

03/07/2018

GRAY FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1466
(Reference to JUDICIARY Committee amendment)

1 Page 1, strike lines 1 through 12, insert:

2 "Page 1, between lines 1 and 2, insert:

3 "Section 1. Section 16-193, Arizona Revised Statutes, is
4 amended to read:

5 16-193. Active registered voters: applicability

6 The terms "registered voters", "persons who are registered
7 to vote", "registered electors" and "voters registered" as used
8 in the following sections include only active registered voters
9 for purposes of the following:

10 1. Calculating petition signature requirements pursuant to
11 sections 11-133, 16-322, 16-341, 45-415, 45-433, 48-4433 and
12 48-4832.

13 2. Mailing and distributing election-related notices,
14 pamphlets or ballots pursuant to sections 11-137, 15-905.01,
15 16-245, 16-412, 16-461, 16-510, 19-123, 19-141, 35-454,
16 41-563.02, 42-6109.01, 42-17057, 42-17107, 48-620, 48-4021,
17 48-4236, 48-5314, 48-6432 and 48-6433.

18 3. Providing voting machines ~~pursuant to section 16-430.~~

19 4. Furnishing ballots pursuant to sections 16-508 and
20 48-685.

21 5. Determining qualification for political parties'
22 continued representation on the ballot pursuant to sections
23 16-244 and 16-804.

24 6. Choosing political party officers pursuant to sections
25 16-821 and 16-823."

26 Renumber to conform

1 Page 1, line 16, after the comma strike remainder of line
2 Strike lines 17 and 18
3 Line 19, strike "MUST TABULATE BALLOTS AT THE POLLING PLACE."
4 Line 44, after "VOTING" insert "AND TO DETERMINE ADDITIONAL
5 VOTING"; strike ". AFTER"
6 Strike line 45
7 Page 2, strike lines 1 through 4, insert "AS FOLLOWS:"
8 Line 6, strike "FACILITY IN"
9 Line 7, strike "WHICH" insert "PHYSICAL LOCATION THAT ALLOWS";
10 strike "~~to receive~~ RECEIVES" insert "to receive"
11 Line 8, strike "on election day"; strike "MAY"; after "ballot"
12 insert "FOR AN ELECTION"; strike "~~Voting~~"
13 Strike line 9
14 Line 10, strike "~~county recorder~~" insert "Voting centers may be
15 established in coordination and consultation with the county
16 recorder"; after ";" strike remainder of line
17 Strike lines 11 through 18, insert "OR OTHER OFFICER IN CHARGE OF
18 ELECTIONS at other county offices or at other locations in the
19 county deemed appropriate. ON ELECTION DAY, A VOTING CENTER IS
20 DEEMED TO BE A POLLING PLACE AND SECTIONS 13-3102, 16-515 AND
21 16-579 APPLY. A VOTING CENTER MAY BE USED AS AN EARLY VOTING
22 LOCATION AS PRESCRIBED BY SECTION 16-542 AND AS A BALLOT
23 REPLACEMENT LOCATION AS PRESCRIBED BY SECTION 16-558.02."
24 Reletter to conform
25 Line 22, after the period strike remainder of line
26 Strike lines 23 through 26"
27 Page 1, between lines 13 and 14, insert:
28 "Sec. 3. Title 16, chapter 4, article 2, Arizona Revised Statutes,
29 is amended by adding section 16-411.01, to read:
30 16-411.01. Appointment of voting center election boards;
31 qualifications

1 A. WHEN AN ELECTION IS ORDERED AND VOTING CENTERS ARE USED, THE
2 BOARD OF SUPERVISORS SHALL APPOINT A VOTING CENTER ELECTION BOARD FOR EACH
3 VOTING CENTER CONSISTING OF AT LEAST ONE INSPECTOR, ONE MARSHAL AND AS MANY
4 JUDGES OR CLERKS AS DEEMED NECESSARY. BOARD WORKERS MAY BE HIRED TO WORK
5 SHIFTS AS LONG AS THERE ARE ALWAYS SUFFICIENT WORKERS PRESENT TO ASSIST
6 VOTERS. INSPECTORS, MARSHALS, JUDGES AND CLERKS SHALL BE QUALIFIED VOTERS
7 OF THE COUNTY, AND DIFFERENT POLITICAL PARTIES MUST BE REPRESENTED WITHIN
8 EACH BOARD. THERE SHALL BE AN EQUAL NUMBER OF INSPECTORS IN THE VARIOUS
9 VOTING CENTERS IN THE COUNTY WHO ARE MEMBERS OF THE TWO LARGEST POLITICAL
10 PARTIES.

11 B. NOTWITHSTANDING ANY OTHER LAW, THE BOARD OF SUPERVISORS MAY
12 APPOINT A PERSON WHO IS NOT ELIGIBLE TO VOTE TO A VOTING CENTER ELECTION
13 BOARD TO SERVE AS A CLERK OF ELECTIONS ONLY IF ALL OF THE FOLLOWING APPLY:

14 1. THE PERSON IS A MINOR WHO WILL BE AT LEAST SIXTEEN YEARS OF AGE
15 AT THE TIME OF THE ELECTION FOR WHICH THE PERSON IS NAMED TO THE VOTING
16 CENTER ELECTION BOARD.

