

OFFICIAL TITLE
AN INITIATIVE MEASURE

AMENDING TITLE 14, CHAPTER 5, ARTICLE 3, ARIZONA REVISED STATUTES, BY AMENDING SECTION 14-5304, ARIZONA REVISED STATUTES; TITLE 16, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-101, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-112, ARIZONA REVISED STATUTES; ADDING SECTIONS 16-112.01 AND 16-112.02; AMENDING TITLE 16, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-120, ARIZONA REVISED STATUTES; ADDING SECTION 16-120.01; AMENDING SECTIONS 16-121.01 AND 16-122, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 4, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-152, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-165 AND 16-166; ADDING SECTION 16-168.02.; AMENDING SECTION 16-182, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-212, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-246, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-404, 16-407 AND 16-407.01, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 16-411.01 AND 16-411.02; AMENDING TITLE 16, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-442.01, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 6, BY ADDING SECTION 16-502.01; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-542, 16-544, 16-547, 16-548 AND 16-550, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-579, 16-583 AND 16-584, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 11, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-645, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 13, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-672, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-901, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 1.2, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-912, 16-914 AND 16-917, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 6, ARTICLE 2, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 16-941, 16-945 AND 16-951, ARIZONA REVISED STATUTES; ADDING SECTION 16-951.01; AMENDING SECTIONS 16-953, 16-954, 16-956 AND 16-961, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 16-1005, ARIZONA REVISED STATUTES; AMENDING TITLE 19, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 19-100; AMENDING SECTIONS 19-101, 19-101.01 AND 19-102.01, ARIZONA REVISED STATUTES; AMENDING TITLE 19, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY AMENDING SECTIONS 19-112 AND 19-118, ARIZONA REVISED STATUTES; AMENDING TITLE 19, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY AMENDING SECTION 19-121.01, ARIZONA REVISED STATUTES; AMENDING TITLE 19, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 19-204.01, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 7, ARTICLE 8.1, ARIZONA REVISED STATUTES, BY AMENDING SECTION 41-1231, ARIZONA REVISED STATUTES; ADDING SECTION 41-1232.09; AMENDING TITLE 43, CHAPTER 11, ARTICLE 2, BY AMENDING SECTION 43-1111, ARIZONA REVISED STATUTES; RELATING TO EXPANDING VOTING RIGHTS, CAMPAIGN FINANCE REFORM, PROTECTING CITIZEN MEASURES AND IMPROVED LOBBYISTS REGULATION;

TEXT OF PROPOSED AMENDMENT

Be it enacted by the People of the State of Arizona:

Section 1. Section 14-5304, Arizona Revised Statutes, is amended to read:

14-5304. Findings; limitations; filing; fingerprinting

A. In exercising its appointment authority pursuant to this chapter, the court shall encourage the development of maximum self-reliance and independence of the incapacitated person.

B. The court may appoint a general or limited guardian as requested if the court finds by clear and convincing evidence that:

1. The person for whom a guardian is sought is incapacitated.
2. The appointment is necessary to provide for the demonstrated needs of the incapacitated person.
3. The person's needs cannot be met by less restrictive means, including the use of appropriate technological assistance.

C. In conformity with the evidence regarding the extent of the ward's incapacity, the court may appoint a limited guardian and specify time limits on the guardianship and limitations on the guardian's powers.

D. The guardian shall file an acceptance of appointment with the appointing court.

E. The court may require each person who seeks appointment as a guardian to furnish a full set of fingerprints to enable the court to conduct a criminal background investigation. The court shall submit the person's completed fingerprint card to the department of public safety. The person shall bear the cost of obtaining the person's criminal history record information. The cost shall not exceed the actual cost of obtaining the person's criminal history record information. Criminal history records checks shall be conducted pursuant to section 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the federal bureau of investigation. This subsection does not apply to a fiduciary who is licensed pursuant to section 14-5651 or an employee of a financial institution.

F. The court shall make a specific finding as to whether the appointment of a guardian is due solely to the ward's physical incapacity.

G. Unless the court makes a specific finding that the appointment of a guardian is due solely to the ward's physical incapacity under subsection F of this section, at the time of appointing a guardian, the court shall transmit the ward's name, sex and date of birth, the last four digits of

the ward's social security number, if available, the court case number, the court originating agency identification number and the date of the guardian's appointment to the supreme court. The supreme court shall transmit the information to the department of public safety. The department of public safety shall transmit the information to the national instant criminal background check system.

H. If a petition for guardianship is withdrawn before an adjudication of incapacity or is denied based on a finding that the allegation of incapacity is unproven or if a petition for guardianship was filed frivolously or without merit, the court may order public access to the file, the records contained in the file, or information about the file be prohibited absent a subsequent court order allowing such access after a showing of good cause.

I. IN PLACING A PERSON UNDER GUARDIANSHIP, THE JUDGE SHALL DETERMINE IF THE PERSON IS INCAPACITATED FOR THE PURPOSE OF THE RIGHT TO VOTE. AN ORDER FINDING THAT A PERSON IS INCAPACITATED FOR THE PURPOSE OF THE RIGHT TO VOTE SHALL STATE SO SPECIFICALLY AND INCLUDE FACTUAL FINDINGS IN SUPPORT. THE PERSON SHALL NOT BE DEEMED INCAPACITATED FOR THE PURPOSE OF THE RIGHT TO VOTE UNLESS THE ORDER COMPLIES WITH THIS SUBSECTION.

Sec. 2. Section 16-101, Arizona Revised Statutes, is amended to read:

16-101. Qualifications of registrant; definition

A. Every resident of the state is qualified to register to vote if he:

1. Is a citizen of the United States.
2. Will be eighteen years of age or more on or before the date of the regular general election next following his registration.
3. ~~Will have been~~ IS a resident of the state ~~twenty-nine days next preceding the election~~, except as provided in section 16-126.
4. Is able to write his name or make his mark, unless prevented from so doing by physical disability.
5. Has not been convicted of treason or a felony, unless restored to civil rights.
6. Has not been adjudicated an incapacitated person as defined in section 14-5101.

B. For purposes of this title, "resident" means an individual who has actual physical presence in this state, or for purposes of a political subdivision actual physical presence in the political subdivision, combined with an intent to remain. A temporary absence does not result in a loss of residence if the individual has an intent to return following his absence. An individual has only one residence for purposes of this title.

Sec. 3. Section 16-112, Arizona Revised Statutes, is amended to read:

16-112. Driver license and agency voter registration

A. TO THE EXTENT THE PERSON'S REGISTRATION INFORMATION IS NOT ALREADY PROVIDED TO THE SECRETARY OF STATE PURSUANT TO SECTION 16-112.01, Every person who is applying for a driver license or renewal OR ATTENDING HIGH SCHOOL and who is otherwise qualified to register to vote shall, at the same time and place, be ~~permitted to~~ registerED to vote by providing the information prescribed by section 16-152, UNLESS THEY ARE ALREADY REGISTERED OR THE OPT OUT OF REGISTRATION. The method used to register voters shall require only the minimum information necessary to prevent duplicate registrations, to enable elections officials to determine voter eligibility and to administer voter registration and election laws. A registration form shall be included for a person who is applying for a driver license renewal by mail. On completion of a form that contains at least the information prescribed by section 16-121.01, subsection A and that may contain the information prescribed by section 16-152 and on receipt of that form by the county recorder from the department of transportation as prescribed by subsection D of this section, the applicant is presumed to be properly registered to vote. That presumption may be rebutted as provided in section 16-121.01, subsection B.

B. The director of the department of transportation and the secretary of state shall consult at least every two years regarding voter registration at driver license offices. The director of the department of transportation and the secretary of state shall, after consultation with all county recorders, adopt rules to implement a system permitting driver license applicants to register to vote at the same time and place as they apply for driver licenses. Such rules shall:

1. Bring the license application and voter registration application forms into substantial conformity.
2. Permit the transfer of driver license applications, including renewal and change of address, and voter registration information from the department of transportation to the voter registration rolls.
3. Respect all rules and statutes of this state concerning the confidentiality of driver license application information.
4. Provide for the manual or electronic generation and transmittal of voter registrations and provide for electronic generation of changes in voter registration information, including address, in conformity with the confidentiality requirements of the national voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; 42 United States Code section 394).

C. The department of transportation shall provide to applicants a statement that provides each eligibility requirement for voting, including citizenship, an attestation that the applicant meets each requirement, for the signature of the applicant under penalty of perjury and, in print that is identical to that used in the attestation, the following:

1. A description of the penalties provided by law for the submission of a false voter registration application.
2. A statement that if an applicant declines to register to vote the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.
3. A statement that if an applicant does register to vote the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

D. The department of transportation shall return or mail completed registrations to the county recorder of the county in which the applicant resides within five days after receipt of a completed registration.

E. TO THE EXTENT THE PERSON'S REGISTRATION INFORMATION IS NOT ALREADY PROVIDED TO THE SECRETARY OF STATE PURSUANT TO SECTION 16-112.01, ANY PERSON REPORTING A CHANGE OF RESIDENTIAL OR MAILING ADDRESS OR CHANGE OF NAME TO THE DEPARTMENT OF TRANSPORTATION AND WHO DID NOT PROVIDE, AT THE TIME OF THE

TRANSACTION, A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP SHALL, AT THE SAME TIME AND PLACE, BE PERMITTED TO REGISTER TO VOTE BY PROVIDING THE INFORMATION PRESCRIBED BY SECTION 16-152. THE METHOD USED TO REGISTER TO VOTE SHALL REQUIRE ONLY THE MINIMUM INFORMATION NECESSARY TO PREVENT DUPLICATE REGISTRATION, TO ENABLE ELECTION OFFICIALS TO DETERMINE VOTER ELIGIBILITY, AND TO ADMINISTER VOTER REGISTRATION AND ELECTION LAWS.

Sec. 4. Title 16, chapter 1, article 1.1, Arizona Revised Statutes, is amended by adding section 16-112.01, to read:

16-112.01. Secure automatic electronic voter registration; rules; designated source agencies; opt-out procedure; voter education and publicity; annual report

A. FOR EVERY PERSON WHO PROVIDES PROOF OF UNITED STATES CITIZENSHIP PURSUANT TO SECTION 28-3158 OR 28-3165 AND IN COMPLIANCE WITH SECTION 16-166, DURING THE COURSE OF APPLYING FOR, RENEWING OR CORRECTING A DRIVER LICENSE OR IDENTIFICATION CARD, UPDATING THE PERSON'S EXISTING RESIDENCE ADDRESS OR NAME ON FILE WITH THE DEPARTMENT OF TRANSPORTATION OR OBTAINING A DUPLICATE, REISSUANCE OR REPLACEMENT OF A LICENSE OR IDENTIFICATION CARD, THE DEPARTMENT OF TRANSPORTATION SHALL, AT THE SAME TIME AND PLACE, ELECTRONICALLY COLLECT AND TRANSMIT VOTER REGISTRATION INFORMATION TO THE SECRETARY OF STATE FOR THE PURPOSE OF REGISTERING THE PERSON TO VOTE OR UPDATING AN EXISTING VOTER REGISTRATION RECORD. THIS INFORMATION SHALL INCLUDE AT LEAST THE PERSON'S NAME, RESIDENCE ADDRESS OR LOCATION, DATE OF BIRTH, SIGNATURE, ARIZONA DRIVER LICENSE NUMBER OR NONOPERATING IDENTIFICATION LICENSE NUMBER, AND INDICATION THAT THE PERSON PROVIDED PROOF OF UNITED STATES CITIZENSHIP. THE ELECTRONIC METHOD USED FOR COLLECTING AND TRANSMITTING VOTER REGISTRATION INFORMATION SHALL REQUIRE ONLY THE MINIMUM INFORMATION NECESSARY TO PREVENT DUPLICATE REGISTRATIONS, TO ENABLE ELECTIONS OFFICIALS TO DETERMINE VOTER ELIGIBILITY AND TO ADMINISTER VOTER REGISTRATION AND ELECTION LAWS. INDIVIDUALS NOT COVERED BY THIS SUBSECTION AND WHO DID NOT PROVIDE, AT THE TIME OF THE TRANSACTION, A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP, WILL RECEIVE THE REGISTER-TO-VOTE OPPORTUNITIES AND PROCESSES REQUIRED BY SECTIONS 16-112, 16-140 AND 16-141.

B. TO THE EXTENT NOT COVERED BY SUBSECTION A, THE DEPARTMENT OF TRANSPORTATION SHALL COLLECT AND TRANSMIT ANY RESIDENTIAL OR MAILING ADDRESS OR NAME INFORMATION IT RECEIVES AS PART OF A DRIVER LICENSE OR IDENTIFICATION CARD TRANSACTION TO THE SECRETARY OF STATE FOR THE PURPOSE OF UPDATING THE VOTER REGISTRATION OF ALREADY REGISTERED VOTERS, UNLESS AN INDIVIDUAL PROVIDED, AT THE TIME OF THE TRANSACTION, A DOCUMENT DEMONSTRATING LACK OF UNITED STATES CITIZENSHIP.

C. THE SYSTEM DESCRIBED IN SUBSECTIONS A AND B SHALL BE KNOWN AS A "SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM." THE SECRETARY OF STATE AND DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION, AFTER CONSULTING WITH ALL COUNTY RECORDERS, SHALL ADOPT RULES TO IMPLEMENT A SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM THAT COLLECTS AND TRANSMITS VOTER REGISTRATION INFORMATION FOR PERSONS IDENTIFIED IN THIS SECTION TO THE SECRETARY OF STATE. SUCH RULES SHALL ALLOW THE ELECTRONIC TRANSFER OF DRIVER LICENSE AND IDENTIFICATION CARD APPLICATIONS, INCLUDING RENEWAL AND CHANGE OF ADDRESS, AND VOTER REGISTRATION INFORMATION FROM THE DEPARTMENT OF TRANSPORTATION TO THE VOTER REGISTRATION ROLLS, IN CONFORMITY WITH THE CONFIDENTIALITY REQUIREMENTS OF THE NATIONAL VOTER REGISTRATION ACT OF 1993 (P.L. 103-31; 107 STAT. 77; 52 UNITED STATES CODE SECTION 20501 THROUGH 20511).

D. THE SECRETARY OF STATE SHALL EVALUATE IMPLEMENTATION OF A SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM AT OTHER AGENCIES, INCLUDING, AT A MINIMUM, THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION AND THE DEPARTMENT OF ECONOMIC SECURITY, SUBJECT TO ANY MODIFICATIONS NECESSARY TO COMPLY WITH FEDERAL LAW. THE SECRETARY MAY DESIGNATE AN AGENCY AS A SOURCE AGENCY IF THE AGENCY IS ABLE, AS DETERMINED BY THE SECRETARY OF STATE, TO COLLECT AND TRANSMIT THE VOTER REGISTRATION INFORMATION LISTED IN SUBSECTION A OF THIS SECTION. THE SECRETARY OF STATE SHALL CONSULT WITH THE HEADS OF OTHER AGENCIES AND ALL COUNTY RECORDERS BEFORE DESIGNATING AN AGENCY AS A SOURCE AGENCY. THIS SECTION DOES NOT ALTER ANY FEDERAL PRIVACY LAWS THAT APPLY TO HEALTH RECORDS.

E. ANY SOURCE AGENCY SHALL ACCEPT TRIBAL IDENTIFICATION NUMBERS AND NON-TRADITIONAL RESIDENTIAL ADDRESSES, INCLUDING ADDRESSES THAT CAN BE IDENTIFIED BY MILE MARKERS OR GEOGRAPHIC OR OTHER IDENTIFYING FEATURES. ANY SOURCE AGENCY SHALL ATTAIN THE CAPABILITY OF COLLECTING AND TRANSMITTING THIS INFORMATION WITHIN THREE MONTHS AFTER BEING DESIGNATED.

F. ANY SOURCE AGENCY SHALL ACCEPT DIGITAL OR ELECTRONIC IMAGES OF SIGNATURES OR HAVE THE ABILITY TO CONVERT SIGNATURES INTO ELECTRONIC IMAGES OF SIGNATURES SO THAT THE SIGNATURE CAN BE USED BY A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS TO CONDUCT A SIGNATURE MATCH OR OTHER VERIFICATION REQUIRED BY LAW. ANY AGENCY THAT IS DESIGNATED PURSUANT TO SUBSECTION D OF THIS SECTION SHALL ATTAIN THE CAPABILITY OF COLLECTING AND TRANSMITTING THIS INFORMATION WITHIN THREE MONTHS AFTER BEING DESIGNATED AS A SOURCE AGENCY.

G. IF AN AGENCY HAS BEEN DESIGNATED BY THE SECRETARY OF STATE AS A SOURCE AGENCY, THE AGENCY MAY NOT LOSE ITS STATUS AS A SOURCE AGENCY.

H. EACH SOURCE AGENCY SHALL TRANSMIT VOTER REGISTRATION INFORMATION TO THE SECRETARY OF STATE ON THE SAME DAY IT IS RECEIVED BY THE AGENCY.

I. IF THE SECRETARY OF STATE RECEIVES VOTER REGISTRATION INFORMATION FROM A SOURCE AGENCY, THE SECRETARY OF STATE SHALL PROMPTLY TRANSMIT THE INFORMATION TO THE APPROPRIATE COUNTY RECORDER. THE SECRETARY OF STATE MAY NOT TRANSMIT INFORMATION FOR ANY INDIVIDUAL ENROLLED IN THE ADDRESS CONFIDENTIALITY PROGRAM, OR ANY INDIVIDUAL FOR WHOM THE SECRETARY OF STATE HAS INFORMATION INDICATING THAT THE INDIVIDUAL IS NOT ELIGIBLE TO REGISTER OR DISQUALIFIED FROM REGISTERING TO VOTE, INCLUDING

INDIVIDUALS WHO ARE IDENTIFIED PURSUANT TO THE REQUIREMENTS OF THE HELP AMERICA VOTE ACT (52 UNITED STATES CODE section 21083(A)(2)(A)(II)(I)) AS DISQUALIFIED DUE TO FELONY CONVICTION AND WHOSE CIVIL RIGHTS HAVE NOT BEEN RESTORED. IN ADDITION, FOR ANY RESIDENCE OR MAILING ADDRESS OR NAME INFORMATION RECEIVED BY THE SECRETARY OF STATE UNDER THE PROCESS ESTABLISHED BY SUBSECTION B OF THIS SECTION WHERE THE PERSON HAS NOT PROVIDED PROOF OF UNITED STATES CITIZENSHIP TO THE SOURCE AGENCY, THE SECRETARY OF STATE SHALL TRANSMIT THE INFORMATION TO THE APPROPRIATE COUNTY RECORDER ONLY IF THE INFORMATION IS FOR A PERSON WHO IS ALREADY REGISTERED TO VOTE. ON RECEIPT OF VOTER REGISTRATION INFORMATION FROM THE SECRETARY OF STATE, A COUNTY RECORDER SHALL:

1. FOR EACH PERSON WHOSE INFORMATION HAS BEEN TRANSMITTED, DETERMINE THAT THE PERSON IS ONE OF THE FOLLOWING:

(A) ALREADY REGISTERED AT THE CURRENT ADDRESS AND WITH THEIR CURRENT NAME.

(B) ALREADY REGISTERED AND REQUIRES AN ADDRESS OR NAME UPDATE REGARDLESS OF THE COUNTY IN WHICH THE PERSON IS CURRENTLY REGISTERED.

(C) NOT REGISTERED, AND THE INFORMATION RECEIVED INCLUDES AT LEAST THE INFORMATION LISTED IN SUBSECTION A. SUCH A PERSON IS REFERRED TO BELOW AS AN "ELIGIBLE PERSON."

2. FOR EACH ELIGIBLE PERSON OR PERSON WITH UPDATED REGISTRATION INFORMATION, ENTER THE NEW REGISTRATION OR UPDATED INFORMATION ON THE REGISTRATION LISTS. THE EFFECTIVE DATE OF THE PERSON'S REGISTRATION OR UPDATE IS THE DATE THE SOURCE AGENCY RECEIVED THE INFORMATION.

3. FOR EACH ELIGIBLE PERSON OR PERSON WITH UPDATED REGISTRATION INFORMATION, MAIL TO THE PERSON A NON-FORWARDABLE NOTICE REGARDING THE PERSON'S VOTER REGISTRATION OR REGISTRATION UPDATE AND A POSTAGE PAID PREADDRESSED RETURN FORM. A NOTICE TO AN ELIGIBLE PERSON MUST INCLUDE AN EXPLANATION OF THE ELIGIBILITY REQUIREMENTS TO REGISTER TO VOTE AND A STATEMENT THAT, IF THE PERSON IS NOT ELIGIBLE, THE PERSON SHOULD DECLINE TO REGISTER USING THE PREADDRESSED RETURN FORM. THE NOTICE MUST ALSO STATE THE PENALTIES FOR SUBMITTING A FALSE APPLICATION. A NOTICE TO AN ELIGIBLE PERSON MUST ALSO INCLUDE A STATEMENT THAT, IF THE PERSON DECLINES TO REGISTER TO VOTE, THE FACT THAT THE PERSON HAS DECLINED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES, AND A STATEMENT THAT, IF THE PERSON REGISTERS TO VOTE, THE OFFICE AT WHICH THE PERSON WAS REGISTERED WILL REMAIN CONFIDENTIAL AND WILL BE USED ONLY FOR VOTER REGISTRATION PURPOSES.

THE RETURN FORM SHALL:

(A) PROVIDE A MECHANISM FOR A PERSON TO DECLINE TO BE REGISTERED AS AN ELECTOR OR UPDATE THE PERSON'S REGISTRATION.

(B) PROVIDE A MECHANISM FOR A PERSON TO DESIGNATE A POLITICAL PARTY. IF THE REGISTRANT IS ALREADY REGISTERED AND MAKES NO AFFIRMATIVE CHANGE TO PARTY AFFILIATION, THE REGISTRANT'S PARTY AFFILIATION REMAINS UNCHANGED.

(C) PROVIDE A MECHANISM FOR A PERSON TO REQUEST TO BE INCLUDED ON THE PERMANENT EARLY VOTING LIST PURSUANT TO SECTION 16-544.

(D) PROVIDE INFORMATION TO A PERSON ABOUT THE ADDRESS CONFIDENTIALITY PROGRAM.

4. IF THE INFORMATION REQUIRED TO DETERMINE WHETHER A PERSON IS ELIGIBLE TO VOTE OR TO REGISTER THE PERSON TO VOTE IS INCOMPLETE, OR CLARIFICATION IS REQUIRED, MAIL A NON-FORWARDABLE NOTICE TO THE PERSON THAT ADDITIONAL INFORMATION IS REQUIRED THAT CLEARLY STATES WHAT IS INCOMPLETE OR WHAT ADDITIONAL INFORMATION IS REQUIRED AND PROVIDES A TELEPHONE NUMBER AND A POSTAGE PAID PREADDRESSED RETURN FORM BY WHICH THE PERSON MAY PROVIDE THE MISSING OR ADDITIONAL INFORMATION REQUIRED. IF THE PERSON PROVIDES THE ADDITIONAL INFORMATION BEFORE 7:00 P.M. ON ELECTION DAY AND THE COUNTY RECORDER DETERMINES ELIGIBILITY AS SET FORTH ABOVE, THE COUNTY RECORDER SHALL REGISTER THE PERSON TO VOTE IN ACCORDANCE WITH THIS SECTION AND THE PERSON'S VOTER REGISTRATION SHALL BE EFFECTIVE AS OF THE DATE OF THE APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION OR ANOTHER SOURCE AGENCY.

5. FOR ANY PERSON WHO IS REGISTERED AND ON THE INACTIVE VOTER LIST, CHANGE THE PERSON'S REGISTRATION STATUS FROM INACTIVE TO ACTIVE.

J. A COUNTY RECORDER MAY COMBINE THE NOTICES AND MECHANISMS PRESCRIBED IN SUBSECTION I OF THIS SECTION WITH ANY OTHER NOTICE THE COUNTY RECORDER IS REQUIRED TO SEND UNDER THIS TITLE. ANY NOTICE SENT BY THE COUNTY RECORDER SHALL COMPLY WITH SECTION 203 OF THE VOTING RIGHTS ACT OF 1965 (52 UNITED STATES CODE SECTION 10503). THE SECRETARY OF STATE SHALL ADOPT RULES ABOUT NOTICES AND PROCEDURES UNDER THIS SECTION.

K. A COUNTY RECORDER SHALL PROCESS RETURN FORMS SENT PURSUANT TO SUBSECTION I, PARAGRAPH 3 OF THIS SECTION AS FOLLOWS:

1. IF A RETURN FORM IS RETURNED AS UNDELIVERABLE, THE COUNTY RECORDER SHALL SEND A FOLLOW-UP NOTICE AS REQUIRED BY SECTION 16-166, SUBSECTION A.

2. IF A RETURN FORM IS RETURNED INDICATING THE PERSON DOES NOT WISH TO BE REGISTERED, THE PERSON'S REGISTRATION IS CANCELLED AND THE PERSON IS DEEMED TO HAVE NEVER REGISTERED. IF THE PERSON HAS VOTED IN AN ELECTION AFTER THE TRANSFER OF THE PERSON'S RECORD BUT BEFORE THE RETURN FORM IS RETURNED, THE RETURN FORM IS OF NO EFFECT AND THE PERSON REMAINS REGISTERED AS OF THE DATE THE SOURCE AGENCY RECEIVED THE PERSON'S INFORMATION.

3. IF A RETURN FORM IS RETURNED INDICATING THE PERSON DOES NOT WISH TO UPDATE THE PERSON'S REGISTRATION STATUS, WISHES TO DESIGNATE PARTY AFFILIATION OR WISHES TO BE INCLUDED ON THE PERMANENT EARLY VOTING LIST, THE COUNTY RECORDER SHALL MAKE THE INDICATED CHANGE. IN THE CASE OF A PERSON WHO WISHES TO DESIGNATE A PARTY AFFILIATION, THE PERSON'S AFFILIATION SHALL BE MARKED EFFECTIVE AS OF THE DATE THE AFFILIATION INFORMATION IS RECEIVED. IN THE CASE OF A PERSON WHO DOES NOT WISH TO UPDATE THE PERSON'S

ADDRESS, OTHER COUNTY RECORDERS SHALL MAKE ANY NECESSARY CHANGES TO RESTORE THE PERSON'S PREVIOUS REGISTRATION STATUS.

L. ON OR BEFORE JANUARY 15 OF EACH YEAR, THE DEPARTMENT OF TRANSPORTATION, ANY SOURCE AGENCY AND COUNTY RECORDERS SHALL PROVIDE TO THE SECRETARY OF STATE INFORMATION ON THE OPERATION OF THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM IN THE PRIOR YEAR. ON OR BEFORE JANUARY 31 OF EACH YEAR, THE SECRETARY OF STATE SHALL COMPILE AND PUBLISH THE DATA ON THE SECRETARY OF STATE'S WEBSITE. ANY REPORT PRODUCED UNDER THIS SUBSECTION SHALL EXCLUDE ANY PERSONAL IDENTIFYING INFORMATION. FOR EACH CATEGORY OF INFORMATION, THE REPORT SHALL PROVIDE A BREAKDOWN BY GENDER AND AGE OF THE INDIVIDUALS WHOSE INFORMATION IS INCLUDED, TO THE EXTENT SUCH INFORMATION IS AVAILABLE. PROGRAM INFORMATION PROVIDED TO AND ULTIMATELY REPORTED BY THE SECRETARY OF STATE SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

1. THE NUMBER OF RECORDS TRANSFERRED TO THE SECRETARY OF STATE UNDER THIS SECTION, BY EACH SOURCE AGENCY.

2. THE NUMBER OF PERSONS NEWLY ADDED TO THE STATEWIDE VOTER REGISTRATION LIST BECAUSE OF RECORDS TRANSFERRED BY EACH SOURCE AGENCY.

3. THE NUMBER OF PERSONS ON THE STATEWIDE VOTER REGISTRATION LIST WHOSE INFORMATION WAS UPDATED BECAUSE OF RECORDS TRANSFERRED, AND THE TYPE OF INFORMATION UPDATED, BY EACH SOURCE AGENCY.

4. THE TOTAL NUMBER OF TRANSACTIONS IN THE SAME PERIOD OF TIME FOR WHICH RECORDS WERE COLLECTED, THE DATES THE RECORDS WERE COLLECTED AND A FULL ACCOUNTING OF RECORDS, INCLUDING RECORDS THAT WERE NOT TRANSFERRED TO A COUNTY RECORDER.

5. THE NUMBER OF PERSONS WHO OPTED OUT OF VOTER REGISTRATION OR OF UPDATING REGISTRATION INFORMATION, BY EACH SOURCE AGENCY.

6. INFORMATION ON IMPLEMENTATION OF AUDITS, SECURITY AND PRIVACY PROTOCOLS, BY EACH SOURCE AGENCY.

M. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER SOURCE AGENCY SHALL PROVIDE INFORMATION ON EACH ENTITY'S WEBSITE INFORMING THE PUBLIC ABOUT THE REGISTRATION PROCEDURES DESCRIBED IN THIS SECTION. THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER SOURCE AGENCY SHALL DISPLAY SIGNAGE OR PROVIDE LITERATURE FOR THE PUBLIC CONTAINING INFORMATION ABOUT THE REGISTRATION PROCEDURES DESCRIBED IN THIS SECTION. ANY EDUCATION AND OUTREACH CAMPAIGN INFORMING VOTERS ABOUT THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM CONDUCTED BY THE SECRETARY OF STATE, THE DEPARTMENT OF TRANSPORTATION AND ANY OTHER SOURCE AGENCY SHALL PROVIDE MATERIALS CREATED FOR THIS OUTREACH AND EDUCATION CAMPAIGN IN LANGUAGES OTHER THAN ENGLISH, AS REQUIRED BY THE VOTING RIGHTS ACT OF 1965 (52 UNITED STATES CODE SECTION 10503).

N. IF THE DEPARTMENT OF TRANSPORTATION OR OTHER SOURCE AGENCY RECEIVES A PAPER VOTER REGISTRATION FORM, THE AGENCY SHALL RETURN OR MAIL COMPLETED REGISTRATIONS TO THE COUNTY RECORDER OF THE COUNTY IN WHICH THE APPLICANT RESIDES WITHIN FIVE DAYS AFTER RECEIPT OF THE COMPLETED REGISTRATION FORM.

O. ANY STATE AGENCY SHALL, AND COUNTY RECORDERS AND OTHER OFFICERS IN CHARGE OF ELECTIONS MAY, REQUEST MONIES FROM THE CITIZENS' CLEAN ELECTIONS COMMISSION TO OFFSET THE COSTS OF IMPLEMENTING THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM OR OTHER REQUIREMENTS OF THIS ACT.

Sec. 5. Title 16, chapter 1, article 1.1, Arizona Revised Statutes, is amended by adding section 16-112.02, to read:

16-112.02. Online voter registration system

A. THE SECRETARY OF STATE SHALL PROVIDE A SYSTEM FOR A PERSON TO REGISTER TO VOTE OR UPDATE THE PERSON'S REGISTRATION ELECTRONICALLY THROUGH THE INTERNET REGARDLESS OF WHETHER THE PERSON CAN PROVIDE AN ARIZONA DRIVER LICENSE NUMBER OR NONOPERATING IDENTIFICATION LICENSE NUMBER. THIS SYSTEM SHALL ALLOW THE PERSON TO UPLOAD AN ELECTRONIC IMAGE OF THE PERSON'S PHYSICAL SIGNATURE FOR PURPOSES OF THE PERSON'S REGISTRATION RECORD, AND SUCH UPLOADED SIGNATURE SHALL BE CONSIDERED THE EQUIVALENT OF A PHYSICAL SIGNATURE ON A REGISTRATION FORM. THIS SYSTEM SHALL ALSO ALLOW THE PERSON TO PROVIDE ANY PROOF OF CITIZENSHIP THAT IS VALID UNDER THIS STATE'S LAWS AND SHALL ACCEPT NON-TRADITIONAL RESIDENTIAL ADDRESSES, INCLUDING ADDRESSES THAT CAN BE IDENTIFIED BY MILE MARKERS, GEOGRAPHIC FEATURES OR OTHER IDENTIFYING FEATURES.

B. BEGINNING NO LATER THAN DECEMBER 31, 2024, THE SECRETARY OF STATE SHALL MAKE AVAILABLE AN APPLICATION PROGRAMMING INTERFACE THAT ALLOWS APPROVED THIRD-PARTY ORGANIZATIONS TO SECURELY SUBMIT VOTER REGISTRATION INFORMATION ELECTRONICALLY ON BEHALF OF INDIVIDUALS. IN ORDER TO SUBMIT REGISTRATION INFORMATION ELECTRONICALLY PURSUANT TO THIS SECTION, A THIRD-PARTY ORGANIZATION MUST MEET SECURITY REQUIREMENTS AND BE APPROVED AS A VOTER REGISTRATION ORGANIZATION UNDER A PROCESS SET OUT BY THE SECRETARY OF STATE IN THE INSTRUCTIONS AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-542.

C. THE SECRETARY OF STATE MAY REQUEST MONIES FROM THE CITIZENS' CLEAN ELECTIONS COMMISSION TO OFFSET THE COSTS OF IMPLEMENTING THE REQUIREMENTS OF THIS SECTION.

Sec. 6. Section 16-120, Arizona Revised Statutes, is amended to read:

16-120. Eligibility to vote

~~A. An elector shall not vote in an election called pursuant to the laws of this state unless the elector has been registered to vote as a resident within the boundaries or the proposed boundaries of the election district for which the election is being conducted and the registration has been received by the county recorder or the recorder's designee pursuant to section 16-134 before midnight of the twenty-ninth day preceding the date of the election IS REGISTERED TO VOTE AND RESIDES WITHIN THIS STATE AND THE BOUNDARIES OR PROPOSED BOUNDARIES OF THE ELECTION DISTRICT FOR WHICH THE ELECTION IS BEING CONDUCTED.~~

~~B. If the twenty-ninth day preceding the date of the election falls on a Saturday, Sunday or other legal holiday, voter registrations that are received on the next business day immediately following the Saturday, Sunday or other legal holiday are deemed to have been timely received for purposes of voting in that election.~~

Sec. 7. Title 16, chapter 1, article 2, Arizona Revised Statutes, is amended by adding section 16-120.01, to read:

16-120.01. Election Day and same day registration

A. BEGINNING NO LATER THAN THE 2024 PRIMARY ELECTION AND FOR EACH ELECTION THEREAFTER, EACH COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL DESIGNATE AT LEAST ONE ELECTION OFFICIAL AT EACH POLLING PLACE, VOTING CENTER, OR EARLY VOTING LOCATION IN THE COUNTY TO SERVE AS A REGISTRATION CLERK WHOSE DUTIES INCLUDE FACILITATING AND ENABLING ELIGIBLE PERSONS TO REGISTER TO VOTE ON SITE ON ELECTION DAY OR DURING EARLY VOTING. A REGISTRATION CLERK MUST BE PRESENT FOR ALL HOURS DURING WHICH A POLLING PLACE, VOTING CENTER, OR EARLY VOTING LOCATION IS OPEN. THIS REQUIREMENT MAY BE SATISFIED BY DESIGNATING ONE OR MORE ELECTION BOARD MEMBERS AS REGISTRATION CLERKS, PROVIDED THERE ARE SUFFICIENT ELECTION BOARD MEMBERS TO ALLOW ELECTORS TO REGISTER AND TO VOTE IN A TIMELY MANNER.

B. ELIGIBLE PERSONS REGISTERING UNDER THIS SECTION SHALL PROVIDE THE INFORMATION NECESSARY FOR A REGISTRATION FORM, SWEAR UNDER PENALTY OF PERJURY THAT THE PERSON HAS NOT VOTED IN THE ELECTION IN THIS STATE OR ELSEWHERE, PROVE IDENTITY BY MEETING THE REQUIREMENTS OF SECTION 16-579, SUBSECTION A, AND PROVE RESIDENCY BY PRESENTING ANY ONE DOCUMENT LISTED IN SECTION 16-579, SUBSECTION A THAT SHOWS THE NAME AND CURRENT ADDRESS OF THE VOTER, A GOVERNMENT CHECK, PAYCHECK, OR OTHER GOVERNMENT DOCUMENT THAT SHOWS THE NAME AND CURRENT ADDRESS OF THE VOTER, OR A STUDENT IDENTIFICATION CARD FOR AN EDUCATIONAL INSTITUTION IN ARIZONA. AN ELIGIBLE PERSON REGISTERING UNDER THIS SECTION WHO DOES NOT PRESENT SATISFACTORY EVIDENCE OF CITIZENSHIP OR FOR WHOM THE REGISTRATION CLERK CANNOT VERIFY CITIZENSHIP SHALL BE ELIGIBLE FOR A FEDERAL-ONLY BALLOT.

C. AFTER CONSULTING WITH ALL COUNTY RECORDERS, THE SECRETARY OF STATE SHALL ESTABLISH IN THE INSTRUCTION AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-452 A PROCESS FOR VERIFICATION OF CITIZENSHIP INFORMATION PROVIDED BY VOTERS WHO REGISTER ON OR IN CLOSE PROXIMITY TO ELECTION DAY AND PROVIDE THEIR ARIZONA DRIVER LICENSE NUMBER OR NONOPERATING IDENTIFICATION LICENSE NUMBER AS PROOF OF UNITED STATES CITIZENSHIP. SUCH VERIFICATION PROCESS SHALL ENSURE THAT QUICK AND EFFICIENT ELIGIBILITY VERIFICATION CAN BE ACCOMPLISHED BY THE ON-SITE REGISTRATION CLERKS ON ELECTION DAY OR DURING EARLY VOTING, OR BY THE COUNTY RECORDER.

D. IF THE VERIFICATION PROCESS IN SUBSECTION C IS UNAVAILABLE OR CANNOT BE COMPLETED IN A QUICK AND EFFICIENT MANNER, OR IF THE REGISTRATION CLERK LACKS REAL-TIME ACCESS TO ADD VOTER REGISTRATION RECORDS, AN ELIGIBLE PERSON WHO REGISTERS ON OR IN CLOSE PROXIMITY TO ELECTION DAY AT A POLLING PLACE, VOTING CENTER, OR EARLY VOTING LOCATION SHALL BE ALLOWED TO VOTE A PROVISIONAL BALLOT. SUCH PERSON SHALL BE REGISTERED AND SUCH PROVISIONAL BALLOT SHALL BE COUNTED FOR ANY FEDERAL RACES ON THE BALLOT IN THAT ELECTION UNLESS THE COUNTY RECORDER DETERMINES THAT THE PERSON WAS NOT QUALIFIED TO REGISTER AND VOTE AS SET FORTH IN SECTIONS 16-101 AND 16-120. SUCH PROVISIONAL BALLOT SHALL ALSO BE COUNTED FOR ANY REMAINING RACES ON THE BALLOT IN THAT ELECTION IF THE PERSON HAS PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP OR IF THE COUNTY RECORDER HAS OTHERWISE VERIFIED THE PERSON'S CITIZENSHIP. SUCH REGISTRATIONS AND DETERMINATIONS SHALL BE MADE WITHIN THE PERIODS PRESCRIBED BY SECTION 16-135, SUBSECTION D FOR PROCESSING OF PROVISIONAL BALLOTS. IF THE REGISTRATION REQUIRES A CORRECTION OR CHANGE TO BE COMPLETE, THE CORRECTION OR CHANGE MUST BE ENABLED IN A MANNER PRESCRIBED BY THE SECRETARY OF STATE IN THE INSTRUCTION AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-452. ANY SUCH CORRECTION AND CHANGE SHALL DATE BACK TO THE DAY OF INITIAL REGISTRATION, AND THE ELECTOR'S BALLOT SHALL BE COUNTED AS VALID IF ALL LEGAL REQUIREMENTS HAVE BEEN MET.

E. THIS SECTION SHALL PERMIT A VOTER WITH NO PARTY PREFERENCE WHO APPEARS AT THE PRESIDENTIAL PREFERENCE ELECTION TO CHANGE THE VOTER'S PARTY PREFERENCE AND CAST A BALLOT. THE BALLOT SHALL BE COUNTED IF THE COUNTY RECORDER DETERMINES THAT THE VOTER IS OTHERWISE QUALIFIED TO VOTE IN THE PRESIDENTIAL PREFERENCE ELECTION.

F. ALL PROVISIONS IN THIS SECTION SHALL BE LIBERALLY CONSTRUED TO ENABLE QUALIFIED PERSONS TO REGISTER TO VOTE, CAST A BALLOT AND HAVE THAT BALLOT COUNTED. THESE PROVISIONS MAY NOT BE DEFINED MORE NARROWLY AND OR THE REGISTRATION PROCESS MAY NOT BE MORE BURDENSOME THAN FOR A REGISTRANT WHO REGISTERS TO VOTE BY MEANS OTHER THAN ON ELECTION DAY OR IN CLOSE PROXIMITY TO AN ELECTION.

Sec. 8. Section 16-121.01, Arizona Revised Statutes, is amended to read:

16-121.01. Requirements for proper registration

A. A person is presumed to be properly registered to vote on completion of a registration form as prescribed by section 16-152 that contains at least the name, the residence address or the location, the date of birth and the signature or other statement of the registrant as prescribed by section

16-152, subsection A, paragraph 20 and a checkmark or other appropriate indicator that the person answered “yes” to the question regarding citizenship. The completed registration form must also contain the person's Arizona driver license number, the nonoperating identification license number issued pursuant to section 28-3165, the last four digits of the person's social security number or the person's affirmation that if an Arizona driver license number, nonoperating identification license number or the last four digits of the person's social security number is not provided, the person does not possess a valid Arizona driver or nonoperating identification license or a social security number and the person is hereby requesting that a unique identifying number be assigned by the secretary of state pursuant to section 16-152, subsection A, paragraph 12, subdivision (c).

B. The presumption in subsection A of this section may be rebutted only by clear and convincing evidence of any of the following:

1. That the registrant is not the person whose name appears on the register.
2. That the registrant ~~has IS not resided in this state for twenty nine days next preceding the election or other event for which the registrant's status as properly registered is in question~~ A RESIDENT OF THIS STATE.

3. That the registrant is not properly registered at an address permitted by section 16-121.

4. That the registrant is not a qualified registrant under section 16-101.

5. THAT THE PERSON DECLINED TO BE REGISTERED UNDER SECTION 16-112.01.

C. THE PRESUMPTION OF PROPER REGISTRATION AS DESCRIBED IN SUBSECTION A OF THIS SECTION ATTACHES TO PERSONS WHO ARE REGISTERED TO VOTE THROUGH THE SECURE AUTOMATIC ELECTRONIC VOTER REGISTRATION SYSTEM DESCRIBED IN SECTION 16-112.01. THIS PRESUMPTION MAY BE REBUTTED ONLY BY CLEAR AND CONVINCING EVIDENCE AS DESCRIBED IN SUBSECTION B OF THIS SECTION.

Sec. 9. Section 16-122, Arizona Revised Statutes, is amended to read:

16-122. Registration and records prerequisite to voting

No person shall be permitted to vote unless such person's name appears as a qualified elector in both the general county register and in the precinct register or list of the precinct and election districts or proposed election districts in which such person resides, except as provided in sections 16-120.01, 125, 16-135 and 16-584.

Sec. 10. Section 16-152, Arizona Revised Statutes, is amended to read:

16-152. Registration form

A. The form used for the registration of electors shall contain:

1. The date the registrant signed the form.
2. The registrant's given name, middle name, if any, and surname.
3. The complete address of the registrant's actual place of residence, including street name and number, apartment or space number, city or town and zip code, or such description of the location of the residence that it can be readily ascertained or identified.
4. The registrant's complete mailing address, if different from the residence address, including post office address, city or town, zip code or other designation used by the registrant for receiving mail. The form shall also include a line for the registrant's e-mail address (optional to registrant).

5. The registrant's party preference. The two largest political parties that are entitled to continued representation on the ballot shall be listed on the form in the order determined by calculating which party has the highest number of registered voters at the close of registration for the most recent general election for governor, then the second highest. The form shall allow the registrant to circle, check or otherwise mark the party preference and shall include a blank line for other party preference options.

6. The registrant's telephone number, unless unlisted.

7. The registrant's state or country of birth.

8. The registrant's date of birth.

9. The registrant's occupation.

10. The registrant's Indian census number (optional to registrant).

11. The registrant's father's name or mother's maiden name.

12. One of the following identifiers for each registrant:

(a) The Arizona driver license number of the registrant or nonoperating identification license number of the registrant that is issued pursuant to section 28-3165.

(b) If the registrant does not have an Arizona driver license or nonoperating identification license, the last four digits of the registrant's social security number.

(c) If the registrant does not have an Arizona driver license or nonoperating identification license or a social security number and the registrant attests to that, a unique identifying number consisting of the registrant's unique identification number to be assigned by the secretary of state in the statewide electronic voter registration database.

13. A statement as to whether or not the registrant is currently registered in another state, county or precinct, and if so, the name, address, county and state of previous registration.

14. The question to the registrant “Are you a citizen of the United States of America?”, appropriate boxes for the registrant to check “yes” or “no” and a statement instructing the registrant not to complete the form if the registrant checked “no”.

15. The question to the registrant “Will you be eighteen years of age on or before election day?”, appropriate boxes for the registrant to check “yes” or “no” and a statement instructing the registrant not to complete the form if the registrant checked “no”.

16. A statement that the registrant has not been convicted of treason or a felony, or if so, that the registrant's civil rights have been restored.

17. A statement that the registrant is a resident of this state and of the county in which the registrant is registering.