17 2. THE PERSON IS A CITIZEN OF THE UNITED STATES AT THE TIME OF THE
18 ELECTION FOR WHICH THE PERSON IS NAMED TO THE VOTING CENTER ELECTION BOARD.

19 3. THE PERSON IS SUPERVISED BY AN ADULT WHO HAS BEEN TRAINED AS A
20 VOTING CENTER ELECTION BOARD WORKER.

21 4. THE PERSON HAS RECEIVED TRAINING PROVIDED BY THE OFFICER IN
22 CHARGE OF ELECTIONS.

23 5. THE PERSON'S PARENT OR GUARDIAN HAS PROVIDED WRITTEN PERMISSION
24 FOR THE PERSON TO SERVE.

25 C. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT BE REQUIRED TO
26 REDUCE ITS AVERAGE DAILY MEMBERSHIP, AS DEFINED IN SECTION 15-901, FOR ANY
27 PUPIL WHO IS ABSENT FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF
28 THE PUPIL'S SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO
29 SUBSECTION B OF THIS SECTION.

30 D. A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOT COUNT ANY PUPIL'S
31 ABSENCE FROM ONE OR MORE INSTRUCTIONAL PROGRAMS AS A RESULT OF THE PUPIL'S

1 SERVICE ON A VOTING CENTER ELECTION BOARD PURSUANT TO SUBSECTION B OF THIS
2 SECTION AGAINST ANY MANDATORY ATTENDANCE REQUIREMENTS FOR THE PUPIL.

3 E. THIS SECTION DOES NOT PREVENT THE BOARD OF SUPERVISORS OR OFFICER
4 IN CHARGE OF ELECTIONS FROM REFUSING TO REAPPOINT FOR CAUSE, OR FROM
5 REMOVING FOR CAUSE, A VOTING CENTER ELECTION BOARD MEMBER.

6 Sec. 4. Repeal

7 Title 16, chapter 4, article 3, Arizona Revised Statutes, is
8 repealed."

9 Page 1, line 14, strike "2." insert "5."

10 Page 2, line 12, after the first "A" insert "SPECIFIC"; strike "IN A COUNTY"

11 Line 13, strike "WITH A POPULATION OF 500,000 OR MORE PERSONS," insert ", THE
12 BOARD MAY AUTHORIZE"; strike "may" insert "OR OTHER OFFICER IN CHARGE OF
13 ELECTIONS TO"

14 Line 14, strike "the recorder deems" insert "DEEMED"

15 Line 15, after the period insert "A COUNTY RECORDER OR OTHER OFFICER IN CHARGE
16 OF ELECTIONS MAY MAKE CHANGES TO THE APPROVED EARLY VOTING LOCATIONS AND
17 SHALL NOTIFY THE PUBLIC AND THE BOARD OF SUPERVISORS REGARDING THESE
18 CHANGES AS SOON AS IS PRACTICABLE. NOTWITHSTANDING ANY OTHER LAW, A COUNTY
19 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS WHO ESTABLISHES EARLY
20 VOTING LOCATIONS MAY CONTINUE TO OPERATE THOSE EARLY VOTING LOCATIONS
21 DURING THE THREE-DAY PERIOD IMMEDIATELY PRECEDING ELECTION DAY, EXCEPT THAT
22 ON-SITE EARLY VOTING SHALL END AS NEEDED TO ENSURE THAT PRECINCT REGISTERS
23 AND OTHER ELECTION MATERIALS ARE REVISED FOR USE ON ELECTION DAY TO
24 INDICATE WHICH VOTERS HAVE REQUESTED AN EARLY BALLOT, WHICH VOTERS HAVE
25 ALREADY VOTED AND WHICH VOTERS ARE ON THE INACTIVE VOTER LIST."

26 Page 3, line 26, after "location" insert ", EXCEPT THAT IF THE COUNTY RECORDER OR
27 OTHER OFFICER IN CHARGE OF ELECTIONS IS ABLE TO REVISE PRECINCT REGISTERS
28 AND OTHER ELECTIONS MATERIALS IN A TIMELY MANNER FOR USE ON ELECTION DAY AS
29 PRESCRIBED BY SUBSECTION A OF THIS SECTION, THE COUNTY RECORDER OR OTHER
30 OFFICER IN CHARGE OF ELECTIONS MAY OPERATE THE ON-SITE EARLY VOTING
31 LOCATIONS DURING THE THREE-DAY PERIOD IMMEDIATELY PRECEDING ELECTION DAY."