18. A statement that executing a false registration is a class 6 felony.

19. The signature of the registrant.

20. If the registrant is unable to sign the form, a statement that the affidavit was completed according to the registrant's direction.

21. A statement that if an applicant declines to register to vote, the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.

22. A statement that if an applicant does register to vote, the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

23. A statement that the applicant shall submit evidence of United States citizenship with the application TO BE ELIGIBLE TO VOTE A FULL BALLOT and that IF NO SUCH EVIDENCE IS PROVIDED, THE APPLICANT WILL ONLY BE ELIGIBLE TO BE REGISTERED FOR A FEDERAL-ONLY BALLOT ~~and that the registrar shall reject the application if no evidence of citizenship is attached.~~

B. A duplicate voter receipt shall be provided with the form that provides space for the name, street address and city of residence of the applicant, party preference and the date of signing. The voter receipt is evidence of valid registration for the purpose of casting a provisional ballot as prescribed in section 16-584, subsection B.

C. The state voter registration form shall be printed in a form prescribed by the secretary of state.

D. The county recorder may establish procedures to verify whether a registrant has successfully petitioned the court for an injunction against harassment pursuant to section 12-1809 or an order of protection pursuant to section 13-3602 and, if verified, to protect the registrant's residence address, telephone number or voting precinct number, if appropriate, from public disclosure.

E. Subsection A of this section does not apply to registrations received from the department of transportation pursuant to section 16-112. SUBSECTIONS A AND B OF THIS SECTION DO NOT APPLY TO REGISTRATIONS RECEIVED FROM THE DEPARTMENT OF TRANSPORTATION OR OTHER SOURCE AGENCIES PURSUANT TO SECTION 16-112.01.

F. THE VOTER REGISTRATION REQUIREMENTS IN THIS SECTION AS OF JANUARY 1, 2022 ARE DEEMED SUFFICIENT BY THE PEOPLE OF ARIZONA AND MAY NOT BE MADE MORE STRINGENT WITHOUT THE EXPRESS CONSENT OF THE PEOPLE OF ARIZONA.

Sec. 11. Section 16-165, Arizona Revised Statutes, is amended to read:

16-165. Causes for cancellation

A. The county recorder shall cancel a registration:

1. At the request of the person registered.

2. When the county recorder knows of the death of the person registered.

3. If the person has been adjudicated an incapacitated person as defined in section 14-5101.

4. When the person registered has been convicted of a felony, and the judgment of conviction has not been reversed or set aside. The county recorder shall cancel the registration on receipt of notice of a felony conviction from the court or from the secretary of state ~~or when reported by the elector on a signed juror questionnaire that is completed pursuant to section 21-314.~~

5. On production of a certified copy of a judgment directing a cancellation to be made.

6. Promptly after the election if the person registered has applied for a ballot pursuant to section 16-126.

7. When a person has been on the inactive voter list and has not voted during the time periods prescribed in section 16-166, subsection C.

~~8. When the county recorder receives written information from the person registered that the person has a change of residence within the county and the person does not complete and return a new registration form within twenty-nine days after the county recorder mails notification of the need to complete and return a new registration form with current information.~~

9. When the county recorder receives written information from the person registered that the person has a change of address outside the county.

~~B. If the county recorder cancels a registration pursuant to subsection A, paragraph 8 of this section, the county recorder shall send the person notice that the registration has been cancelled and a registration form with the information described in section 16-131, subsection C attached to the form.~~

CB. When proceedings in the superior court or the United States district court result in a person being declared incapable of taking care of himself and managing his property, and for whom a guardian of the person and estate is appointed, result in such person being committed as an insane person or result in a person being convicted of a felony, the clerk of the superior court in the county in which those proceedings occurred shall file with the secretary of state an official notice of that fact. The secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person on the register. Such notice shall name the person covered, shall give the person's date and place of birth if available, the person's social security number, if available, the person's usual place of residence, the person's address and the date of the notice, and shall be filed with the recorder of the county where the person last resided.

DC. Each month the department of health services shall transmit to the secretary of state without charge a record of the death of every resident of the state reported to the department within the preceding month. This record shall include only the name of the decedent, the decedent's date of birth, the decedent's date of death, the decedent's social security number, if available, the decedent's usual legal residence at the time of death and, if available, the decedent's father's name or mother's maiden name. The secretary of state shall use the record for the sole purpose of canceling the names of deceased persons from the statewide voter registration database. In addition, the department of health services shall annually provide to the secretary of state from the statewide electronic death registration system without charge a record of all deaths of residents of this state that are reported to the department of health services. The records transmitted by the department of health services shall include only the name of the decedent, the decedent's date of birth, the decedent's social security number, if available, the decedent's usual legal residence at the time of death and, if available, the decedent's father's name or mother's maiden name. The secretary of state shall compare the records of deaths with the statewide voter registration database. Public access to the records is prohibited. Use of information from the records for purposes other than those required by this section is prohibited. The name of each deceased person shall promptly be canceled from the statewide voter registration database and the secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person from the register.

Sec. 12. Section 16-166, Arizona Revised Statutes, is amended to read:

16-166. Verification of registration

A. Except for the mailing of sample ballots, a county recorder who mails an item to any elector shall send the mailing by nonforwardable first class mail marked with the statement required by the postmaster to receive an address correction notification. If the item is returned undelivered, the county recorder shall send a follow-up notice to that elector within three weeks of receipt of the returned notice. The county recorder shall send the follow-up notice to the address that appears in the general county register or to the forwarding address provided by the United States postal service. The follow-up notice shall include an appropriate internet address for revising voter registration information or a registration form and the information prescribed by section 16-131, subsection C and shall state that if the elector does not complete and return a new registration form with current information to the county recorder or make changes to the elector's voter registration information that is maintained online within thirty-five days, the elector's registration status shall be changed from active to inactive. A FOLLOW-UP NOTICE PURSUANT TO THIS SUBSECTION MAY NOT BE SENT TO AN ELECTOR SOLELY BECAUSE THE ELECTOR HAS FAILED TO VOTE IN ONE OR MORE ELECTIONS, NOR MAY AN ELECTOR'S REGISTRATION STATUS BE CHANGED FROM ACTIVE TO INACTIVE SOLELY BECAUSE THE ELECTOR HAS FAILED TO VOTE IN ONE OR MORE ELECTIONS AND THEN FAILED TO RESPOND TO A MAILED NOTICE.

B. If the elector provides the county recorder with a new registration form or otherwise revises the elector's information, the county recorder shall change the general register to reflect the changes indicated on the new registration. If the elector indicates a new residence address outside that county, the county recorder shall forward the voter registration form or revised information to the county recorder of the county in which the elector's address is located. If the elector provides a new residence address that is located outside this state, the county recorder shall cancel the elector's registration.

C. The county recorder shall maintain on the inactive voter list the names of electors who have been removed from the general register pursuant to subsection A ~~or E~~ of this section for a period of four years or through the date of the second general election for federal office following the date of the notice from the county recorder that is sent pursuant to subsection ~~EA~~ of this section.

D. On notice that a government agency has changed the name of any street, route number, post office box number or other address designation, the county recorder shall revise the registration records and shall send a new verification of registration notice to the electors whose records were changed.

E. ON A MONTHLY BASIS, The county recorder on or before May 1 of each year preceding a state primary and general election or more frequently as the recorder deems necessary may use the change of address information supplied by the postal service through its licensees to identify registrants whose addresses may have changed. If it appears from information provided by the postal service that a registrant has moved to a different residence address in the same county, the county recorder shall change the registration records to reflect the new address and shall send the registrant a notice of the change by forwardable mail and a postage prepaid preaddressed return form or an appropriate internet address for revising voter registration information by which the registrant may verify or correct the registration information. ~~If the registrant fails to revise the information or return the form postmarked not later than thirty-five days after the mailing of the notice, the elector's registration status shall be changed from active to inactive. If the notice sent by the recorder is not returned, the registrant may be required to provide affirmation or confirmation of the registrant's address in order to vote. If the registrant does not vote in an election during the period after the date of the notice from the recorder through the date of the second general election for federal office following the date of that notice, the registrant's name shall be removed from the list of inactive voters. If the registrant has changed residence to a new county, the APPLICABLE county recorderS shall provide information on how the registrant can continue to be eligible to vote.~~ CHANGE THEIR REGISTRATION RECORDS TO REFLECT THE NEW ADDRESS AND REGISTER THE VOTER IN THE NEW COUNTY OF RESIDENCE AND SEND THE REGISTRANT AT BOTH THE REGISTRANT'S PRIOR ADDRESS AND NEW ADDRESS A NOTICE OF THE CHANGE BY FORWARDABLE MAIL AND A POSTAGE PREPAID PREAMMENDED RETURN FORM OR AN APPROPRIATE INTERNET ADDRESS FOR REVISING VOTER REGISTRATION INFORMATION BY WHICH THE REGISTRANT MAY VERIFY OR CORRECT THE REGISTRATION INFORMATION. IF AN ELECTOR RETURNS A RETURN FORM SENT PURSUANT TO THIS SUBSECTION AND INDICATES THAT THEY HAVE NOT MOVED, THE APPLICABLE COUNTY RECORDERS SHALL IMMEDIATELY CORRECT THE REGISTRANT'S INFORMATION TO REFLECT THE PRIOR ADDRESS. IF THE REGISTRANT RETURNS A RETURN FORM CONFIRMING THE NEW ADDRESS, OR IF THE REGISTRANT DOES NOT RETURN THE RETURN FORM, THE REGISTRANT'S INFORMATION SHALL REMAIN UPDATED TO REFLECT THE NEW ADDRESS.

~~F. The county recorder shall reject a~~ Any application for registration that is not accompanied by satisfactory evidence of United States citizenship SHALL BE DESIGNATED AS FEDERAL-ONLY AND SUCH APPLICANT SHALL ONLY BE ELIGIBLE TO BE REGISTERED FOR A FEDERAL-ONLY BALLOT UNLESS AND UNTIL SATISFACTORY EVIDENCE OF CITIZENSHIP IS PROVIDED. Satisfactory evidence of citizenship shall include any of the following:

1. The number of the applicant's driver license or nonoperating identification license issued after October 1, 1996 by the department of transportation or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver license or nonoperating identification license that the person has provided satisfactory proof of United States citizenship.

2. A legible photocopy of the applicant's birth certificate that verifies citizenship to the satisfaction of the county recorder.

3. A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number or presentation to the county recorder of the applicant's United States passport.

4. A presentation to the county recorder of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States ~~immigration and naturalization service~~ CITIZENSHIP AND IMMIGRATION SERVICES by the county recorder.

5. Other documents or methods of proof that are established pursuant to the immigration reform and control act of 1986.

6. The applicant's bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number.

7. AN OFFICIAL NOTIFICATION FROM ANY GOVERNMENT AGENCY IN THIS STATE THAT IT HAS RECEIVED SATISFACTORY EVIDENCE OF CITIZENSHIP OF THE VOTER REGISTRATION APPLICANT.

G. Notwithstanding subsection F of this section, any person who is registered in this state on the effective date of this amendment to this section DECEMBER 8, 2004, is deemed to have provided satisfactory evidence of citizenship and shall not be required to resubmit evidence of citizenship ~~unless the person is changing voter registration from one county to another.~~

H. For the purposes of this section, proof of voter registration from another state or county is not satisfactory evidence of citizenship.

I. A person who modifies voter registration records with a new residence ballot shall not be required to submit evidence of citizenship. After citizenship has been demonstrated to the county recorder, the person is not required to resubmit satisfactory evidence of citizenship in that county.

J. After a person has submitted satisfactory evidence of citizenship, the county recorder shall indicate this information in the person's permanent voter file. After two years the county recorder may destroy all documents that were submitted as evidence of citizenship.

Sec. 13. Title 16, chapter 1, article 5, Arizona Revised Statutes, is amended by adding section 16-168.02 to read:

16-168.02. Precinct registers supplemental information

IN ADDITION TO INFORMATION REQUIRED ELSEWHERE IN THIS TITLE, PRECINCT REGISTERS SHALL ALSO INCLUDE THE NAMES IN FULL, PARTY PREFERENCE, DATE OF REGISTRATION, RESIDENCE ADDRESS, AND PRECINCT FOR ALL REMAINING QUALIFIED ELECTORS IN THE COUNTY, IN ORDER TO PERMIT COMPLIANCE WITH SECTION 16-411, SUBSECTION (B)(4).

Sec. 14. Section 16-182, Arizona Revised Statutes, is amended to read:

16-182. False registration; classification; cancellation of registration

A. A person who knowingly ~~causes, procures or allows himself to be registered~~ REGISTERS as an elector of any county, city, town, district or precinct, knowing that he is not entitled to such registration, or a person who knowingly causes or procures another person to be registered as an elector of any county, city, town, district or precinct, knowing that such other person is not entitled to such registration, or an officer who knowingly enters the name of any person not entitled to registration upon the register or roll of electors, is guilty of a class 6 felony. FAILURE TO RETURN THE RETURN FORM REQUIRED UNDER SECTION 16-112.01 DOES NOT CONSTITUTE KNOWINGLY REGISTERING AS AN ELECTOR PURSUANT TO THIS SECTION.

B. If on the trial of a person charged with an offense under this section, it appears that the accused is registered as an elector of any county, city, town or precinct, without being qualified for such registration, the court shall order his registration canceled.

C. UNLESS A PERSON WHO IS INELIGIBLE TO REGISTER TO VOTE INTENTIONALLY TAKES ACTION TO REGISTER TO VOTE KNOWING THAT THE PERSON IS NOT ELIGIBLE TO REGISTER, THE TRANSFER OF THE PERSON'S ELECTRONIC RECORD UNDER SECTION 16-112.01 DOES NOT CONSTITUTE THE COMPLETION OF A VOTER REGISTRATION FORM BY THAT PERSON, AND THAT PERSON SHALL NOT BE CONSIDERED TO HAVE REGISTERED TO VOTE. NOTWITHSTANDING SECTION 16-1016, IF SUCH A PERSON VOTES OR ATTEMPTS TO VOTE AFTER THE EFFECTIVE DATE OF THAT PERSON'S REGISTRATION, THAT PERSON IS NOT GUILTY OF ANY CRIME UNLESS THAT PERSON VOTES OR ATTEMPTS TO VOTE KNOWING THAT THE PERSON IS NOT ELIGIBLE TO DO SO. IF SUCH A REGISTRATION IS PROCESSED BY THIS STATE, IT IS PRESUMED TO HAVE BEEN OFFICIALLY AUTHORIZED BY THIS STATE AND THE PERSON IS NOT SUBJECT TO ANY PENALTY.

Sec. 15. Section 16-212, Arizona Revised Statutes, is amended to read:

16-212. Election of presidential electors; electoral college votes; vacancy; replacement

A. On the first Tuesday after the first Monday in November, 1956, and quadrennially thereafter, there shall be elected a number of presidential electors equal to the number of United States senators and representatives in Congress from this state.

B. After the secretary of state issues the statewide canvass containing the results of a presidential election, the presidential electors of this state shall cast their electoral college votes for the candidate for president and the candidate for vice president who jointly received the highest number of votes in this state as prescribed in the canvass.

C. A presidential elector who knowingly refuses to cast that elector's electoral college vote as prescribed in subsection B of this section is no longer eligible to hold the office of presidential elector and that office is deemed and declared vacant by operation of law. The chairperson of the state committee of the political party represented by that elector shall appoint a person who is otherwise qualified to be a presidential elector. The replacement presidential elector shall cast the elector's electoral college vote as prescribed by this section. Notwithstanding § 16-344 and any other statute, the nomination paper and affidavit of qualification of the replacement presidential elector may be completed and filed with the secretary of state as soon as is practicable after the presidential elector's appointment.

D. THE PEOPLE OF ARIZONA, THROUGH THEIR RETAINED POWER OF INITIATIVE, ENDORSE THIS STATUTE REQUIRING THAT THE PRESIDENTIAL ELECTORS OF THIS STATE SHALL CAST THEIR ELECTORAL COLLEGE VOTES FOR THE CANDIDATE FOR PRESIDENT AND THE CANDIDATE FOR VICE PRESIDENT WHO JOINTLY RECEIVED THE HIGHEST NUMBER OF VOTES IN THIS STATE AS PRESCRIBED IN THE CANVASS. THE PEOPLE HEREBY PROHIBIT THE LEGISLATURE FROM ENACTING ANY SCHEME THAT WOULD RESULT IN A DIFFERENT ALLOCATION OF THE STATE'S ELECTORAL VOTES.

Sec. 16. Section 16-246, Arizona Revised Statutes, is amended to read:

16-246. Early balloting; satellite locations; additional procedures

A. Within ninety-three days before the presidential preference election and not later than 5:00 p.m. on the eleventh day preceding the election, any elector who is eligible to vote in the presidential preference election may make a verbal ~~or signed~~, EMAIL, ONLINE OR written request for an official early ballot to the county recorder or other officer in charge of elections for the county in which the elector is registered to vote. ~~If the request is verbal, the requesting elector shall provide the date of birth and birthplace or other information that if compared to the voter registration records for that elector would confirm the identity of the elector.~~ IF THE REQUEST REQUIRES A CHANGE OF ADDRESS OR A TEMPORARY ADDRESS, IT SHALL BE VALIDATED BY A WRITTEN SIGNATURE, A VALIDATED ON-LINE TRANSACTION OR THE REQUESTING ELECTOR SHALL VERBALLY PROVIDE THE DATE OF BIRTH AND BIRTHPLACE OR OTHER INFORMATION THAT IF COMPARED TO THE VOTER REGISTRATION RECORDS FOR THAT ELECTOR WOULD CONFIRM THE IDENTITY OF THE ELECTOR.

B. Absent uniformed services voters or overseas voters who are otherwise eligible to vote in the election may vote as prescribed by §§ 16-543 and 16-543.02.

C. The county recorder or other officer in charge of elections may establish on-site early voting locations at the office of the county recorder or at other locations in the county deemed necessary or appropriate by the recorder. Early voting shall begin within the time limits prescribed in § 16-542 unless otherwise prescribed by this section.

D. The county recorder or other officer in charge of elections shall send by nonforwardable mail that is marked with the statement required by the postmaster to receive an address correction notification any early ballots that are requested pursuant to subsections A and B of this section and shall include a preaddressed envelope for the elector to return the completed ballot.

E. The county recorder or other officer in charge of elections shall provide to each election board an appropriate alphabetized list of voters who have requested and have been sent an early ballot. Any person who is on that list of voters and who was sent an early ballot shall not vote at the polling place for that election precinct except as prescribed by § 16-579, subsection B.

F. The county recorder or other officer in charge of elections may provide for any of the following in the same manner prescribed by law for other elections:

1. Special election boards.

2. Emergency balloting for persons who experience an emergency after 5:00 p.m. on the Friday preceding the presidential preference election and before 5:00 p.m. on the Monday immediately preceding the presidential preference election. Before receiving a ballot pursuant to this paragraph, a person who experiences an emergency shall provide identification as prescribed in § 16-579 and shall sign a statement under penalty of perjury that states that the person is experiencing or experienced an emergency after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this subsection are not subject to inspection pursuant to title 39, chapter 1, article 2.1

G. Notwithstanding § 16-579, subsection A, paragraph 2, for emergency balloting pursuant to subsection F, paragraph 2 of this section, the county recorder or other officer in charge of elections may allow a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to § 16-452.

H. Sections 16-550, 16-551 and 16-552 govern the use of early balloting for the presidential preference election.

Sec. 17. Section 16-404, Arizona Revised Statutes, is amended to read:

16-404. Preparation of polling place; voting booths; ballot boxes for paper ballots

Each polling place shall be provided by the board of supervisors with a sufficient number of voting booths on which voters may conveniently mark their ballots screened from the observation of others. Each booth shall be at least three square feet in size. Each booth shall be supplied with such conveniences as will enable the voter to prepare his ballot for voting. The board of supervisors shall also furnish each polling place with ballot boxes, equipped with locks, large enough to properly receive and hold the ballots cast. ELECTION OFFICERS SHALL ENDEAVOR TO PROVIDE SUFFICIENT RESOURCES TO KEEP LINES AT POLLING PLACES SHORTER THAN 30 MINUTES. PEOPLE WHO ARE NOT ELECTION OFFICERS MAY PROVIDE THOSE WAITING WITH FOOD, NON-ALCOHOLIC BEVERAGES, USE OF UMBRELLAS, CHAIRS, OR OTHER ITEMS TO MAKE THEIR WAIT MORE COMFORTABLE, PROVIDED THAT ALL SUCH ACCOMMODATIONS ARE OFFERED REGARDLESS OF HOW THE RECIPIENT VOTES OR WHETHER THE RECIPIENT VOTES.

Sec. 18. Section 16-407, Arizona Revised Statutes, is amended to read:

16-407. Election officers; qualifications; certificates; certification programs; plan; exemption; election training fund

A. Except as provided in subsection E of this section, a person may not perform the duties or exercise the authority of an election officer or of the clerk of the board of supervisors or the county recorder in performance of election duties in or on behalf of any county unless the person is the holder of an election officer's certificate issued by the secretary of state before January 1 of each general election year.

B. The secretary of state shall provide for the examination of applicants for election officer certificates. The secretary of state may not issue a certificate to a person who has not demonstrated to the satisfaction of the secretary of state that the person is competent to perform the work of an election officer or of the clerk of the board of supervisors or the county recorder in the performance of election duties. SUCH EXAMINATION SHALL INCLUDE PROFICIENCY IN SETTING UP AND OPERATING EQUIPMENT USED BY DISABLED VOTERS.

C. The secretary of state shall provide for election officer certification programs of which successful completion by a person attests to the attendance at, participation in and completion of a course of instruction in the technical, legal and administrative aspects of conducting elections within this state.

D. On or before December 31 of each year of a general election, the secretary of state shall submit an election officer education, training and certification plan to the president of the senate and the speaker of the house of representatives. The plan shall outline the achievements and problems of the previous two year period and specify the expected education, training and certification activities of the coming two year period.

E. Subsection A of this section does not apply to elected officials, clerical and secretarial personnel, counting center personnel and precinct election board members and election officials in cities or towns.

F. For city and town employees who work on elections, the city or town may train its own employees if the city or town training program is approved by the secretary of state or, if the city or town chooses to enroll the city or town employees in the certification program prescribed by this section, the city or town shall reimburse the secretary of state for the costs of conducting the training. An election training fund is established consisting of monies received pursuant to this subsection. The secretary of state shall administer the fund. Monies in the fund are continuously appropriated and the secretary of state shall use monies in the fund to pay the costs of training officials from cities and towns pursuant to this subsection.

Section 19. Section 16-407.01, Arizona Revised Statutes, is amended to read:

16-407.01. Election administration; private monies prohibited

Notwithstanding any other law, this state and a city, town, county, school district or other public body that conducts or administers elections may ~~not~~ receive or expend private monies for preparing for, administering or conducting an election, including registering voters.