1 Page 4, line 8, after "election" insert "AND IF EARLY VOTING FOR THAT ELECTION
2 HAS ENDED IN THAT COUNTY"

3 Strike lines 31 and 32

4 Strike page 5

5 Page 6, strike lines 1 through 23, insert:

6 "Sec. 6. Section 16-558.02, Arizona Revised Statutes, is amended to
7 read:

8 16-558.02. Replacement ballots

9 A. The county recorder or other officer in charge of ~~the election~~
10 ELECTIONS shall determine ~~a central location~~ ONE OR MORE LOCATIONS in the
11 ~~district~~ APPROPRIATE JURISDICTION for electors to obtain a replacement
12 ballot. ~~The~~ EACH location shall be open until 7:00 p.m. of the day of the
13 election. An elector may obtain a replacement ballot until 7:00 p.m. on
14 the day of the election on presentation of a signed, sworn statement that
15 the ballot was ~~lost, spoiled, destroyed or~~ not ~~received~~ CAST.

16 B. The recorder or other officer in charge of elections shall keep a
17 record of each replacement ballot provided pursuant to this section.

18 C. If an elector to whom a replacement ballot is issued votes more
19 than once, only the first ballot received shall be counted.

20 Sec. 7. Section 16-584, Arizona Revised Statutes, is amended to
21 read:

22 16-584. Qualified elector not on precinct register; recorder's
23 certificate; verified ballot; procedure

24 A. A qualified elector whose name is not on the precinct register
25 and who presents a certificate from the county recorder showing that the
26 elector is entitled by law to vote in the precinct shall be entered on the
27 signature roster on the blank following the last printed name and shall be
28 given the next consecutive register number, and the qualified elector shall
29 sign in the space provided.

30 B. A qualified elector whose name is not on the precinct register,
31 ~~upon~~ ON presentation of identification verifying the identity of the

1 elector that includes the voter's given name and surname and the complete
2 residence address that is verified by the election board to be in the
3 precinct or on signing an affirmation that states that the elector is a
4 registered voter in that jurisdiction and is eligible to vote in that
5 jurisdiction, shall be allowed to vote a provisional ballot.

6 C. If a voter has moved to a new address within the county and has
7 not notified the county recorder of the change of address before the date
8 of an election, the voter shall be permitted to correct the voting records
9 for purposes of voting in future elections at the appropriate polling place
10 for the voter's new address. The voter shall be permitted to vote a
11 provisional ballot. The voter shall present a form of identification that
12 includes the voter's given name and surname and the voter's complete
13 residence address. The residence address must be within the precinct in
14 which the voter is attempting to vote, and the voter shall affirm in
15 writing that the voter is registered in that jurisdiction and is eligible
16 to vote in that jurisdiction.

17 D. On completion of the ballot, the ~~election official shall remove~~
18 ~~the ballot stub,~~ VOTER shall place the ballot in a provisional ballot
19 envelope and shall deposit the envelope in the ballot box. Within ten
20 calendar days after a general election that includes an election for a
21 federal office and within five business days after any other election or no
22 later than the time at which challenged early voting ballots are resolved,
23 the signature shall be compared to the precinct signature roster of the
24 former precinct where the voter was registered. If the voter's name is not
25 signed on the roster and if there is no indication that the voter voted an
26 early ballot, the provisional ballot envelope shall be opened and the
27 ballot shall be counted. If there is information showing the person did
28 vote, the provisional ballot shall remain unopened and shall not be
29 counted. When provisional ballots are confirmed for counting, the county
30 recorder shall use the information supplied on the provisional ballot
31 envelope to correct the address record of the voter.

1 E. When a voter is allowed to vote a provisional ballot, the
2 elector's name shall be entered on a separate signature roster page at the
3 end of the signature roster. Voters' names shall be numbered consecutively
4 beginning with the number V-1. The elector shall sign in the space
5 provided. The ballot stub shall be removed and the ballot shall be placed
6 in a separate envelope, the outside of which shall contain the precinct
7 name or number, a sworn or attested statement of the elector that the
8 elector resides in the precinct, is eligible to vote in the election and
9 has not previously voted in the election, the signature of the elector and
10 the voter registration number of the elector, if available. The ballot
11 shall be verified for proper registration of the elector by the county
12 recorder before being counted. The verification shall be made by the
13 county recorder within ten calendar days after a general election that
14 includes an election for a federal office and within five business days
15 following any other election, and the voter receipt card, notification or
16 identification card, if any, from the county recorder used therefor, if
17 valid, shall be returned to the elector within a reasonable time
18 thereafter. Verified ballots shall be counted by depositing the ballot in
19 the ballot box and showing on the records of the election that the elector
20 has voted. If registration is not verified the ballot shall remain
21 unopened and shall be retained in the same manner as voted ballots.

22 F. For any person who votes a provisional ballot, the county
23 recorder or other officer in charge of elections shall provide for a method
24 of notifying the provisional ballot voter at no cost to the voter whether
25 the voter's ballot was verified and counted and, if not counted, the reason
26 for not counting the ballot. The notification may be in the form of notice
27 by mail to the voter, establishment of a toll free telephone number,
28 internet access or other similar method to allow the voter to have access

Senate Amendments to S.B. 1466

1 to this information. The method of notification shall provide reasonable
2 restrictions that are designed to limit transmittal of the information only
3 to the voter."

4 Amend title to conform

RICK GRAY

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03/07/2018
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