Sec. 20. Title 16, chapter 4, article 2, Arizona Revised Statutes, is amended by adding section 16-411.01 to read:

16-411.01. Countywide voting centers

A. NOTWITHSTANDING ANY OTHER LAW, POLLING PLACES SHALL ALLOW ANY VOTER IN THAT COUNTY TO RECEIVE THE APPROPRIATE BALLOT FOR THAT VOTER ON ELECTION DAY AFTER PRESENTING IDENTIFICATION AS PRESCRIBED IN SECTION 16-579 AND TO LAWFULLY CAST THE BALLOT.

B. COUNTIES WITH APPROPRIATE AND SECURE TECHNOLOGY MAY ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER COUNTIES TO ALLOW VOTERS TO CAST BALLOTS FOR THEIR HOME PRECINCT FROM POLLING LOCATIONS IN COOPERATING COUNTIES. SUCH AGREEMENTS SHALL BE REVIEWED AND APPROVED BY THE SECRETARY OF STATE.

Sec. 21. Title 16, chapter 4, article 2, Arizona Revised Statutes, is amended by adding Section 16-411.02 to read:

16-411.02. Polling places on Indian lands; minimum required; notice and comment and interactive processes with Indian tribes; procedure; private right of action; definitions

A. WHEN DETERMINING PRECINCT BOUNDARIES, POLLING PLACE AND VOTING CENTER LOCATIONS, EARLY VOTING LOCATIONS AND HOURS OF OPERATION, THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS OF EACH COUNTY SHALL PROVIDE NOTICE TO THE INDIAN TRIBES WITHIN THE COUNTY AND PROVIDE AN OPPORTUNITY FOR COMMENT FROM THE INDIAN TRIBES WITHIN THE COUNTY AND SHALL COOPERATE AND COORDINATE ALL ASPECTS OF THE DETERMINATIONS WITH AGENTS AND REPRESENTATIVES OF THE INDIAN TRIBES WITHIN THE COUNTY. THE NOTICE, COMMENT AND INTERACTIVE PROCESSES ARE SUBJECT TO OPEN MEETING AND PUBLIC RECORDS REQUIREMENTS. THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS OF EACH COUNTY SHALL PLACE AT LEAST ONE PRECINCT AND AT LEAST ONE POLLING PLACE, EARLY VOTING LOCATION, OR VOTING CENTER ON THE LAND OF EACH INDIAN TRIBE WITHIN THE COUNTY AT A LOCATION SELECTED BY THE INDIAN TRIBE, UNLESS THE TRIBE CERTIFIES TO THE COUNTY THAT IT HAS NO MEMBERS RESIDING IN THE COUNTY.

B. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO DENY THE RIGHT OF ELDERLY PERSONS OR PERSONS WITH DISABILITIES TO CAST A BALLOT IN AN ACCESSIBLE MANNER. THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS SHALL, TO THE EXTENT POSSIBLE, ENSURE ACCESSIBILITY OF THE LOCATIONS CHOSEN ON EITHER A PERMANENT OR TEMPORARY BASIS. IF CHOSEN LOCATIONS CANNOT BE MADE ACCESSIBLE ON AT LEAST A TEMPORARY BASIS, THE BOARD OF SUPERVISORS OR OFFICER IN CHARGE OF ELECTIONS SHALL PROVIDE ALTERNATIVE VOTING PROCEDURES PURSUANT TO SECTION 16-581.

C. ANY INDIAN TRIBE, MEMBER OF A TRIBE, INTERESTED PARTY OR QUALIFIED ELECTOR MAY FILE A CIVIL ACTION IN SUPERIOR COURT CHALLENGING THE LEGAL SUFFICIENCY OF THE DETERMINATIONS MADE, PROCESS OR PROCEDURES IN THIS SECTION OR IN SECTION 16-411, INCLUDING SEEKING AN INJUNCTION OR A MANDAMUS ACTION. WITHIN TEN DAYS AFTER THE FILING OF THE ACTION, THE SUPERIOR COURT SHALL HEAR AND RENDER A DECISION ON THE MATTER. SUCH A DECISION IS APPEALABLE ONLY TO THE SUPREME COURT, AND NOTICE OF APPEAL SHALL BE FILED WITHIN FIVE DAYS AFTER THE DECISION OF THE SUPERIOR COURT IN THE ACTION. THE SUPREME COURT SHALL HEAR AND RENDER A DECISION ON THE APPEAL PROMPTLY.

D. FOR THE PURPOSES OF THIS SECTION:

1. "INDIAN LANDS" HAS THE SAME MEANING AS DEFINED IN SECTION 5-601.02.
2. "INDIAN TRIBE" HAS THE SAME MEANING AS DEFINED IN SECTION 5-601.02.

Sec. 22. Section 16-442.01, Arizona Revised Statutes, is amended to read:

16-442.01. Accessible voting technology; recommendations; certification; applicability

A. On completion of the certification process pursuant to this section and section 16-442, the secretary of state shall require that voting systems that are used by entities that are governed by section 16-204, but not including cities and towns with a population of less than twenty thousand persons, provide persons who are blind or visually impaired with access to voting that is equivalent to that provided to persons who are not blind or visually impaired.

B. For the purposes of this section:

1. A voting system that provides the voter with the ability to cast and verify by both visual and nonvisual methods all of the selections that were made by that voter is deemed to provide equivalent access.
2. Nonvisual methods for casting and verifying a selection made on a voting system include the use of synthesized speech, braille and other output methods that do not require sight.

C. The secretary of state shall consult with and obtain recommendations regarding voting systems from nonprofit organizations that represent persons who are blind or visually impaired, persons with expertise in accessible software, hardware and other technology, county and local election officials and other persons deemed appropriate by the secretary of state. After receiving recommendations, the secretary of state shall submit to the committee established pursuant to section 16-442 one or more voting systems that provide equivalent access pursuant to this section for possible certification for use in this state.

D. Subsection A of this section applies to voting systems that are purchased or upgraded on or after January 1, 2006.

E. PEOPLE WITH DISABILITIES MAY VOTE:

1. IN PERSON AT THE POLLS
2. BY MAIL
3. AT THE POLLS WITH THE ASSISTANCE OF AN APPROVED MACHINE.
4. AT THE POLLS WITH ASSISTANCE OF SOMEONE OF THEIR CHOOSING, AS SPECIFIED IN 16-580(E)
5. AT THE POLLS WITH THE ASSISTANCE OF POLL WORKERS AS PRESCRIBED BY LAW, AS SPECIFIED IN 16-580(E).
6. WHILE SITTING IN A CAR PARKED NEAR A POLLING LOCATION, WITH ELECTION OFFICIALS BRINGING THEM THE MATERIALS TO VOTE.
7. THROUGH A PHONE OR OTHER TELECOMMUNICATIONS DEVICE USING INTERACTIVE VOICE RESPONSE TECHNOLOGY AFTER THE SECRETARY OF STATE REVIEWS AND APPROVES SUCH TECHNOLOGY.

Sec. 23. Title 16, chapter 4, article 6, Arizona Revised Statutes, is amended by adding section 16-502.01, to read:

16-502.01. Ballot privacy

THE PRIVACY OF THE SECRET BALLOT SHALL BE MAINTAINED AND NO VISIBLE, NOR INVISIBLE, MATERIAL SHALL BE PLACED ON BALLOTS THAT COULD IN ANY WAY IDENTIFY THE VOTER. THIS REQUIREMENT SHALL NOT BE CONSTRUED TO RESTRICT THE USE OF A BAR CODE OR SIMILAR INDICATOR NECESSARY TO ENSURE THAT THE BALLOT CONTAINED IN A RETURNED EARLY BALLOT ENVELOPE IS THE BALLOT TRANSMITTED TO THE SPECIFIC EARLY VOTER.

Sec. 24. Section 16-542, Arizona Revised Statutes, is amended to read:

16-542. Request for ballot; civil penalties; violation; classification

A. Within ninety-three days before any election called pursuant to the laws of this state, an elector may make a verbal ~~or signed~~ WRITTEN, EMAIL OR ONLINE request to the county recorder, or other officer in charge of elections for the applicable political subdivision of this state in whose jurisdiction the elector is registered to vote, for an official early ballot. IF THE REQUEST REQUIRES A CHANGE OF ADDRESS OR A TEMPORARY ADDRESS, IT SHALL BE VALIDATED BY A WRITTEN SIGNATURE, A VALIDATED ON-LINE TRANSACTION OR THE REQUESTING ELECTOR SHALL VERBALLY PROVIDE THE DATE OF BIRTH AND BIRTHPLACE OR OTHER INFORMATION THAT IF COMPARED TO THE VOTER REGISTRATION RECORDS FOR THAT ELECTOR WOULD CONFIRM THE IDENTITY OF THE ELECTOR. ~~In addition to name and address, the requesting elector shall provide the date of birth and state or country of birth or other information that if compared to the voter registration information on file would confirm the identity of the elector.~~ If the request indicates that the elector needs a primary election ballot and a general election ballot, the county recorder or other officer in charge of elections shall honor the request. For any partisan primary election, if the elector is not registered as a member of a political party that is entitled to continued representation on the ballot pursuant to section 16-804, the elector shall designate the ballot of only one of the political parties that is entitled to continued representation on the ballot and the elector may receive and vote the ballot of only that one political party, which also shall include any nonpartisan offices and ballot questions, or the elector shall designate the ballot for nonpartisan offices and ballot questions only and the elector may receive and vote the ballot that contains only nonpartisan offices and ballot questions. The county recorder or other officer in charge of elections shall process any request for an early ballot for a municipal election pursuant to this subsection. The county recorder ~~may~~ SHALL establish on-site early voting locations at the recorder's office, which shall be open and available for use beginning the same day that a county begins to send out the early ballots AND ENDING AT 5:00 P.M. ON THE DAY BEFORE THE ELECTION. The county recorder may also establish any other early voting locations in the county the recorder deems necessary. Any on-site early voting location or other early voting location shall require each elector to present identification as prescribed in section 16-579 before receiving a ballot. Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site early voting location or other early voting location the county recorder or other officer in charge of elections may provide for a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452.

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

C. The county recorder or other officer in charge of elections shall mail the early ballot and the envelope for its return postage prepaid to the address provided by the requesting elector within five days after receipt of the official early ballots from the officer charged by law with the duty of preparing ballots pursuant to section 16-545, except that early ballot distribution shall not begin more than twenty-seven days before the election. If an early ballot request is received on or before the thirty-first day before the election, the early ballot shall be distributed not earlier than the twenty-seventh day before the election and not later than the twenty-fourth day before the election.

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

E. In order to be complete and correct and to receive an early ballot by mail, an elector's request that an early ballot be mailed to the elector's residence or temporary address must include all of the information prescribed by subsection A of this section and must be received by the county recorder or other officer in charge of elections no later than 5:00 p.m. on the eleventh day preceding the election. An elector who appears

personally no later than 5:00 p.m. on the ~~Friday~~ DAY preceding the election at an on-site early voting location that is established by the county recorder or other officer in charge of elections shall be given a ballot after presenting identification as prescribed in section 16-579 and shall be permitted to vote at the on-site location. Notwithstanding section 16-579, subsection A, paragraph 2, at any on-site early voting location OR OTHER EARLY VOTING LOCATION the county recorder or other officer in charge of elections may provide for a qualified elector to update the elector's voter registration information as provided for in the secretary of state's instructions and procedures manual adopted pursuant to section 16-452. If an elector's request to receive an early ballot is not complete and correct but complies with all other requirements of this section, the county recorder or other officer in charge of elections shall attempt to notify the elector of the deficiency of the request.

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

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

~~H. As a result of experiencing an emergency between 5:00 p.m. on the Friday preceding the election and 5:00 p.m. on the Monday preceding the election, qualified electors may request to vote in the manner prescribed by the board of supervisors of their respective county. Before voting pursuant to this subsection, an elector who experiences an emergency shall provide identification as prescribed in section 16-579 and shall sign a statement under penalty of perjury that states that the person is experiencing or experienced an emergency after 5:00 p.m. on the Friday immediately preceding the election and before 5:00 p.m. on the Monday immediately preceding the election that would prevent the person from voting at the polls. Signed statements received pursuant to this subsection are not subject to inspection pursuant to title 39, chapter 1, article 2.1 For the purposes of this subsection, "emergency" means any unforeseen circumstances that would prevent the elector from voting at the polls.~~

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

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

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

~~L. Except for a voter who is on the active early voting list prescribed by section 16-544, a voter who requests a onetime early ballot pursuant to section 16-542 or for an election conducted pursuant to section 16-409 or article 8.1 of this chapter, a county recorder, city or town clerk or other election officer may not deliver or mail an early ballot to a person who has not requested an early ballot for that election. An election officer who knowingly violates this subsection is guilty of a class 5 felony.~~

Sec. 25. Section 16-544, Arizona Revised Statutes, is amended to read:

16-544. Permanent early voting list; civil penalty; violation; classification; definition

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

B. In order to be included on the ~~active~~ PERMANENT early voting list, the voter shall make a written, VERBAL, EMAIL, OR ONLINE request specifically requesting that the voter's name be added to the ~~active~~ PERMANENT early voting list for all elections in which the applicant is eligible to vote. IF THE REQUEST REQUIRES A CHANGE OF ADDRESS, IT SHALL BE VALIDATED BY A WRITTEN SIGNATURE, A VALIDATED ON-LINE TRANSACTION OR THE REQUESTING ELECTOR SHALL VERBALLY PROVIDE TO A COUNTY ELECTION OFFICIAL THE DATE OF BIRTH AND BIRTHPLACE OR OTHER INFORMATION THAT IF COMPARED TO THE VOTER REGISTRATION RECORDS FOR THAT ELECTOR WOULD CONFIRM THE IDENTITY OF THE ELECTOR. ~~An early voter request form shall conform to requirements prescribed in the instructions and procedures manual issued pursuant to section 16-452.~~ The application shall allow for the voter to provide the voter's name, residence address, mailing address in the voter's county of residence, date of birth and signature and shall state that the voter is attesting that the voter is a registered voter who is eligible to vote in the county of residence. The voter shall not list a mailing address that is outside of this state for the purpose of the ~~active~~ PERMANENT early voting list unless the voter is an absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 52 United States Code section 20310). In lieu of the application, the applicant may submit a written request that contains the required information.

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

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

1. Change the mailing address for the voter's ballot to another location in the voter's county of residence.
2. Update the voter's residence address in the voter's county of residence.
3. Request that the voter not be sent a ballot for the upcoming election or elections indicated on the notice.
E. If the notice that is mailed to the voter is returned undeliverable by the postal service, the county recorder or other officer in charge of elections shall take the necessary steps to contact the voter at the voter's new residence address in order to update that voter's address or to move the voter to inactive status as prescribed in section 16-166, subsection A. If a voter is moved to inactive status, the voter shall be removed from the active early voting list. If the voter is removed from the active early voting list, the voter shall only be added to the active early voting list again if the voter submits a new request pursuant to this section.

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

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

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

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

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

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

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

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

4. ~~The voter fails to vote an early ballot in all elections for two consecutive election cycles. For the purposes of this paragraph, "election" means any regular primary or regular general election for which there was a federal race on the ballot or for which a city or town candidate primary or first election or city or town candidate second, general or runoff election was on the ballot. This paragraph does not apply to:~~

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

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

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

J. An absent uniformed services voter or overseas voter as defined in the uniformed and overseas citizens absentee voting act of 1986 (P.L. 99-410; 52 United States Code section 20310) is eligible to be placed on the ~~active~~ PERMANENT early voting list pursuant to this section.

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

~~1. The county recorder or other officer in charge of elections complies with subsection M of this section.~~

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

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

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

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

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

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

~~M. If a voter receives a notice as prescribed by subsection L of this section and the voter fails to respond within the ninety-day period, the county recorder or other officer in charge of elections shall remove the voter's name from the active early voting list.~~

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

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

~~P. For the purposes of this section, "election cycle" means the two-year period beginning on January 1 in the year after a statewide general election or, for cities and towns, the two-year period beginning on the first day of the calendar quarter after the calendar quarter in which the city's or town's second, runoff or general election is scheduled and ending on the last day of the calendar quarter in which the city's or town's immediately following second, runoff or general election is scheduled, however that election is designated by the city or town.~~

Sec. 26. Section 16-547, Arizona Revised Statutes, is amended to read:

16-547. Ballot affidavit; form

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

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

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

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

Name of voter assistant: _____

Address of voter assistant: _____

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

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

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

D. The county recorder or other officer in charge of elections shall supply printed instructions to early voters that direct them to sign the affidavit, mark the ballot and return both 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 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 later than 7:00 p.m. on election day OR POSTMARKED BEFORE THE CLOSE OF THE POLLS ON ELECTION DAY. ~~The ballot will not be counted without the voter's signature on the envelope.~~

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

Sec. 27. 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 ballot in such a manner that his 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 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. A PERSON DEPOSITING OR RETURNING AN EARLY BALLOT SHALL NOT BE SUBJECT TO ANY ADDITIONAL REQUIREMENTS BEYOND THOSE FOR EARLY BALLOTS RETURNED VIA THE MAIL. NOTWITHSTANDING ANY OTHER LAW, In order to be counted and valid, the ballot must be received by the county recorder or other officer in charge of elections or deposited at any polling place in the county no later than 7:00 p.m. on election day OR POSTMARKED OR OTHERWISE INDICATED BY THE UNITED STATES POSTAL SERVICE TO HAVE BEEN MAILED ON OR BEFORE ELECTION DAY AND RECEIVED BY THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN FIVE BUSINESS DAYS AFTER A GENERAL ELECTION THAT INCLUDES AN ELECTION FOR A FEDERAL OFFICE AND WITHIN THREE BUSINESS DAYS AFTER ANY OTHER ELECTION.

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

C. THE PEOPLE OF ARIZONA FIND THROUGH THIS INITIATIVE THAT THE SIGNATURE ON THE EARLY BALLOT IF PROVIDED, OR PROPERLY CURED IF THE SIGNATURE IS QUESTIONED OR NOT PRESENT, IS SUFFICIENT IDENTIFICATION FOR CASTING A MAIL BALLOT. NO FURTHER IDENTIFICATION, INCLUDING COPIES OF DOCUMENTS, MAY BE REQUIRED WITHOUT THE EXPRESS APPROVAL OF THE PEOPLE OF ARIZONA.

Sec. 28. Section 16-550, Arizona Revised Statutes, is amended to read:

16-550. Receipt of voter's ballot; cure period

A. On receipt of the envelope containing the early ballot and the ballot affidavit, WHETHER DEPOSITED AT ANY POLLING PLACE, VOTING CENTER, EARLY VOTING CENTER, OR COUNTY RECORDER'S OFFICE IN THE COUNTY, RETURNED BY MAIL, OR RETURNED IN ANY OTHER MANNER ESTABLISHED BY A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS, the county recorder or other officer in charge of elections shall compare the signatures thereon with the signature of the elector on the elector's registration record. If the signature THEREON is MISSING OR inconsistent with the elector's signature on the elector's registration record, the county recorder or other officer in charge of elections shall make reasonable efforts to contact the voter AS SOON AS PRACTICABLE BY ANY METHOD REASONABLY AVAILABLE, INCLUDING MAIL, EMAIL, TEXT MESSAGE, AND TELEPHONE, advise the voter of the inconsistent signature DEFICIENCY and allow the voter to correct THE DEFICIENCY or the county to confirm the inconsistent signature. AN ELECTOR MAY ADDRESS AN INCONSISTENT SIGNATURE BY SUPPLYING EITHER A REPLACEMENT SIGNATURE, PROOF OF

IDENTIFICATION SUFFICIENT UNDER SECTION 16-579(A), THE PERSON'S ARIZONA DRIVER LICENSE NUMBER OR NONOPERATING IDENTIFICATION LICENSE NUMBER ISSUED PURSUANT TO SECTION 28-3165, OR THE LAST FOUR DIGITS OF THE PERSON'S SOCIAL SECURITY NUMBER. AN ELECTOR MAY ADDRESS A MISSING SIGNATURE BY RETURNING AN AFFIDAVIT ATTESTING TO BOTH THE INFORMATION CONTAINED IN THE BALLOT AFFIDAVIT AND THEIR RETURN OF THE ENVELOPE CONTAINING THE EARLY BALLOT. A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL ACCEPT SUBMISSION OF A REPLACEMENT SIGNATURE, IDENTIFYING INFORMATION, OR AN AFFIDAVIT ADDRESSING A MISSING SIGNATURE IN-PERSON, BY MAIL, EMAIL, TEXT MESSAGE, OR FAX, OR BY ANY OTHER METHOD DESIGNATED BY THE SECRETARY OF STATE. IF SUBMITTING A REPLACEMENT SIGNATURE OR SIGNING AN AFFIDAVIT, AN ELECTOR SHALL BE PERMITTED TO UPLOAD OR ELECTRONICALLY PROVIDE AN ELECTRONIC IMAGE OF THE ELECTOR'S PHYSICAL SIGNATURE, AND SUCH IMAGE OF THE ELECTOR'S SIGNATURE SHALL BE CONSIDERED THE EQUIVALENT OF A PHYSICAL SIGNATURE FOR PURPOSES OF THIS SECTION. The county recorder or other officer in charge of elections shall allow ~~signatures~~ DEFICIENCIES to be corrected not later than the fifth business day after a primary, general or special election that includes a federal office or the third business day after any other election.

If the signature is missing, the county recorder or other officer in charge of elections shall make reasonable efforts to contact the elector, advise the elector of the missing signature and allow the elector to add the elector's signature not later than 7:00 p.m. on election day. If satisfied that the signatures correspond WITH THE SIGNATURE OF THE ELECTOR ON THE ELECTOR'S REGISTRATION RECORD, OR IF THE ELECTOR HAS PROVIDED OTHER IDENTIFYING INFORMATION TO ADDRESS THE DEFICIENCY, the recorder or other officer in charge of elections shall hold the envelope containing the early ballot and the completed affidavit unopened in accordance with the rules of the secretary of state. IF THE ELECTOR HAS PROVIDED OTHER IDENTIFYING INFORMATION TO ADDRESS AN INCONSISTENT SIGNATURE, THE SIGNATURE ON THE ELECTOR'S ENVELOPE CONTAINING THE EARLY BALLOT AND THE BALLOT AFFIDAVIT SHALL BECOME THE SIGNATURE OF THE ELECTOR ON THE ELECTOR'S REGISTRATION RECORD FOR PURPOSES OF ALL FUTURE ELECTIONS. IF THE REPLACEMENT OR AFFIDAVIT SIGNATURE IS INCONSISTENT WITH THE ELECTOR'S SIGNATURE ON THE ELECTOR'S REGISTRATION RECORD, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL CONTINUE TO MAKE REASONABLE EFFORTS TO CONTACT THE VOTER, ADVISE THE VOTER OF THE INCONSISTENT SIGNATURE, AND ALLOW THE VOTER TO CORRECT THE DEFICIENCY OR THE COUNTY TO CONFIRM THE INCONSISTENT SIGNATURE PURSUANT TO THIS SUBSECTION. FOR EARLY BALLOTS OR REPLACEMENT OR AFFIDAVIT SIGNATURES RECEIVED AFTER ELECTION DAY BUT BEFORE THE DEADLINES PROVIDED IN SECTION 16-548, THE CURE PERIODS IN THIS SECTION SHALL BE CALCULATED FROM THE DAY THE BALLOT OR REPLACEMENT OR AFFIDAVIT SIGNATURE IS RECEIVED.

B. The recorder or other officer in charge of elections shall thereafter safely keep the affidavits and early ballots in the recorder's or other officer's office and may deliver them for tallying pursuant to section 16-551. Tallying of ballots may begin immediately after the envelope and completed affidavit are processed pursuant to this section and delivered to the early election board.

C. The county recorder shall send a list of all voters who were issued early ballots to the election board of the precinct in which the voter is registered.

D. This section does not apply to:

1. A special taxing district that is authorized pursuant to section 16-191 to conduct its own elections.
2. A special district mail ballot election that is conducted pursuant to article 8.1 of this chapter.

Sec. 29. Section 16-579, Arizona Revised Statutes, is amended to read:

16-579. Procedure for obtaining ballot by elector

A. Every qualified elector, before receiving a ballot, shall announce the elector's name and place of residence in a clear, audible tone of voice to the election official in charge of the signature roster or present the elector's name and residence in writing. The election official in charge of the signature roster shall comply with the following and the qualified elector shall be allowed within the voting area:

1. The elector shall present any of the following, EITHER IN PHYSICAL FORM OR BY DISPLAY ON A MOBILE DEVICE OR TABLET:

(a) A valid form of identification that bears the photograph, name and address of the elector that reasonably appear to be the same as the name and address in the precinct register, including, BUT NOT LIMITED TO, an Arizona driver license, an Arizona nonoperating identification license, a tribal enrollment card or other form of tribal identification or a United States federal, state or local government issued identification, OR IDENTIFICATION ISSUED BY A PUBLIC OR PRIVATE SCHOOL, COLLEGE OR UNIVERSITY, OR IDENTIFICATION ISSUED BY AN EMPLOYER. Identification is deemed valid unless it can be determined on its face that it has expired.

(b) Two different items that contain the name and address of the elector that reasonably appear to be the same as the name and address in the precinct register, including, BUT NOT LIMITED TO, 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, a valid United States federal, state or local government issued identification, IDENTIFICATION ISSUED BY A PUBLIC OR PRIVATE SCHOOL, COLLEGE OR UNIVERSITY, OR IDENTIFICATION ISSUED BY AN EMPLOYER, or any mailing that is labeled as "official election material". Identification is deemed valid unless it can be determined on its face that it has expired.

(c) A valid form of identification that bears the photograph, name and address of the elector except that if the address on the identification does not reasonably appear to be the same as the address in the precinct register or the identification is a valid United States military identification card or a valid United States passport and does not bear an address, the identification must be accompanied by one of the items listed in subdivision (b) of this paragraph.

2. If the elector does not present identification that complies with paragraph 1 of this subsection, the elector is only eligible to vote a provisional ballot as prescribed by section 16-584 or a conditional provisional ballot as provided for in the secretary of state's instruction and procedures manual adopted pursuant to section 16-452.

B. Any qualified elector who is listed as having applied for an early ballot but who states that the elector has not voted and will not vote an early ballot for this election or surrenders the early ballot to the precinct inspector on election day shall be allowed to vote pursuant to the procedure set forth in section 16-584.

C. Each qualified elector's name shall be numbered consecutively by the clerks and in the order of applications for ballots. The judge shall give the qualified elector only one ballot and a ballot privacy folder, and the elector's name shall be immediately checked on the precinct register. Notwithstanding any provision of this paragraph, no voter shall be required to accept or use a ballot privacy folder.

D. For precincts in which a paper signature roster is used, each qualified elector shall sign the elector's name in the signature roster before receiving a ballot, but an inspector or judge may sign the roster for an elector who is unable to sign because of physical disability, and in that event the name of the elector shall be written with red ink, and no attestation or other proof shall be necessary. The provisions of this subsection relating to signing the signature roster shall not apply to electors casting a ballot using early voting procedures.

E. For precincts in which an electronic poll book system is used, each qualified elector shall sign the elector's name as prescribed in the instructions and procedures manual adopted by the secretary of state pursuant to section 16-452 before receiving a ballot, but an inspector or judge may sign the roster for an elector who is unable to sign because of physical disability, and in that event the name of the elector shall be written with the inspector's or judge's attestation on the same signature line.

F. A person offering to vote at a special district election for which no special district register has been supplied shall sign an affidavit stating the person's address and that the person resides within the district boundaries or proposed district boundaries and swearing that the person is a qualified elector and has not already voted at the election being held.

G. THE IDENTIFICATION REQUIREMENTS OF THIS SECTION ARE DEEMED TO BE SUFFICIENT BY THE PEOPLE OF ARIZONA THROUGH THIS INITIATIVE. NO ADDITIONAL REQUIREMENTS MAY BE ADDED WITHOUT THE EXPRESS CONSENT OF THE PEOPLE OF ARIZONA.

Sec. 30. Section 16-583, Arizona Revised Statutes, is amended to read:

16-583. Voter not on precinct register; inactive voter list; procedure

A. On or before election day, the county recorder shall provide to each precinct the names of electors on the inactive voter list. If a person whose name is not on the precinct register appears at a polling place, an election official shall determine whether the person is on the inactive voter list. If the person is on the inactive voter list, the registrant, on affirmation by the registrant before an election official at the polling place that the registrant continues to reside at the address indicated on the inactive voter list, shall be permitted to vote A REGULAR BALLOT at that polling place. The elector's name shall be entered on a separate signature roster page at the end of the signature roster, and voters' names shall be numbered consecutively. If the registrant indicates that the registrant lives at a new residence IN ANOTHER COUNTY, AND THE COUNTIES HAVE NOT ENTERED INTO A COOPERATIVE AGREEMENT PURSUANT TO SECTION 16-411.01(B), the election official shall direct the registrant to the polling place for the new address.

B. Following the election, the county recorder shall remove from inactive status all electors who voted pursuant to subsection A, shall place the electors' names back on the general register and shall return the electors' status to active.

Sec. 31. Section 16-584, Arizona Revised Statutes, is amended to read:

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

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

B. TO THE EXTENT NOT ELIGIBLE TO REGISTER TO VOTE ON SITE PURSUANT TO SECTION 16-120.01, AA qualified elector whose name is not on the precinct register, on presentation of identification verifying the identity of the elector that includes the voter's given name and surname and the complete residence address that is verified by the election board to be in the precinct COUNTY or on signing an affirmation that states that the elector is a registered voter in that jurisdiction and is eligible to vote in that jurisdiction, shall be allowed to vote a provisional ballot.

C. If a voter has moved to a new address within the county and has not notified the county recorder of the change of address before the date of an election, the voter shall be permitted to correct the voting records AT AN APPROPRIATE POLLING PLACE AND CAST A BALLOT IN THE SAME MANNER AS OTHER VOTERS. ~~for purposes of voting in future elections at the appropriate polling place for the voter's new address. The voter shall be permitted to vote a provisional ballot.~~ The voter shall present a form of identification that includes the voter's given name and surname and the voter's complete residence address. ~~The residence address must be within the precinct in which the voter is attempting to vote, and~~ The voter shall affirm in writing that the voter is registered in that jurisdiction and is eligible to vote in that jurisdiction.

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

E. When a voter is allowed to vote a provisional ballot, the elector's name shall be entered on a separate signature roster page at the end of the signature roster. Voters' names shall be numbered consecutively beginning with the number V-1. The elector shall sign in the space provided. The ballot shall be placed in a separate envelope, the outside of which shall contain the precinct name or number, a sworn or attested statement of the elector that the elector resides in the precinct, is eligible to vote in the election and has not previously voted in the election, the signature of the elector and the voter registration number of the elector, if available. The ballot shall be verified for proper registration of the elector by the county recorder before being counted. The verification shall be made by the county recorder within ten calendar days after a general election that includes an election for a federal office and within five business days following any other election. Verified ballots shall be counted by depositing the ballot in

the ballot box and showing on the records of the election that the elector has voted. If registration is not verified the ballot shall remain unopened and shall be retained in the same manner as voted ballots.

F. For any person who votes a provisional ballot, the county recorder or other officer in charge of elections shall provide for a method of notifying the provisional ballot voter at no cost to the voter whether the voter's ballot was verified and counted and, if not counted, the reason for not counting the ballot. The notification may be in the form of notice by mail to the voter, establishment of a toll free telephone number, internet access or other similar method to allow the voter to have access to this information. The method of notification shall provide reasonable restrictions that are designed to limit transmittal of the information only to the voter.

Sec. 32. Section 16-645, Arizona Revised Statutes, is amended to read:

16-645. Canvass and return of precinct vote; declaring nominee of party; certificate of nomination; write-in candidates

A. When the board of supervisors, or the governing body of a city or town, has completed its canvass of precinct returns, the person having the largest number of votes, or if more than one candidate is necessary, those candidates to the required number who have received the largest number of votes for the nomination for an office in the political party of which the person was set forth on the ballot as a candidate for the nomination, is declared the nominee of the party for that office and shall be given a certificate of nomination for that office by the board or governing body, which shall entitle the person to have the person's name placed on the official ballot at the ensuing election as the nominee of the party for the office. When canvassing write-in votes the apparent intent of the voter shall be taken into consideration to the extent possible and the standard prescribed for federal write-in candidates in section 16-543.02, subsection C applies.

B. The board of supervisors shall deliver the canvass to the secretary of state within ~~ten~~ SEVENTEEN days after the primary election, and the secretary of state shall on or before the ~~second~~ THIRD Monday following the primary election canvass the return and issue a letter declaring nomination as provided in this section to the nominees who filed nominating petitions and papers with the secretary of state pursuant to section 16-311, subsection D. For any partisan primary election, the governing body or officer in charge of elections shall prepare and transmit to the secretary of state along with the official canvass the total by party of partisan ballots selected in that primary election by voters who registered as no party preference, as independents or as members of a political party that is not qualified for representation on the ballot.

C. A certificate of election shall not be issued to a write-in candidate for precinct committeeman or a write-in candidate for a nonpartisan office unless the candidate receives a number of votes equivalent to at least the same number of signatures required by section 16-322 for nominating petitions for the same office.

D. Except as provided in subsection C of this section, a letter declaring nomination shall not be issued to a write-in candidate of a party that has not qualified for continued representation on the official ballot pursuant to section 16-804 unless the candidate receives a plurality of the votes of the party for the office for which the candidate is a candidate.

E. Except as provided by subsection C of this section, a letter declaring nomination shall not be issued to a write-in candidate of a party qualified for continued representation on the official ballot unless the candidate receives a number of votes equivalent to at least the same number of signatures required by section 16-322 for nominating petitions for the same office.

F. A certificate of election shall not be issued to presidential electors who are pledged to a write-in candidate for president unless that candidate received the highest number of votes cast for the office of president.

Sec. 33. Section 16-672, Arizona Revised Statutes, is amended to read:

16-672. Contest of state election; grounds; venue

A. Any elector of the state may contest the election of any person declared elected to a state office, or declared nominated to a state office at a primary election, or the declared result of an initiated or referred measure, or a proposal to amend the Constitution of Arizona, or other question or proposal submitted to vote of the people, upon any of the following grounds:

1. For misconduct on the part of election boards or any members thereof in any of the counties of the state, or on the part of any officer making or participating in a canvass for a state election.
2. That the person whose right to the office is contested was not at the time of the election eligible to the office.
3. That the person whose right is contested, or any person acting for him, has given to an elector, inspector, judge or clerk of election, a bribe or reward, or has offered such bribe or reward for the purpose of procuring his election, or has committed any other offense against the elective franchise.
4. On account of illegal votes.
5. That by reason of erroneous count of votes the person declared elected or the initiative or referred measure, or proposal to amend the constitution, or other question or proposal submitted, which has been declared carried, did not in fact receive the highest number of votes for the office or a sufficient number of votes to carry the measure, amendment, question or proposal.

B. The contest may be brought in the superior court of the county in which the person contesting resides or in the superior court of Maricopa county.

C. In a contest of the election of a person declared elected to a state office or of an initiated or referred measure, constitutional amendment, or other question or proposal, which has been declared carried, the attorney general may intervene, and upon demand, the place of trial of the contest shall be changed to Maricopa county, if commenced in another county.

D. THE LEGISLATIVE SUBPOENA MAY NOT BE USED TO SUBPOENA BALLOTS OR ELECTION MATERIALS EXCEPT UPON A SHOWING OF GOOD CAUSE THAT THE SUBPOENA IS NECESSARY TO SERVE A LEGITIMATE LEGISLATIVE INTEREST, IS NOT OVERLY BROAD TO ACHIEVE THAT INTEREST, AND THAT THE BALLOTS OR OTHER ELECTION MATERIALS WILL BE APPROPRIATELY SAFEGUARDED. AN INDIVIDUAL LEGISLATOR MAY NOT ISSUE A SUBPOENA FOR BALLOTS OR ELECTION MATERIALS WITHOUT THE APPROVAL OF AN ENTIRE HOUSE OF THE LEGISLATURE. A SUBPOENA MAY BE SUBSEQUENTLY QUASHED, AND THE BALLOTS OR OTHER ELECTION MATERIALS ORDERED RETURNED, UPON A SHOWING THAT THE PERSONS IN POSSESSION OF THE BALLOTS OR OTHER ELECTION MATERIALS ARE NOT USING THEM TO SERVE A LEGITIMATE LEGISLATIVE INTEREST OR ARE NOT APPROPRIATELY SAFEGUARDING THEM. THE COURT SHALL AWARD A PARTY THAT

PREVAILS IN OPPOSING OR QUASHING A LEGISLATIVE SUBPOENA FOR BALLOTS OR ELECTION MATERIALS ITS REASONABLE ATTORNEY FEES AND MAY AWARD THAT PARTY UP TO THREE TIMES ITS REASONABLE ATTORNEY FEES. TO THE EXTENT THIS SECTION CONFLICTS WITH SECTION 41-1151 OR ANY OTHER PROVISION OF LAW, THIS SECTION SHALL GOVERN.

E. IT SHALL BE A CLASS 3 FELONY TO KNOWINGLY TURN ANY BALLOTS OVER TO ANY PERSON TO CONDUCT ANY TYPE OF AUDIT, RECOUNT, OR REVIEW OF BALLOTS OTHER THAN THOSE CONDUCTED PURSUANT TO ARTICLES 12 OR 13 OF THIS TITLE, OR AS OTHERWISE PRESCRIBED BY LAW, OR PURSUANT TO COURT ORDER. IT SHALL BE A CLASS 3 FELONY TO KNOWINGLY POSSESS SUCH MATERIAL SO PROVIDED.

Sec. 34. Section 16-901, Arizona Revised Statutes, is amended to read:

16-901. Definitions

In this chapter, unless the context otherwise requires:

1. "Advertisement" means information or materials, other than nonpaid social media messages, that are mailed, e-mailed, posted, distributed, published, displayed, delivered, broadcasted or placed in a communication medium and that are for the purpose of influencing an election.
2. "Affiliate" means any organization that controls, is controlled by or is under common control with a corporation, limited liability company or labor organization.
3. "Agent" means any person who has actual authority, either express or implied, to represent or make decisions on behalf of another person.
4. "Ballot measure expenditure" means an expenditure made by a person that expressly advocates the support or opposition of a clearly identified ballot measure.
5. "Best effort" means that a committee treasurer or treasurer's agent makes at least one written effort, including an attempt by e-mail, text message, private message through social media or other similar communication, or at least one oral effort that is documented in writing to identify the contributor of an incomplete contribution.
6. "Calendar quarter" means a period of three consecutive calendar months ending on March 31, June 30, September 30 or December 31.
7. "Candidate" means an individual who receives contributions or makes expenditures or who gives consent to another person to receive contributions or make expenditures on behalf of that individual in connection with the candidate's nomination, election or retention for any public office.
8. "Candidate committee" includes the candidate.
9. "Clearly identified candidate" means that the name or a description, image, photograph or drawing of the candidate appears or the identity of the candidate is otherwise apparent by unambiguous reference.
10. "Committee" means a candidate committee, a political action committee or a political party.
11. "Contribution" means any money, advance, deposit or other thing of value that is made to a person for the purpose of influencing an election. Contribution includes:
 - (a) A contribution that is made to retire campaign debt from a previous election cycle.
 - (b) Money or the fair market value of anything that is directly or indirectly provided to an elected official for the specific purpose of defraying the expense of communications with constituents.
 - (c) The full purchase price of any item from a committee.
 - (d) A loan that is made to a committee for the purpose of influencing an election, to the extent the loan remains outstanding.
12. "Control" means to possess, directly or indirectly, the power to direct or to cause the direction of the management or policies of another organization, whether through voting power, ownership, contract or otherwise.
13. "Coordinate", "coordinated" or "coordination" means the coordination of an expenditure as prescribed by section 16-922.
14. "Coordinated party expenditures" means expenditures that are made by a political party to directly pay for goods or services on behalf of its nominee.
15. "District office" means an elected office established or organized pursuant to title 15 or 48.1
16. "Earmarked" means a designation, instruction or encumbrance between the transferor of a contribution and a transferee that requires the transferee to make a contribution to a clearly identified candidate.
17. "Election" means any election for any ballot measure in this state or any candidate election during a primary, general, recall, special or runoff election for any office in this state other than a federal office and a political party office prescribed by chapter 5, article 2 of this title.2
18. "Election cycle" means the ~~two-year~~ period beginning on January 1 in the year after a ~~statewide~~ general election and ending on December 31 in the year of a ~~statewide~~ THE NEXT SUCCESSIVE general election FOR A PARTICULAR ELECTED OFFICE or, for cities and towns, the ~~two-year~~ period beginning on the first day of the calendar quarter after the calendar quarter in which the city's or town's second, runoff or general election is scheduled and ending on the last day of the calendar quarter in which the city's or town's immediately following second, runoff or general election is scheduled, however that election is designated by the city or town FOR EACH ELECTED OFFICE. For the purposes of a:
 - (a) Recall election, "election cycle" means the period between issuance of a recall petition serial number and the latest of the following:
 - (i) The date of the recall election that is called pursuant to section 19-209.
 - (ii) The date that a resignation is accepted pursuant to section 19-208.
 - (iii) The date that the receiving officer provides notice pursuant to section 19-208.01 that the number of signatures is insufficient.
 - (b) Special election, "election cycle" means the period between the date of issuance of a proclamation or order calling the special election and the last day of the calendar quarter in which the special election is held.
19. "Employee" means an individual who is entitled to compensation for labor or services performed for the individual's employer.
20. "Employer" means any person that pays compensation to and directs the labor or services of any individual in the course of employment.
21. "Enforcement officer" means the attorney general or the county, city or town attorney with authority to collect fines or issue penalties with respect to a given election pursuant to section 16-938.

22. "Entity" means a corporation, limited liability company, labor organization, partnership, trust, association, organization, joint venture, cooperative, unincorporated organization or association or other organized group that consists of more than one individual.

23. "Excess contribution" means a contribution that exceeds the applicable contribution limits for a particular election.

24. "Exclusive insurance contract" means an insurance producer's contract with an insurer that does either of the following:

- (a) Prohibits the producer from soliciting insurance business for any other insurer.
- (b) Requires a right of first refusal on all lines of insurance business written by the insurer and solicited by the producer.

25. "Expenditure" means any purchase, payment or other thing of value that is made by a person for the purpose of influencing an election.

26. "Family contribution" means any contribution that is provided to a candidate's committee by the parent, grandparent, ~~aunt, uncle~~, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members, regardless of whether the relation is established by marriage or adoption.

27. "Filing officer" means the secretary of state or the county, city or town officer in charge of elections for that jurisdiction who accepts statements and reports for those elections pursuant to section 16-928.

28. "Firewall" means a written policy that precludes one person from sharing information with another person.

29. "Identification" or "identify" means:

- (a) For an individual, the individual's first and last name, residence location or street address and occupation and the name of the individual's primary employer.
- (b) For any other person, the person's full name and physical location or street address.

30. "Incomplete contribution" means any contribution that is received by a committee for which the contributor's complete identification has not been obtained.

31. "Independent expenditure" means an expenditure by a person, other than a candidate committee, that complies with both of the following:

- (a) Expressly advocates the election or defeat of a clearly identified candidate.
- (b) Is not made in cooperation or consultation with or at the request or suggestion of the candidate or the candidate's agent.

32. "In-kind contribution" means a contribution of goods, services or anything of value that is provided without charge or at less than the usual and normal charge.

33. "Insurance producer" means a person that:

- (a) Is required to be licensed to sell, solicit or negotiate insurance.
- (b) Has an exclusive insurance contract with an insurer.

34. "Itemized" means that each contribution received or expenditure made is set forth separately.

35. "Labor organization" means any employee representation organization that exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or other conditions of employment.

36. "Legislative office" means the office of representative in the state house of representatives or senator in the state senate.

37. "Mega PAC status" means official recognition that a political action committee has received contributions from five hundred or more individuals in amounts of ten dollars or more in the four-year period immediately before application to the secretary of state.

38. "Nominee" means a candidate who prevails in a primary election for partisan office and includes the nominee's candidate committee.

39. "Person" means an individual or a candidate, nominee, committee, corporation, limited liability company, labor organization, partnership, trust, association, organization, joint venture, cooperative or unincorporated organization or association.

40. "Personal monies" means any of the following:

- (a) Assets to which the individual or individual's spouse has either legal title or an equitable interest.
- (b) Salary and other earned income from bona fide employment of the individual or individual's spouse.
- (c) Dividends and proceeds from the sale of investments of the individual or individual's spouse.
- (d) Bequests to the individual or individual's spouse.
- (e) Income to the individual or individual's spouse from revocable trusts for which the individual or individual's spouse is a beneficiary.
- (f) Gifts of a personal nature to the individual or individual's spouse that would have been given regardless of whether the individual became a candidate or accepted a contribution.
- (g) The proceeds of loans obtained by the individual or individual's spouse that are secured by collateral or security provided by the individual or individual's spouse.
- (h) Family contributions.

41. "Political action committee" means an entity that is required to register as a political action committee pursuant to section 16-905.

42. "Political party" means a committee that meets the requirements for recognition as a political party pursuant to chapter 5 of this title.

43. "Primary purpose" means an entity's predominant purpose. Notwithstanding any other law or rule, an entity is not organized for the primary purpose of influencing an election if all of the following apply at the time the contribution or expenditure is made:

- (a) The entity has tax exempt status under section 501(a) of the internal revenue code.³
- (b) Except for a religious organization, assembly or institution, the entity has properly filed a form 1023 or form 1024 with the internal revenue service or the equivalent successor form designated by the internal revenue service.
- (c) The entity's tax exempt status has not been denied or revoked by the internal revenue service.
- (d) The entity has properly filed a form 990 with the internal revenue service or the equivalent successor form designated by the internal revenue service in compliance with the most recent filing deadline established by internal revenue service regulations or policies.

44. "Retention" means the election process by which a superior court judge, appellate court judge or supreme court justice is retained in office as prescribed by article VI, section 38 or 40, Constitution of Arizona.

45. "Separate segregated fund" means a fund established by a corporation, limited liability company, labor organization or partnership that is required to register as a political action committee.

46. "Social media messages" means forms of communication, including internet sites for social networking or blogging, through which users create a personal profile and participate in online communities to share information, ideas and personal messages.

47. "Sponsor" means ~~any person that establishes, administers or contributes financial support to the administration of a political action committee or that has common or overlapping membership or officers with that political action committee~~ AN ENTITY THAT PAYS THE COSTS OF ESTABLISHING, ADMINISTERING AND SOLICITING CONTRIBUTIONS FROM ITS EMPLOYEES, MEMBERS, EXECUTIVES,

STOCKHOLDERS AND RETIREES AND THEIR FAMILIES FOR ITS SEPARATE SEGREGATED FUND, WHICH PURSUANT TO SECTION 16-911 ARE NOT CONTRIBUTIONS.

48. "Standing committee" means a political action committee or political party that is active in more than one reporting jurisdiction in this state and that files a statement of organization in a format prescribed by the secretary of state.

49. "Statewide office" means the office of governor, secretary of state, state treasurer, attorney general, superintendent of public instruction, corporation commissioner or mine inspector.

50. "Surplus monies" means those monies of a terminating committee that remain after all of the committee's expenditures have been made, all debts have been extinguished and the committee ceases accepting contributions.

Sec. 35. Section 16-912, Arizona Revised Statutes, is amended to read:

16-912. Individual contribution limits; requirements

A. An individual may not contribute more than the following amounts per election cycle:

1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for city, town, county or district office.
2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for legislative office.
3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate committee for statewide office.

B. An individual may make unlimited contributions to persons other than candidate committees.

C. An individual may only make contributions using personal monies, except that a contribution from an unemancipated minor child shall be treated as a contribution by the child's custodial parent or parents.

Sec. 36. Section 16-914, Arizona Revised Statutes, is amended to read:

16-914. Political action committee contribution limits; requirements

A. A political action committee without mega PAC status may not contribute more than the following amounts per election cycle:

1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for city, town, county or district office.
2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for legislative office.
3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate committee for statewide office.

B. A political action committee with mega PAC status may contribute twice the amounts prescribed in subsection A of this section per election cycle if the political action committee provides the recipient candidate committee a copy of the political action committee's certification of mega PAC status.

C. A political action committee may only contribute to a candidate committee using monies contributed by an individual, a partnership, a candidate committee, a political action committee or a political party.

Sec. 37. Section 16-917, Arizona Revised Statutes, is amended to read:

16-917. Partnership contribution limits; requirements

A. A partnership may not contribute more than the following amounts per election cycle:

1. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for city, town, county or district office.
2. ~~Six thousand two hundred fifty dollars~~ \$1,000 to a candidate committee for legislative office.
3. ~~Six thousand two hundred fifty dollars~~ \$2,500 to a candidate committee for statewide office.

B. A partnership may make unlimited contributions to persons other than candidate committees.

C. Partnership contributions are subject to the following:

1. Partnership contributions shall be attributed to each contributing partner as designated by the partnership. The partnership shall provide the recipient committee written notice identifying the contributing partners and the amount attributed to each.

2. Partnership contributions shall count against both the partnership's and the individual partners' contribution limits to a recipient. The portion attributed to each partner shall be aggregated with the individual partner's nonpartnership contributions to that recipient and shall not exceed the individual partner's contribution limit.

3. The partnership shall not attribute any contribution to a partner that is a corporation, limited liability company or labor organization.

4. Partnership contributions need not be accompanied by the signature of each contributing partner.

D. A partnership may establish a separate segregated fund as prescribed in section 16-916.

Sec. 38. Section 16-941, Arizona Revised Statutes, is amended to read:

16-941. Limits on spending and contributions for political campaigns

A. Notwithstanding any law to the contrary, a participating candidate:

1. Shall not accept any contributions, other than a limited number of ~~five dollar~~ \$5 qualifying contributions as specified in section 16-946, SUPPLEMENTAL QUALIFYING CONTRIBUTIONS AS SPECIFIED IN SECTION 16-951.01, and early contributions as specified in section 16-945, except in the emergency situation specified in section 16-954, subsection F D.

2. Shall not make expenditures of more than a total of ~~five hundred dollars~~ \$500 of the candidate's personal monies for a candidate for the legislature or more than ~~one thousand dollars~~ \$1,000 for a candidate for statewide office.

3. Shall not make expenditures in the primary election period in excess of the adjusted primary election spending limit AND THE AMOUNT THE PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL FUNDING GRANTS UNDER SECTION 16-951.01.

4. Shall not make expenditures in the general election period in excess of the adjusted general election spending limit AND THE AMOUNT THE PARTICIPATING CANDIDATE RECEIVES DURING THE ELECTION CYCLE IN SUPPLEMENTAL FUNDING GRANTS UNDER SECTION 16-951.01.

5. Shall comply with section 16-948 regarding campaign accounts and section 16-953 regarding returning unused monies to the citizens clean elections fund described in this article.

B. Notwithstanding any law to the contrary, a nonparticipating candidate shall not accept contributions in excess of ~~an amount that is twenty per cent less than~~ the limits specified in ~~section 16-905, subsections A through E~~ THIS TITLE, as adjusted by the secretary of state pursuant to ~~section 16-905, subsection H~~ 16-931. Any violation of this subsection shall be subject to the civil penalties and procedures set forth in ~~section 16-905, subsections J through M and section 16-924~~ 16-942.

C. Notwithstanding any law to the contrary, a candidate, whether participating or nonparticipating:

1. If specified in a written agreement signed by the candidate and one or more opposing candidates and filed with the citizens clean elections commission, shall not make any expenditure in the primary or general election period exceeding an agreed-upon amount lower than spending limits otherwise applicable by statute.

2. Shall continue to be bound by all other applicable election and campaign finance statutes and rules, with the exception of those provisions in express or clear conflict with this article.

D. Notwithstanding any law to the contrary, any person who makes independent expenditures related to a particular office cumulatively exceeding ~~five hundred dollars~~ \$500 in an election cycle, with the exception of ~~any expenditure listed in section 16-920 and~~ any independent expenditure by an organization arising from a communication directly to the organization's members, shareholders, employees, affiliated persons and subscribers, shall file reports with the secretary of state in accordance with section 16-958 so indicating, identifying the office and the candidate or group of candidates whose election or defeat is being advocated and stating whether the person is advocating election or advocating defeat.

Sec. 39. Section 16-945, Arizona Revised Statutes, is amended to read:

16-945. Limits on early contributions

A. A participating candidate may accept early contributions only from individuals and only during the exploratory period and the qualifying period, subject to the following limitations:

1. Notwithstanding any law to the contrary, no contributor shall give, and no participating candidate shall accept, contributions from a contributor exceeding ~~one hundred dollars~~ \$100 during an election cycle.

2. Notwithstanding any law to the contrary, early contributions to a participating candidate from all sources for an election cycle shall not exceed, ~~for a candidate for governor, forty thousand dollars or, for other candidates, ten per cent~~ PERCENT of the sum of the original primary election spending limit and the original general election spending limit.

3. Qualifying contributions specified in section 16-946 AND SUPPLEMENTAL QUALIFYING CONTRIBUTIONS SPECIFIED IN SECTION 16-951.01 shall not be included in determining whether the limits in this subsection have been exceeded.

B. ~~Early contributions specified in subsection A of this section and the candidate's personal monies specified in section 16-941, subsection A, paragraph 2 may be spent only during the exploratory period and the qualifying period. Any early contributions not spent by the end of the qualifying period shall be paid to the fund.~~ EARLY CONTRIBUTIONS DESCRIBED IN SUBSECTION A OF THIS SECTION MAY BE SPENT AT ANY TIME DURING THE CANDIDATE'S CANDIDACY.

C. If a participating candidate has a debt from an election campaign in this state during a previous election cycle in which the candidate was not a participating candidate, then, during the exploratory period only, the candidate may accept, in addition to early contributions specified in subsection A of this section, contributions subject to the limitations in section 16-941, subsection B, or may exceed the limit on personal monies in section 16-941, subsection A, paragraph 2, provided that such contributions and monies are used solely to retire such debt.

Sec. 40. Section 16-951, Arizona Revised Statutes, is amended to read:

16-951. Clean elections funding

A. At the beginning of the primary election period, the commission shall pay from the fund to the campaign account of each candidate who qualifies for clean elections funding:

1. For a candidate who qualifies for clean elections funding for a party primary election, an amount equal to the original primary election spending limit.

2. For an independent candidate who qualifies for clean elections funding, an amount equal to seventy percent of the sum of the original primary election spending limit and the original general election spending limit.

3. For a qualified participating candidate who is unopposed for an office in that candidate's primary, in the primary of any other party and by any opposing independent candidate, an amount equal to five dollars times the number of qualifying contributions for that candidate certified by the commission.

B. At any time after the first day of January of an election year, any candidate who has met the requirements of section 16-950 may sign and cause to be filed a nomination paper in the form specified by section 16-311, subsection A, with a nominating petition and signatures, instead of filing such papers after the earliest time set for filing specified by that subsection. Upon such filing and verification of the signatures, the commission shall pay the amount specified in subsection A of this section AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS QUALIFIED FOR immediately, rather than waiting for the beginning of the primary election period.

C. At the beginning of the general election period, the commission shall pay from the fund to the campaign account of each candidate who qualifies for clean elections funding for the general election, except those candidates identified in subsection A, paragraph 2 or subsection D of this section, an amount equal to the original general election spending limit AND THE AMOUNT OF ANY SUPPLEMENTAL GRANT FUNDING THE CANDIDATE HAS QUALIFIED FOR PURSUANT TO SECTION 16-951.01, SUBSECTION F.

D. At the beginning of the general election period, the commission shall pay from the fund to the campaign account of a qualified participating candidate who has not received funds pursuant to subsection A, paragraph 3 of this section and who is unopposed by any other party

nominee or any opposing independent candidate an amount equal to five dollars times the number of qualifying contributions for that candidate certified by the commission.

E. The special original general election spending limit, for a candidate who has received funds pursuant to subsection A, paragraphs 2 or 3 or subsection D of this section, shall be equal to the amount that the commission is obligated to pay to that candidate.

Sec. 41. Title 16, chapter 6, article 2, Arizona Revised Statutes, is amended by adding section 16-951.01, to read:

16-951.01. Supplemental clean elections funding

A. DURING OR AFTER THE QUALIFYING PERIOD, A QUALIFIED PARTICIPATING CANDIDATE MAY QUALIFY FOR SUPPLEMENTAL CLEAN ELECTIONS FUNDING BY PRESENTING TO THE SECRETARY OF STATE A LIST OF NAMES OF PERSONS WHO HAVE MADE SUPPLEMENTAL QUALIFYING CONTRIBUTIONS ON BEHALF OF THE CANDIDATE. THE METHOD FOR MAKING AND COLLECTING SUPPLEMENTAL QUALIFYING CONTRIBUTIONS SHALL BE THE SAME AS FOR INITIAL QUALIFYING CONTRIBUTIONS PURSUANT TO SECTION 16-946, INCLUDING THAT SUPPLEMENTAL QUALIFYING CONTRIBUTIONS SHALL BE DEPOSITED IN THE CANDIDATE'S CAMPAIGN COMMITTEE'S ACCOUNT AND PAID TO THE FUND, NOTWITHSTANDING SECTION 16-948, SUBSECTION A.

B. TO QUALIFY FOR ONE SUPPLEMENTAL FUNDING GRANT, A QUALIFIED PARTICIPATING CANDIDATE MUST HAVE OBTAINED AN AMOUNT OF QUALIFYING CONTRIBUTIONS EQUAL TO TWENTY PERCENT OF THE AMOUNT NEEDED FOR INITIAL QUALIFICATION UNDER SECTION 16-950.

C. THE SECRETARY OF STATE SHALL APPROVE CANDIDATES FOR SUPPLEMENTAL FUNDING GRANTS IN THE SAME MANNER PROVIDED IN SECTION 16-950 FOR INITIAL FUNDING APPROVAL, EXCEPT THAT IN NO CASE SHALL THE RANDOM SAMPLE OF NONDUPLICATIVE NAMES DRAWN FOR A SUPPLEMENTAL FUNDING APPLICATION BE FEWER THAN TWENTY NAMES. IF, IN ORDER TO COMPLY WITH THIS REQUIREMENT, THE SECRETARY OF STATE SELECTS A PERCENTAGE OF THE NONDUPLICATIVE NAMES THAT DEVIATES FROM THE PERCENTAGES PROVIDED IN SECTION 16-950, THE SECRETARY OF STATE SHALL MAKE A CORRESPONDING ADJUSTMENT TO THE NUMBER FOR MULTIPLICATION UNDER THAT SECTION.

D. THE COMMISSION SHALL PAY FROM THE FUND TO THE CAMPAIGN ACCOUNT OF A CANDIDATE APPROVED FOR A SUPPLEMENTAL FUNDING GRANT AN AMOUNT EQUAL TO TEN PERCENT THE SUM OF THE ORIGINAL PRIMARY ELECTION SPENDING LIMIT AND THE ORIGINAL GENERAL ELECTION SPENDING LIMIT FOR THE APPROPRIATE OFFICE AS DEFINED IN SECTION 16-961.

E. A CANDIDATE FOR STATEWIDE OFFICE MAY RECEIVE NO MORE THAN TEN SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE, AND NO MORE THAN SIX SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD. A CANDIDATE FOR LEGISLATIVE OFFICE MAY RECEIVE NO MORE THAN TWENTY SUPPLEMENTAL FUNDING GRANTS IN A SINGLE ELECTION CYCLE, AND NO MORE THAN TWELVE SUPPLEMENTAL FUNDING GRANTS DURING THE PRIMARY ELECTION PERIOD. NO LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE COMMISSION MAY ADOPT RULES CHANGING THE NUMBER OF SUPPLEMENTAL GRANTS AVAILABLE FOR ANY OFFICE, FOR THE ELECTION CYCLE OR THE PRIMARY ELECTION PERIOD, BY NO MORE THAN TWENTY PERCENT OF THE NUMBER APPLICABLE FOR THE PRECEDING ELECTION.

F. A CANDIDATE WHO HAS RECEIVED THE MAXIMUM NUMBER OF SUPPLEMENTAL FUNDING GRANTS FOR THE PRIMARY ELECTION PERIOD MAY CONTINUE TO QUALIFY FOR ADDITIONAL SUPPLEMENTAL FUNDING GRANTS TO BE RECEIVED AT THE BEGINNING OF THE GENERAL ELECTION PERIOD SHOULD THE CANDIDATE ADVANCE TO THE GENERAL ELECTION, EXCEPT THAT A CANDIDATE WHO IS UNOPPOSED IN THE GENERAL ELECTION MAY NOT RECEIVE SUPPLEMENTAL FUNDING GRANTS DURING THE GENERAL ELECTION PERIOD.

G. NO LATER THAN THE FIRST DAY OF THE QUALIFYING PERIOD, THE COMMISSION SHALL DETERMINE AND PUBLICIZE DEADLINES FOR SUBMITTING APPLICATIONS FOR SUPPLEMENTAL FUNDING GRANTS FOR THE PRIMARY AND GENERAL ELECTION PERIODS.

Sec. 42. Section 16-953, Arizona Revised Statutes, is amended to read:

16-953. Return of monies to the citizens clean elections fund

A. At the end of the primary election period, a participating candidate who has received monies pursuant to section 16-951, subsection A, paragraph 1 shall return to the fund all monies in the candidate's campaign account above an amount sufficient to pay any unpaid bills for expenditures made during the primary election period and for goods or services directed to the primary election. THIS SUBSECTION SHALL NOT APPLY TO THE UNSPENT AMOUNT OF ANY EARLY CONTRIBUTIONS AND SUPPLEMENTAL FUNDING GRANTS RECEIVED PURSUANT TO SECTION 16-951.01 IF THE PARTICIPATING CANDIDATE IS A PARTY NOMINEE OR INDEPENDENT CANDIDATE.

B. At the end of the general election period, a participating candidate shall return to the fund all monies in the candidate's campaign account above an amount sufficient to pay any unpaid bills for expenditures made before the general election and for goods or services directed to the general election.

C. A participating candidate shall pay all uncontested and unpaid bills referenced in this section no later than thirty days after the primary or general election. A participating candidate shall make monthly reports to the commission concerning the status of the dispute over any contested bills. Any monies in a candidate's campaign account after payment of bills shall be returned promptly to the fund.

D. If a participating candidate is replaced pursuant to section 16-343, and the replacement candidate files an oath with the secretary of state certifying to section 16-947, subsection B, paragraph 3, the campaign account of the participating candidate shall be transferred to the replacement candidate and the commission shall certify the replacement candidate as a participating candidate without requiring compliance with section 16-950 or the remainder of section 16-947. If the replacement candidate does not file such an oath, the campaign account shall be liquidated and all remaining monies returned to the fund.

E. If a participating candidate who has received monies pursuant to section 16-951, subsection A, paragraph 1 does not qualify for the ballot for the primary election, the participating candidate shall:

1. Return to the fund all monies in the candidate's campaign account above the amount sufficient to pay any unpaid bills for expenditures made before the date the candidate failed to qualify for the primary ballot.
2. Return to the commission, within fourteen days, all remaining assets purchased with public funds in that election cycle, including all political signs. The disqualified participating candidate is not required to return political signs purchased in a previous election cycle.
3. Repay any monies paid to a family member unless the participating candidate demonstrates that the payment made was for goods or services actually provided before disqualification of the candidate and the payment was for fair market value. For the purposes of this paragraph, "family member" means a parent, grandparent, spouse, child or sibling of the candidate or a parent or spouse of any of those persons.

Sec. 43. Section 16-954, Arizona Revised Statutes, is amended to read:

16-954. Disposition of excess monies

A. Beginning January 1, 1999, an additional surcharge of ten ~~per cent~~ PERCENT shall be imposed on all civil and criminal fines and penalties collected pursuant to section 12-116.01 and shall be deposited into the fund.

B. At least once per year, the commission shall project the amount of monies that the fund will collect over the next four years and the time such monies shall become available. Whenever the commission determines that the fund contains more monies than the commission determines that it requires to meet current debts plus expected expenses, under the assumption that expected expenses will be at the expenditure limit in section 16-949, subsection A, and taking into account the projections of collections, the commission shall designate such monies as excess monies and so notify the state treasurer, who shall thereupon transfer the excess monies to the general fund.

C. At least once per year, the commission shall project the amount of clean elections funding for which all candidates will have qualified pursuant to this article for the following calendar year. By the end of each year, the commission shall announce whether the amount that the commission plans to spend the following year pursuant to section 16-949, subsection A exceeds the projected amount of clean elections funding. If the commission determines that the fund contains insufficient monies or the spending cap would be exceeded were all candidates' accounts to be fully funded, the commission may include in the announcement specifications for decreases in the following parameters, based on the commission's projections of collections and expenses for the fund, including that the fund will provide monies under sectionS 16-951 AND 16-951.01 as a fraction of the amounts there specified.

D. If the commission cannot provide participating candidates with all monies specified under sections 16-951, 16-951.01, and 16-952, as decreased by any announcement pursuant to subsection C of this section, the commission shall allocate any reductions in payments proportionately among candidates entitled to monies and shall declare an emergency. Upon declaration of an emergency, a participating candidate may accept private contributions to bring the total monies received by the candidate from the fund and from such private contributions up to the adjusted spending limits, as decreased by any announcement made pursuant to subsection C of this section.

E. FOR TAXABLE YEARS BEGINNING ON OR AFTER JANUARY 1, 2023, A TAXPAYER WHO FILES ON A STATE INCOME TAX RETURN FORM MAY DESIGNATE A \$5 VOLUNTARY CONTRIBUTION PER TAXPAYER TO THE FUND BY MARKING AN OPTIONAL CHECK-OFF BOX. EVERY TAXPAYER WHO CHECKS THIS BOX SHALL RECEIVE A \$5 REDUCTION IN THE AMOUNT OF TAX, AND \$5 FROM THE AMOUNT PAID BY THE TAXPAYER SHALL BE TRANSFERRED BY THE DEPARTMENT OF REVENUE TO THE FUND. THE DEPARTMENT OF REVENUE SHALL PROVIDE CHECK-OFF BOXES, FOR DESIGNATIONS PURSUANT TO THIS SUBSECTION, IDENTIFIED AS THE CLEAN ELECTIONS FUND TAX REDUCTION, ON INCOME TAX RETURN FORMS IN THE SAME SECTION AS OTHER TAX REDUCTIONS. EVERY TWO YEARS, THE SECRETARY OF STATE SHALL MAKE A SIMILAR INFLATION ADJUSTMENT TO THOSE MADE IN SECTION 16-959, SUBSECTION A, BY MODIFYING THE DOLLAR VALUES IN THIS SUBSECTION TO REFLECT CUMULATIVE INFLATION SINCE THE ENACTMENT OF THIS ACT.

Sec. 44. Section 16-956, Arizona Revised Statutes, is amended to read:

16-956. Voter education and enforcement duties

A. The commission shall:

1. Develop a procedure for publishing a document or section of a document having a space of predefined size for a message chosen by each candidate. For the document that is delivered before the primary election, the document shall contain the names of every candidate for every statewide and legislative district office in that primary election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. For the document that is delivered before the general election, the document shall contain the names of every candidate for every statewide and legislative district office in that general election without regard to whether the candidate is a participating candidate or a nonparticipating candidate. The commission shall deliver one copy of each document to every household that contains a registered voter. For the document that is delivered before the primary election, the delivery may be made over a period of days but shall be sent in time to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the primary election. The commission may deliver the second document over a period of days but shall send the second document in order to be delivered to households before the earliest date for receipt by registered voters of any requested early ballots for the general election. The primary election and general election documents published by the commission shall comply with all of the following:

(a) For any candidate who does not submit a message pursuant to this paragraph, the document shall include with the candidate's listing the words "no statement submitted".

(b) The document shall have printed on its cover the words "citizens clean elections commission voter education guide" and the words "primary election" or "general election" and the applicable year. The document shall also contain at or near the bottom of the document cover in type that is no larger than one-half the size of the type used for "citizens clean elections commission voter education guide" the words "paid for by the citizens clean elections fund".

(c) In order to prevent voter confusion, the document shall be easily distinguishable from the publicity pamphlet that is required to be produced by the secretary of state pursuant to section 19-123.

(D) THE DOCUMENT SHALL CONTAIN A BRIEF PLAIN ENGLISH EXPLANATION OF ANY STATEWIDE BALLOT MEASURES ON THE BALLOT. THIS PORTION OF THE DOCUMENT SHALL APPEAR ON BOTH THE WEBSITE OF THE COMMISSION AND SECRETARY OF STATE, AND A PROMINENT LINK TO THE DOCUMENT ON THE HOME PAGE OF BOTH WEBSITES SHALL BE LABELED "BALLOT ISSUES GUIDE."

2. Sponsor debates among candidates, in such manner as determined by the commission. The commission shall require participating candidates to attend and participate in debates and may specify by rule penalties for nonparticipation. The commission shall invite and permit nonparticipating candidates to participate in debates.

3. Prescribe forms for reports, statements, notices and other documents required by this article. The commission shall not require a candidate to use a reporting system other than the reporting system jointly approved by the commission and the office of the secretary of state.

4. Prepare and publish instructions setting forth methods of bookkeeping and preservation of records to facilitate compliance with this article and explaining the duties of persons and committees under this article.

5. Produce a yearly report describing the commission's activities and any recommendations for changes of law, administration or funding amounts and accounting for monies in the fund.

6. Adopt rules to implement the reporting requirements of section 16-958, subsections D and E.

7. Enforce this article, ensure that money from the fund is placed in candidate campaign accounts or otherwise spent as specified in this article and not otherwise, monitor reports filed pursuant to this chapter and financial records of candidates as needed and ensure that money required by this article to be paid to the fund is deposited in the fund. The commission shall not take action on any external complaint that is filed more than ninety days after the postelection report is filed or ninety days after the completion of the canvass of the election to which the complaint relates, whichever is later.

B. The commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or the exercise of its powers.

C. The commission may adopt rules to carry out the purposes of this article and to govern procedures of the commission. COMMISSION RULEMAKING IS EXEMPT FROM TITLE 41, CHAPTER 6. The commission shall propose and adopt rules in public meetings, with at least sixty days allowed for interested parties to comment after the rules are proposed. The commission shall also file the proposed rule in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. After consideration of the comments received in the sixty day comment period, the commission may adopt the rule in an open meeting. Any rules given final approval in an open meeting shall be filed in the format prescribed in section 41-1022 with the secretary of state's office for publication in the Arizona administrative register. Any rules adopted by the commission shall only be applied prospectively from the date the rule was adopted.

D. Rules adopted by the commission are not effective until January 1 in the year following the adoption of the rule, except that rules adopted by unanimous vote of the commission may be made immediately effective and enforceable.

E. If, in the view of the commission, the action of a particular candidate or committee requires immediate change to a commission rule, a unanimous vote of the commission is required. Any rule change made pursuant to this subsection that is enacted with less than a unanimous vote takes effect for the next election cycle.

F. Based on the results of the elections in any quadrennial election after 2002, and within six months after such election, the commission may adopt rules changing the number of qualifying contributions required for any office from those listed in section 16-950, subsection D by no more than twenty percent of the number applicable for the preceding election.

Sec. 45. Section 16-961, Arizona Revised Statutes, is amended to read:

16-961. Definitions

A. The terms "candidate's campaign committee," "contribution," "expenditures," "exploratory committee," "independent expenditure," "personal monies," "political committee" and "statewide office" are defined in section 16-901.

B. 1. "Election cycle" means the period between successive general elections for a particular office.

2. "Exploratory period" means the period beginning on the day after a general election and ending the day before the start of the qualifying period.

3. "Qualifying period" means the period beginning on the first day of August in a year preceding an election and ending one week before the primary election. AS THE COMMISSION DEEMS APPROPRIATE, THE COMMISSION MAY SET THE QUALIFYING PERIOD FOR ANY ELECTION CYCLE TO BEGIN EARLIER IN THE YEAR PRECEDING THE ELECTION. THE COMMISSION SHALL MAKE REASONABLE EFFORTS TO PUBLICIZE ANY ALTERATION TO THE QUALIFYING PERIOD FOR ANY PARTICULAR ELECTION CYCLE.

4. "Primary election period" means the nine-week period ending on the day of the primary election.

5. "General election period" means the period beginning on the day after the primary election and ending on the day of the general election.

6. For any recall election, the qualifying period shall begin when the election is called and last for thirty days, there shall be no primary election period and the general election period shall extend from the day after the end of the qualifying period to the day of the recall election. For recall elections, any reference to "general election" in this article shall be treated as if referring to the recall election.

C. 1. "Participating candidate" means a candidate who becomes certified as a participating candidate pursuant to section 16-947.

2. "Nonparticipating candidate" means a candidate who does not become certified as a participating candidate pursuant to section 16-947.

3. Any limitation of this article that is applicable to a participating candidate or a nonparticipating candidate shall also apply to that candidate's campaign committee or exploratory committee.

D. "Commission" means the citizens clean elections commission established pursuant to section 16-955.

E. "Fund" means the citizens clean elections fund defined by this article.

F. 1. "Party nominee" means a person who has been nominated by a political party pursuant to section 16-301 or 16-343.

2. "Independent candidate" means a candidate who has properly filed nominating papers and nominating petitions with signatures pursuant to section 16-341.

3. "Unopposed" means with reference to an election for:

(a) A member of the house of representatives, opposed by no more than one other candidate who has qualified for the ballot and who is running in the same district.

(b) A member of the corporation commission, opposed by a number of candidates who have qualified for the ballot that is fewer than the number of corporation commission seats open at that election and for which the term of office ends on the same date.

(c) All other offices, opposed by no other candidate who has qualified for the ballot and who is running in that district or running for that same office and term.

G. "Primary election spending limits" means:

1. For a candidate for the legislature, ~~twelve thousand nine hundred twenty one dollars~~ \$22,651.

2. For a candidate for mine inspector, ~~forty one thousand three hundred forty nine dollars~~ \$72,529.

3. For a candidate for treasurer, superintendent of public instruction or the corporation commission, ~~eighty two thousand six hundred eighty dollars~~ \$145,020.

4. For a candidate for secretary of state or attorney general, ~~one hundred sixty five thousand three hundred seventy eight dollars~~ \$290,090.

5. For a candidate for governor, ~~six hundred thirty eight thousand two hundred twenty two dollars~~ \$1,791,204.

H. "General election spending limits" means amounts fifty ~~per cent~~ PERCENT greater than the amounts specified in subsection G of this section.

I. 1. "Original" spending limit means a limit specified in subsections G and H of this section, as adjusted pursuant to section 16-959, or a special amount expressly set for a particular candidate by a provision of this title.

2. "Adjusted" spending limit means an original spending limit as further adjusted pursuant to section 16-952.

Sec. 46. Section 16-1005, Arizona Revised Statutes, is amended to read:

16-1005. Ballot abuse; violation; classification

A. Any person who knowingly marks a voted or unvoted ballot or ballot envelope with the intent to fix an election for that person's own benefit or for that of another person is guilty of a class 5 felony.

B. It is unlawful to offer or provide any consideration to acquire a voted or unvoted early ballot. A person who violates this subsection is guilty of a class 5 felony.

C. It is unlawful to receive or agree to receive any consideration in exchange for a voted or unvoted ballot. A person who violates this subsection is guilty of a class 5 felony.

D. It is unlawful to possess a voted or unvoted ballot with the intent to sell the voted or unvoted ballot of another person. A person who violates this subsection is guilty of a class 5 felony.

E. A person or entity that knowingly solicits the collection of voted or unvoted ballots by misrepresenting itself as an election official or as an official ballot repository or is found to be serving as a ballot drop off site, other than those established and staffed by election officials, is guilty of a class 5 felony.

F. A person who knowingly collects voted or unvoted ballots and who does not turn those ballots in to an election official, the United States postal service or any other entity permitted by law to transmit post is guilty of a class 5 felony.

G. A person who engages or participates in a pattern of ballot fraud is guilty of a class 4 felony. For the purposes of this subsection, "pattern of ballot fraud" means the person has offered or provided any consideration to three or more persons to acquire the voted or unvoted ballot of a person.

H. A person who knowingly collects ~~voted or~~ unvoted early ballots from another person is guilty of a class 6 felony. An election official, a United States postal service worker or any other person who is allowed by law to transmit United States mail is deemed not to have collected an early ballot if the official, worker or other person is engaged in official duties. A VOTER MAY GIVE HIS OR HER VOTED EARLY BALLOT TO ANOTHER PERSON TO DELIVER THE BALLOT TO A POLLING PLACE, BALLOT DROP BOX, ELECTION OFFICIAL, U.S. POSTAL SERVICE, OR ANY OTHER ENTITY PERMITTED BY LAW TO TRANSMIT POST. INDIVIDUALS SO ENTRUSTED SHALL BE GUILTY OF A CLASS 4 FELONY IF THEY INTENTIONALLY FAIL TO DELIVER THE BALLOTS OR TAMPER WITH THE BALLOT.

I. THE PROHIBITION ON COLLECTING UNVOTED EARLY BALLOTS IN subsection H of this section does not apply to:

1. An election held by a special taxing district formed pursuant to title 481 for the purpose of protecting or providing services to agricultural lands or crops and that is authorized to conduct elections pursuant to title 48.

2. A family member, household member or caregiver of the voter. For the purposes of this paragraph:

(a) "Caregiver" means a person who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living facility, assisted living home, residential care institution, adult day health care facility or adult foster care home.

(b) "Collects" means to gain possession or control of an early ballot.

(c) "Family member" means a person who is related to the voter by blood, marriage, adoption or legal guardianship.

(d) "Household member" means a person who resides at the same residence as the voter.

Sec. 47. Title 19, chapter 1, article 1, Arizona Revised Statutes, is amended by adding section 19-100, to read:

19-100. Judicial Review of Citizen Measures

NOTWITHSTANDING ANY LAW TO THE CONTRARY, JUDICIAL REVIEW OF A MEASURE'S ELIGIBILITY FOR THE BALLOT UNDER TITLE 19 IS LIMITED TO REVIEW OF THE SECRETARY OF STATE'S AND COUNTY RECORDERS' DETERMINATIONS CONCERNING REMOVAL OF PETITION SHEETS AND ELIGIBILITY OF SIGNATURES AND MUST BE COMMENCED WITHIN TEN CALENDAR DAYS OF ANY DETERMINATION BY SUCH OFFICIALS. THE NUMBER OF VALID SIGNATURES AS PROJECTED FROM THE RANDOM SAMPLE FOLLOWING ANY CHALLENGE TO THE SECRETARY OF STATE'S OR COUNTY RECORDERS' DETERMINATIONS ESTABLISHES WHETHER THE MEASURE WILL BE PLACED ON THE GENERAL ELECTION BALLOT.

Sec. 48. Section 19-101, Arizona Revised Statutes, is amended to read:

19-101. Referendum petition; circulators; violation; classification

A. The following shall be the form for referring to the people by referendum petition a measure or item, section or part of a measure enacted by the legislature, or by the legislative body of an incorporated city, town or county:

Referendum Description

(Insert a description of not more than two hundred words of the principal provisions of the measure sought to be referred.)

Notice: This is only a description of the measure sought to be referred prepared by the sponsor of the measure. It may not include every provision contained in the measure. Before signing, make sure the title and text of the measure are attached. You have the right to read or examine the title and text before signing.

Petition for Referendum

To the secretary of state (or to the corresponding officer for or on local, county, city or town measures):

We, the undersigned citizens and qualified electors of the state of Arizona, respectfully order that the senate (or house) bill No. _____ (or other local, county, city or town measure) entitled (title of act or ordinance, and if the petition is against less than the whole act or ordinance then set forth here the item, section, or part, of any measure on which the referendum is used), passed by the _____ session of the legislature of the state of Arizona, at the general (or special, as the case may be) session of said legislature, (or by a county, city or town legislative body) shall be referred to a vote of the qualified electors of the state, (county, city or town) for their approval or rejection at the next regular general election (or county, city or town election) and each for himself says:

I have personally signed this petition with my first and last names. I have not signed any other petition for the same measure. I am a qualified elector of the state of Arizona, ~~county of~~ (or city or town and county of, as the case may be) _____.

“Warning

It is a class 1 misdemeanor for any person to knowingly sign an initiative or referendum petition with a name other than his own, except in a circumstance where he signs for a person, in the presence of and at the specific request of such person, who is incapable of signing his own name because of physical infirmity, or to knowingly sign his name more than once for the same measure, or to knowingly sign such petition when he is not a qualified elector.”

Signature, Printed Name, Address or Description, City, COUNTY, Zip Code, Date
(Fifteen lines for signatures which shall be numbered)

The validity of signatures on this sheet must be sworn to by the circulator before a notary public on the form appearing on the back of the sheet.

Number _____

B. Each petition sheet shall have printed on the top of each sheet the following:

“It is unlawful to sign this petition before it has a serial number.”

C. Each petition sheet shall have printed in capital letters in not less than twelve point bold-faced type in the upper right-hand corner of the face of the petition sheet and below the statement prescribed in subsection B of this section the following:

“_____ paid circulator” “_____ volunteer”.

D. A circulator of a referendum petition shall state whether the circulator is a paid circulator or volunteer by checking the appropriate line on the petition form before circulating the petition for signatures.

E. Signatures obtained on referendum petitions in violation of subsection D of this section are void and shall not be counted in determining the legal sufficiency of the petition. The presence of signatures that are invalidated under this subsection on a petition does not invalidate other signatures on the petition that were obtained as prescribed by this section.

Sec. 49. Section 19-101.01, Arizona Revised Statutes, is amended to read:

19-101.01. Findings and intent; substantial compliance for referenda

~~The legislature recognizes that a referendum may overrule the results of determinations made by representatives of the people and therefore finds and determines that strict compliance with the constitutional and statutory requirements for the referendum process and in the application and enforcement of those requirements provides the surest method for safeguarding the integrity and accuracy of the referendum process. THE CITIZENS OF ARIZONA RECOGNIZE THE FUNDAMENTAL RIGHT TO CITIZEN REFEREDUM ENSHRINED IN THE STATE’S CONSTITUTION BY OUR FOUNDERS. Therefore, the legislature CITIZENRY finds and declares its intent that the constitutional and statutory requirements for the referendum be strictly LIBERALLY construed IN FAVOR OF THE ELIGIBILITY OF SUCH MEASURES FOR THE BALLOT and ENSURING that persons using the referendum process strictly SUBSTANTIALLY comply with those constitutional and statutory requirements.~~

Sec. 50. Section 19-102.01, Arizona Revised Statutes, is amended to read:

19-102.01. Findings and intent; substantial compliance for initiatives

A. THE CITIZENS OF ARIZONA RECOGNIZE THE FUNDAMENTAL RIGHT TO CITIZEN INITIATIVE ENSHRINED IN THE STATE’S CONSTITUTION BY OUR FOUNDERS. THEREFORE, THE CITIZENRY FINDS AND DECLARES ITS INTENT THAT Constitutional and statutory requirements for statewide-initiative measures must be strictly LIBERALLY construed IN FAVOR OF THE ELIGIBILITY OF SUCH MEASURES FOR THE BALLOT and persons using the initiative process must strictly SUBSTANTIALLY comply with those constitutional and statutory requirements.

B. The secretary of state shall make available a sample initiative petition that strictly complies with the requirements of section

19-121. Any committee that uses the sample initiative petition provided by the secretary of state shall be presumed to have strictly complied with the requirements of section 19-121.

Sec. 51. Section 19-112, Arizona Revised Statutes, is amended to read:

19-112. Signatures and verification; attachment

A. Every qualified elector signing a petition shall do so in the presence of the person who is circulating the petition and who is to execute the affidavit of verification. At the time of signing, the qualified elector shall sign his first and last names in the spaces provided. ~~and the elector so signing shall print his first and last names and write, in the appropriate spaces following the signature, the signer's residence address, giving street name and number, and if he has no street address, a description of his residence location. The elector so signing shall write, in the appropriate spaces following the elector's address, the date on which the elector signed the petition.~~ UPON THE PETITION SHALL BE PRINTED THE FIRST AND LAST NAMES, THE SIGNER'S RESIDENCE ADDRESS, GIVING STREET NAME AND NUMBER, AND IF HE HAS NO STREET ADDRESS, A DESCRIPTION OF HIS RESIDENCE LOCATION, THE ZIP CODE, COUNTY, AND THE DATE ON WHICH THE ELECTOR SIGNED THE PETITION. THIS INFORMATION BEYOND THE SIGNATURE MAY BE WRITTEN OR TYPED BY THE ELECTOR OR ANOTHER PERSON.

B. The signature sheets shall be attached at all times during circulation to a full and correct copy of the title and text of the measure or constitutional amendment proposed or referred by the petition. The title and text shall be in at least eight-point type and shall include both the original and the amended text. The text shall indicate material deleted, if any, by printing the material with a line drawn through the center of the letters of the material and shall indicate material added or new material by printing the letters of the material in capital letters. For the purposes of a referendum, the secretary of state's time-and-date-marked copy of the measure with its proposed text set out in full or for any local matter, the copy of the measure signed or enacted into law by the mayor, or chairman of the board of supervisors, as appropriate, with its proposed text set out in full and including the original and any amended text constitutes the full and correct copy of the title and text of the measure for circulation for signatures. For any local matter enacted without an ordinance or resolution, the official minutes approved by the governing body and signed by the clerk of the governing body constitute the full and correct copy of the title and text of the measure. Referendum signatures that are collected with any copy of the measure that is not a facsimile of the time-and-date-marked copy for statewide measures or the full and correct copy of a local measure as prescribed by this subsection are invalid.

1. FOR REFERENDA, THE SECRETARY OF STATE'S TIME-AND-DATE-MARKED COPY MAY BE RESET IN 8 POINT TYPE TO CONSERVE PAPER.

2. FOR A REFERENDUM, THE COPY OF THE MEASURE ATTACHED TO THE SIGNATURE SHEETS MAY BE EXCERPTED TO INCLUDE ONLY THOSE SECTIONS WHICH THE REFERENDUM SEEKS TO REFER TO THE BALLOT.

3. FOR A REFERENDUM OR INITIATIVE, THE COPY OF THE MEASURE MAY BE ATTACHED TO AS MANY AS 10 SIGNATURE SHEETS, WHICH SHALL REQUIRE ONLY A SINGLE AFFIDAVIT AND NOTARIZATION.

C. The person before whom the signatures, ~~names and addresses~~ were written on the signature sheet, on the affidavit form pursuant to this section, shall subscribe and swear before a notary public that each of the names on the sheet was signed ~~and the name and address were printed by the elector~~ and the circulator on the date indicated, that in his belief each signer was a qualified elector of ~~a certain county of~~ the state, or, in the case of a city, town or county measure, of the city, town or county affected by the measure on the date indicated, and that at all times during circulation of the signature sheet a copy of the title and text was attached to the signature sheet. All signatures of petitioners on a signature sheet shall be those of qualified electors who are registered to vote. ~~However, if signatures from more than one county appear on the same signature sheet, only the valid signatures from the same county that are most numerous on the signature sheet shall be counted.~~

D. The affidavit shall be in the following form ~~printed on the reverse side of each signature sheet:~~

Affidavit of Circulator

State of Arizona)

) ss.:

County of _____)

(Where notarized)

I, ____ (print name) ____, a person who is not required to be a resident of this state but who is otherwise qualified to register to vote in the county of _____, in the state of Arizona at all times during my circulation of ~~this~~ THE ATTACHED petition sheet, and under the penalty of a class 1 misdemeanor, depose and say that subject to section 19-115, Arizona Revised Statutes, each individual ~~printed the individual's own name and address and signed this~~ THE ATTACHED PETITION sheet ~~of the foregoing petition~~ in my presence on the date indicated and I believe that each signer's name and residence address or post office address are correctly stated and that each signer is a qualified elector of the state of Arizona (or in the case of a city, town or county measure, of the city, town or county affected by the measure proposed to be initiated or referred to the people) and that at all times during circulation of this signature sheet a copy of the title and text was attached to the signature sheet.

(Signature of affiant) _____

(Residence address, street
and number of affiant, or
if no street address, a
description of residence
location)

Subscribed and sworn to before me on _____.
(date)

Notary Public

(Form shall include a designated location for notary stamp)

E. The eight-point type required by subsection B of this section does not apply to maps, charts or other graphics.

F. The form of the affidavit shall not be modified. Any petition that contains a partially completed affidavit or an affidavit that has been modified is invalid.

G. THE PETITION SHALL BE ON LETTER-SIZED PAPER.

H. THE CIRCULATOR MAY USE AN ELECTRONIC OR REMOTE NOTARY SERVICE APPROVED BY THE SECRETARY OF STATE OR OTHER NOTARY SERVICE AVAILABLE IN ARIZONA TO NOTARIZE THE AFFIDAVITS ON THE PETITIONS.

I. PETITIONS MAY CONTAIN NOTATIONS CREATED BY THE CAMPAIGN TO FACILITATE CIRCULATION OR THE PROCESS OF ORGANIZING PETITIONS AS LONG AS THE MARKS DO NOT INTERFERE WITH THE VALIDATION OF PETITIONS.

Sec. 52. Section 19-118, Arizona Revised Statutes, is amended to read:

19-118. Registered circulators; requirements; violation; classification; definition

A. For statewide initiative and referendum measures only, all circulators who are not residents of this state and all paid circulators must register as circulators with the secretary of state before circulating petitions pursuant to this title. The committee that is circulating the petition shall collect and submit the completed registration applications to the secretary of state. The secretary of state shall establish in the instructions and procedures manual issued pursuant to section 16-452 a procedure for registering circulators, including circulator registration applications, and shall publish on a website maintained by the secretary of state all information regarding circulators that is required pursuant to this section. The secretary of state shall disqualify all signatures collected by a circulator who fails to register pursuant to IN SUBSTANTIALLY THE FORM PROSCRIBED BY this subsection as provided for in section 19-121.01, subsection A.

B. The circulator registration application required by subsection A of this section shall require the following:

1. The circulator's full name, residence address, telephone number and email address.
2. The initiative or referendum petition on which the circulator will gather signatures.
3. A statement that the circulator consents to the jurisdiction of the courts of this state in resolving any disputes concerning the circulation of petitions by that circulator.
4. The address of the committee in this state for which the circulator is gathering signatures and at which the circulator will accept service of process related to disputes concerning circulation of that circulator's petitions. Service of process is effected under this section by delivering a copy of the subpoena to that person individually, by leaving a copy of the subpoena with a person of suitable age or by mailing a copy of the subpoena to the committee by certified mail to the address provided.

5. An affidavit from the registered circulator that is signed by the circulator before a notary public and that includes the following declaration:

I, (print name), under penalty of a class 1 misdemeanor, acknowledge that I am eligible to register as a circulator in the state of Arizona, that all of the information provided is correct to the best of my knowledge and that I have read and understand Arizona election laws applicable to the collection of signatures for a statewide initiative or referendum.

C. Within five business days after submission and review of a complete and correct circulator registration application that complies with this section, the secretary of state shall register and assign a circulator registration number to the circulator. THE CIRCULATOR IS DEEMED REGISTERED AS OF THE DATE THE REGISTRATION WAS SUBMITTED UNLESS THE SECRETARY DETERMINES THE REGISTRATION IS DEFICIENT, IN WHICH CASE THE SECRETARY SHALL IMMEDIATELY NOTIFY THE CIRCULATOR AND THE COMMITTEE ASSOCIATED WITH THE CIRCULATOR OF THE NATURE OF THE DEFICIENCY.

D. A person may not register as a circulator pursuant to this section if the person:

1. Has had a civil or criminal penalty imposed for a violation of title 16 or this title within the immediately preceding five years.
2. Has been convicted of treason or a felony and has not been restored to civil rights as described in section 16-101, subsection A, paragraph 5.

3. Has been convicted of any criminal offense involving fraud, forgery or identity theft.

E. If a registered circulator is properly served with a subpoena to provide evidence in an action regarding circulation of petitions and fails to appear or produce documents as provided for in the subpoena, THAT PERSON MAY BE LIABLE FOR ALL PENALTIES AUTHORIZED BY THE ARIZONA RULES OF CIVIL PROCEDURE ~~all signatures collected by that circulator are deemed invalid. The party serving the subpoena may request an order from the court directing the secretary of state to remove any signatures collected by the circulator as provided for in section 19-121.01, subsection A.~~ ANY PARTY THAT ISSUES A SUBPOENA TO PROVIDE EVIDENCE WITH THE PRIMARY PURPOSE OF HARASSMENT OR UNDUE DELAY OF PROCEEDINGS SHALL BE FINED ONE-THOUSAND DOLLARS FOR EACH SUCH SUBPOENA.

F. Any person may challenge the lawful registration of circulators in the superior court of the county in which the circulator is registered. A challenge may not be commenced more than ten business days after THE CIRCULATOR'S REGISTRATION IS ACCEPTED BY THE APPROPRIATE ELECTION OFFICER ~~the date that the secretary of state's office has received, processed and made available all final petition sheets individually numbered. The person challenging signatures may amend that complaint after the secretary of state has removed signatures and signature sheets as prescribed in section 19-121.01.~~ An action pursuant to this section shall be advanced on the calendar and decided by the court as soon as possible. Either party may appeal to the supreme court within five calendar days after entry of judgment. The prevailing party in an action to challenge the registration of a circulator under this section is entitled to reasonable attorney fees.

G. The removal or disqualification of any one or more circulators does not invalidate the random sample of signatures made pursuant to section 19-121.01, and the secretary of state shall not be required to conduct any additional random sampling of signatures.

H. A person who knowingly omits or misrepresents information or provides false information on a circulator registration application or who registers in violation of this section is guilty of a class 1 misdemeanor.

I. For the purposes of this title, "paid circulator":

1. Means a natural person who receives monetary or other compensation for obtaining signatures on a statewide initiative or referendum petition or for circulating statewide initiative or referendum petitions for signatures.
2. Does not include a paid employee of any political committee organized pursuant to title 16, chapter 6, unless that employee has or will obtain two hundred or more signatures on an initiative, referendum or recall petition in an election cycle.

Sec. 53. Section 19-121.01, Arizona Revised Statutes, is amended to read:

19-121.01. Secretary of state; removal of petition and ineligible signatures; sheets copies; random sample; presumption

A. Within twenty days, excluding Saturdays, Sundays and other legal holidays, after the date of filing of an initiative or referendum petition and issuance of the receipt, the secretary of state shall:

1. Remove the following:

- (a) Those sheets not attached to a copy of the complete title and text of the measure as prescribed in this chapter.
- (b) The copy of the title and text from the remaining petition sheets.
- (c) Those sheets not bearing the correct petition serial number and, if applicable, the paid circulator registration number in the lower right-hand corner of each side.
- (d) Those sheets containing a circulator's affidavit that is not completed or signed or that has been modified.
- (e) Those sheets on which the affidavit of the circulator is not notarized, the notary's signature is missing, the notary's commission has expired or the notary's seal is not affixed.
- (f) Those sheets on which the signatures of the circulator or the notary are dated earlier than the dates on which the electors signed the face of the petition sheet.
- (g) Those sheets that are circulated by a circulator who is prohibited from participating in any election, initiative, referendum or recall campaign pursuant to section 19-119.01.
- (h) Those sheets on which the circulator is required to be registered with the secretary of state pursuant to section 19-118 and the circulator is not properly registered at the time the petitions were circulated.

~~2. After completing the steps in paragraph 1 of this subsection, review each sheet to determine the county of the majority of the signers and shall:~~

- ~~(a) Place a three or four letter abbreviation designating that county on the face of the petition.~~
- ~~(b) Remove all signatures of those not in the county of the majority on each sheet by placing an adjacent mark or striking through the signature line.~~
- ~~(c) Cause all signature sheets to be grouped together by county of registration of the majority of those signing. The detached copies of the title and text of the measure shall be made available to the applicant but may be disposed of after a reasonable period of time.~~

3. After completing the EARLIER steps in paragraph 2 of this subsection, remove the following signatures that are not eligible for verification by placing an adjacent mark or striking through the signature line:

- (a) If the signature of the qualified elector is missing.
- (b) If the residence address or the description of residence location is missing.
- (c) If the date on which the petitioner signed is missing, if the date on which the petitioner signed the petition is before the date that the serial number was assigned to the political committee that is filing the petition or if the date on which the petitioner signed the petition is after the date on which the affidavit was completed by the circulator and notarized.
- (d) Signatures in excess of the fifteen signatures permitted per petition.
- (e) Signatures withdrawn pursuant to section 19-113.
- (f) Signatures for which the secretary of state determines that the petition circulator has printed the elector's first and last names or other information in violation of section 19-112.

4. After the removal of petition sheets and signatures, count the number of signatures for verification on the remaining petition sheets and note that number on the face of each petition sheet.

5. Number the remaining petition sheets that were not previously removed and that contain signatures eligible for verification in consecutive order on the front side of each petition sheet.

6. Count all remaining petition sheets and signatures not previously removed and notify the applicant of this total number eligible for verification.

B. If the total number of signatures for verification as determined pursuant to subsection A, paragraph 6 of this section equals or exceeds the constitutional minimum, during the same twenty day period provided in subsection A of this section, the secretary of state shall select, at random, five percent of the total signatures eligible for verification by the county recorders of the counties in which the persons signing the petition claim to be qualified electors. The random sample of signatures to be verified shall be drawn in such a manner that every signature eligible for verification has an equal chance of being included in the sample. The random sample produced shall identify each signature selected by petition page and line number. The signatures selected shall be marked in a clear manner.

C. If a signature line selected for the random sample is found to be blank or was removed from the verification process pursuant to subsection A of this section then the next line down, even if that requires going to the next petition sheet in sequence, on which an eligible signature appears shall be selected as a substitute if that line has not already been selected for the random sample. If the next eligible line is already being used in the random sample, the secretary of state shall proceed back up the page from the signature line originally selected for the random sample to the next previous signature line eligible for verification. If that line is already being used in the random sample, the secretary of state shall continue moving down the page or to the next page from the line originally selected for the random sample and shall select the next eligible signature as its substitute for the random sample. The secretary of state shall use this process of alternately moving forward and backward until a signature eligible for verification and not already included in the random sample can be selected and substituted.

D. After the selection of the random sample and the marking of the signatures selected on the petition sheets pursuant to subsection B of this section, the secretary of state shall transmit a copy of the front of each signature sheet on which a signature included in the random sample appears. The secretary of state shall clearly identify those signatures marked for verification and shall transmit by personal delivery, certified mail, email or other electronic transfer method to each county recorder a copy of each signature sheet on which a signature appears of any individual who claims to be a qualified elector of that county and whose signature was selected for verification as part of the random sample.

E. The secretary of state shall presume that the date noted on the petition for a petitioner's signature is the date on which the petitioner signed the petition, and any person seeking to establish a different date for the signature bears the burden of proof in overcoming the presumption.

F. The secretary of state shall retain an electronic copy of all signature sheets except as otherwise prescribed in this title. After the time period for legal challenges has elapsed, the original sheets shall be made available to the applicant but may be disposed of after a reasonable period of time.

Sec. 54. Section 19-204.01, Arizona Revised Statutes, is amended to read:

19-204.01. Sample recall petitions; substantial compliance

The secretary of state shall make available a sample recall petition that ~~strictly~~ complies with the requirements of § 19-204. Any person or organization that uses the sample recall petition of the secretary of state is presumed to have ~~strictly~~ complied with the requirements of § 19-204.

THE STANDARD FOR REVIEW OF THE PETITIONS AND SIGNATURES SHALL BE SUBSTANTIAL COMPLIANCE IN ORDER TO PRESERVE THE RIGHTS OF THE SIGNERS AND CIRCULATORS AND PROTECT THE INTENT OF THE ARIZONA CONSTITUTION.

Sec. 55. Section 41-1231, Arizona Revised Statutes, is amended to read:

41-1231. Definitions

In this article, unless the context otherwise requires:

1. "Authorized lobbyist" means any person, other than a designated lobbyist or lobbyist for compensation, who is employed by, retained by or representing a principal, with or without compensation, for the purpose of lobbying and who is listed as an authorized lobbyist by the principal in its registration pursuant to section 41-1232.

2. "Authorized public lobbyist" means a person, other than a designated public lobbyist, who is employed by, retained by or representing a public body, with or without compensation, for the purpose of lobbying and who is listed as an authorized public lobbyist by the public body in its registration pursuant to section 41-1232.01.

3. "Designated lobbyist" means the person who is designated by a principal as the single point of contact for the principal and who is listed as the designated lobbyist by the principal in its registration pursuant to section 41-1232.

4. "Designated public lobbyist" means the person who is designated by a public body as the single point of contact for the public body and who is listed as the designated public lobbyist by the public body in its registration pursuant to section 41-1232.01.

5. "Entertainment" means the amount of any expenditure paid or incurred for admission to any sporting or cultural event or for participation in any sporting or cultural activity.

6. "Expenditure" means a payment, distribution, loan, advance, deposit or gift of money or anything of value and includes a contract, promise or agreement, whether or not legally enforceable, to make an expenditure that provides a benefit to an individual state officer or state employee and that is incurred by or on behalf of one or more principals, public bodies, lobbyists, designated public lobbyists or authorized public lobbyists.

7. "Family gift" means a gift to a state officer or employee or a member of the officer's or employee's household from a principal, lobbyist, designated public lobbyist or authorized public lobbyist who is a relative of the state officer or employee or a member of the household of the state officer or employee if the donor is not acting as the agent or intermediary for someone other than a person covered by this paragraph.

8. "Food or beverage" means the amount of any expenditure paid or incurred for food or beverages for a state officer or employee provided at a location at which the principal, public body, lobbyist, designated public lobbyist or authorized public lobbyist who made the expenditure is present.

9. "Gift" means a payment, distribution, expenditure, advance, deposit or donation of money, any intangible personal property or any kind of tangible personal or real property. For the purposes of this article, gift does not include:

(a) A gift, devise or inheritance from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or the spouse of any such individual if the donor is not acting as the agent or intermediary for someone other than a person covered by this subdivision.

(b) Expenditures that are ~~either properly reported or exempt from reporting~~ under this chapter for:

~~(i) A speaking engagement.~~

~~(ii) (i) Food or beverages WITH A TOTAL VALUE OF \$20 OR LESS IF EACH EXPENDITURE IS ITEMIZED SEPARATELY ON THE APPROPRIATE EXPENDITURE REPORT.~~

~~(iii) Travel and lodging.~~

~~(iv) (ii) Flowers.~~

(c) Salary, compensation or employer-reimbursed expenses lawfully paid to a public official.

~~(d) The value, cost or price of professional or consulting services that are not rendered to obtain a benefit for any registered principal, public body, lobbyist, designated public lobbyist or authorized public lobbyist or the clients of a principal or lobbyist.~~

~~(e) Expenses relating to a special event or function to which all members of the legislature, either house of the legislature or any committee of the legislature is invited.~~

~~(f) (d) A plaque or other form of recognition similar to a plaque to a state officer or state employee to signify the honorary recognition of a service or other notable accomplishment.~~

~~(g) (e) Informational material such as books, reports, pamphlets, calendars or periodicals.~~

~~(h) (f) An item that is not used and that is returned within fifteen days of receipt to the donor or that is delivered within fifteen days of receipt to a charitable organization and that is not claimed as a charitable contribution for state or federal income tax purposes.~~

~~(i) (g) A campaign contribution that is properly received and reported as required by law.~~

~~(j) (h) An item that is given to a state officer or employee if the state officer or employee gives an item of approximately the same value to the giver of the item at the same time that the item is given or on a similar occasion as the one that prompted the original item to be given.~~

~~(k) (i) Gifts of a personal nature that were customarily received by an individual from the donor before the individual became a state officer or employee.~~

~~(l) (j) An item that is given to the general public at an event.~~

10. "Legislation" means bills, resolutions, memorials, amendments, nominations and other matters that are pending or proposed in either house of the legislature of this state.

11. "Lobbying":

(a) Means attempting to influence the passage or defeat of any legislation by directly communicating with any legislator or attempting to influence any formal rulemaking proceeding pursuant to chapter 6 of this title or rulemaking proceedings that are exempt from chapter 6 of this title by directly communicating with any state officer or employee.

(b) Includes, for a person who is otherwise required to be registered as a lobbyist for compensation pursuant to this article, attempting to influence the procurement of materials, services or construction by an agency as defined in section 41-1001, including the office of the governor.

(c) Does not include:

(i) Interagency communications between state agency employees.

(ii) Communications between a public official or employee of a public body, designated public lobbyist or authorized public lobbyist and any state officer, except for a member of the legislature, or an employee of the legislature.

(iii) Oral questions or comments made by a person to a state officer or employee regarding a proposed rule and made in public at a meeting or workshop that is open to the public and that is sponsored by a state agency, board, commission, council or office.

(iv) Communications between a public body and a self-employed person or person employed by a partnership or company regarding the procurement of materials, services or construction unless the self-employed person or person employed by a partnership or company is otherwise required to register pursuant to this article or is employed by, supervised by at any level or contracted by a person who is otherwise required to register as a lobbyist for compensation pursuant to this article.

12. "Lobbyist" means any person, other than a designated public lobbyist or authorized public lobbyist, who is employed by, retained by or representing a person other than himself, with or without compensation, for the purpose of lobbying and who is listed as a lobbyist by the principal in its registration pursuant to section 41-1232. Lobbyist includes a lobbyist for compensation, designated lobbyist and authorized lobbyist.

13. "Lobbyist for compensation" means a lobbyist who is compensated for the primary purpose of lobbying on behalf of a principal and who is listed by the principal in its registration pursuant to section 41-1232.

14. "Person" means an individual, partnership, committee, association or corporation and any other organization or group of persons, except legislators and political parties qualified for representation on the ballot pursuant to section 16-801 or 16-804.

15. "Personal hospitality" means hospitality, meals, beverages, transportation or lodging furnished but not commercially provided by a person on property or facilities owned or possessed by the person or the person's family.

16. "Principal" means any person, other than a public body, that employs, retains, engages or uses, with or without compensation, a lobbyist. Principal includes any subsidiary of a corporation.

17. "Procurement" has the same meaning prescribed in section 41-2503.

18. "Public body" means the Arizona board of regents, a university under the jurisdiction of the Arizona board of regents, the judicial department, any state agency, board, commission or council, any county, any county elected officer who elects to appoint a designated public lobbyist or any city, town, district or other political subdivision of this state that receives and uses tax revenues and that employs, retains, engages or uses, with or without compensation, a designated public lobbyist or authorized public lobbyist.

19. "Public official" means a person who is duly elected, appointed or retained through election to an elected state, county or local office.

20. "Single expenditure" means an expenditure that provides a benefit of more than ~~twenty dollars~~ \$20 to an individual state officer or state employee and that is incurred by or on behalf of one or more principals, public bodies, lobbyists, designated public lobbyists or authorized public lobbyists.

21. "Speaking engagement":

(a) Means the amount of any expense paid or incurred for entrance fees, lodging, food and beverage, entertainment, travel and other expenses for the state officer's or employee's attendance at an event, committee, meeting, conference or seminar, including meetings of state, regional or national organizations or their committees concerned with legislative or governmental activities if the state officer or employee participates in the event as a speaker or panel participant by presenting information relating to the state officer's or employee's legislative or official duties or by performing a ceremonial function appropriate to the state officer's or employee's position.

(b) Does not include expenditures for an honorarium or any other similar fee paid to a speaker.

22. "State employee" means an employee of the legislature, a university under the jurisdiction of the Arizona board of regents, the judicial department or a state office, agency, board, commission or council.

23. "State officer" means a person who is duly elected, appointed or retained through election to any state office, or a member of any state board, commission or council, and includes a member of the legislature.

Sec. 56. Title 41, chapter 7, article 8.1, Arizona Revised Statutes, is amended by adding section 41-1232.09, to read:

41-1232.09. Anticorruption surcharge

IN ADDITION TO ANY OTHER REGISTRATION FEE PROVIDED IN THIS TITLE, EACH PRINCIPAL THAT REGISTERS A LOBBYIST FOR COMPENSATION OR A DESIGNATED LOBBYIST WHO RECEIVES COMPENSATION FOR LOBBYING FROM THE PRINCIPAL, AT THE TIME OF REGISTERING OR REREGISTERING, SHALL PAY AN ANTICORRUPTION SURCHARGE OF \$25 TO THE SECRETARY OF STATE. NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PRINCIPAL MAY NOT BE CHARGED MORE THAN ONE \$25 ANTICORRUPTION SURCHARGE PER REGISTRATION PERIOD, WHICH IS IN ADDITION TO ITS FEE FOR REGISTRATION. REGISTRATION AND REREGISTRATION FEES COLLECTED BY THE SECRETARY OF STATE SHALL BE DEPOSITED IN THE CITIZENS CLEAN ELECTIONS FUND DEFINED BY TITLE 16, CHAPTER 6, ARTICLE 2.

Sec. 57. Section 43-1111, Arizona Revised Statutes, is amended to read:

43-1111. Tax rates for corporations

A. There shall be levied, collected and paid for each taxable year upon the entire Arizona taxable income of every corporation, unless exempt under section 43-1126 or 43-1201, or as otherwise provided in this title or by law, taxes in an amount of the greater of fifty dollars or:

1. For taxable years beginning through December 31, 2013, 6.968 per cent of net income.
2. For taxable years beginning from and after December 31, 2013 through December 31, 2014, 6.5 per cent of net income.
3. For taxable years beginning from and after December 31, 2014 through December 31, 2015, 6.0 per cent of net income.
4. For taxable years beginning from and after December 31, 2015 through December 31, 2016, 5.5 per cent of net income.
5. For taxable years beginning from and after December 31, 2016, THROUGH DECEMBER 31, 2020, 4.9 per cent of net income.

B. THERE SHALL BE LEVIED, COLLECTED AND PAID BEGINNING FROM AND AFTER DECEMBER 31, 2020 ON THE ENTIRE ARIZONA TAXABLE INCOME OF EVERY CORPORATION, UNLESS EXEMPT UNDER SECTION 43-1126 OR 43-1201, OR AS OTHERWISE PROVIDED IN THIS TITLE OR BY LAW:

1. FOR A CORPORATION WITH FIFTY OR FEWER FULL-TIME EMPLOYEES, THE GREATER OF \$50 OR 4.9 PERCENT OF NET INCOME.

2. EXCEPT AS PROVIDED IN PARAGRAPH 3 OF THIS SUBSECTION, FOR A CORPORATION WITH MORE THAN FIFTY FULL-TIME EMPLOYEES, THE GREATER OF \$150 OR 4.9 PERCENT OF NET INCOME.

3. IF FOR ANY REASON THE TAX CREDIT ENACTED IN SECTION 16-954 IS REPEALED OR BECOMES UNENFORCEABLE, THEN BEGINNING THE FOLLOWING TAXABLE YEAR THE APPLICABLE TAX FOR CORPORATIONS WITH MORE THAN FIFTY FULL-TIME EMPLOYEES SHALL BE THE GREATER OF \$350 OR 4.9 PERCENT OF NET INCOME.

C. A CORPORATION'S TAX CREDITS INCLUDING ANY CARRYFORWARD TAX CREDITS, DO NOT REDUCE THE CORPORATION'S MINIMUM APPLICABLE TAX LIABILITY UNDER THIS SECTION.

D. NOTWITHSTANDING SECTION 42-1116, BEGINNING JANUARY 1, 2021, THE DEPARTMENT SHALL DEPOSIT \$100 OF THE MONIES COLLECTED FROM EACH TAXPAYER PURSUANT TO SUBSECTION B, PARAGRAPH 2 OF THIS SECTION, OR \$300 OF THE MONIES COLLECTED FROM EACH TAXPAYER PURSUANT TO SUBSECTION B, PARAGRAPH 3 OF THIS SECTION DIRECTLY IN THE CITIZENS CLEAN ELECTIONS FUND ADMINISTERED BY THE CITIZENS CLEAN ELECTIONS COMMISSION.

E. IN DETERMINING THE NUMBER OF FULL-TIME EMPLOYEES PERFORMING WORK FOR A CORPORATION IN WHICH THE NUMBER OF FULL-TIME EMPLOYEES WHO WORK FOR A CORPORATION FLUCTUATES ABOVE AND BELOW FIFTY OVER THE COURSE OF THE YEAR, THE MINIMUM TAX RATE OF SUBSECTION B, PARAGRAPHS 2 AND 3 SHALL APPLY IF THE CORPORATION MAINTAINED FIFTY OR MORE EMPLOYEES ON THE PAYROLL FOR SOME PORTION OF A DAY IN EACH OF 20 DIFFERENT CALENDAR WEEKS, IRRESPECTIVE OF WHETHER THE WEEKS WERE CONSECUTIVE IN EITHER THE CURRENT OR THE PRECEDING YEAR, AND WHETHER THE SAME INDIVIDUALS WERE EMPLOYED EACH DAY.

Sec. 58. Saving clause

This act does not affect rights and duties that matured, penalties that were incurred and proceedings that were begun before the effective date of this act.

Sec. 59. Severability

Each section and each provision or requirement of any section of this act shall be deemed severable, and if a provision of this act or its application to any person or circumstance is held invalid, the invalidity shall not affect any other provisions or applications of the act.

Sec. 60. Legal defense, attorneys' fees and taxable costs

The People of the State of Arizona desire that this initiative, if approved by the voters, and thereafter challenged in court, be defended by the State of Arizona. Furthermore, by enacting this initiative, the People declare that the proponents of this initiative who are named members of the committee in support of this initiative have a direct and personal stake in defending it from legal challenges to its validity, and in the event that they successfully defend the measure from challenge are entitled to reasonable attorneys' fees and taxable costs.

Sec. 61. Implementation

By December 31, 2022 the Secretary of State and Department of Transportation shall take all necessary steps to implement the secure automatic electronic voter registration system, same day registration, and the voter eligibility provisions of this act.

Sec. 62. Short Title

This act may be cited as the "Fair Elections Act".