



The Navajo Nation

Yideeskáądi Nitsáhákees

DR. BUU NYGREN **PRESIDENT**

RICHELLE MONTROYA **VICE PRESIDENT**

March 19, 2024

Honorable Crystalyne Curley, Speaker
Office of the Speaker
Navajo Nation Council
P.O. Box 3390
Window Rock, AZ 86515

RE: CMA-13-24, An Action Relating to an Emergency for the Navajo Nation Council; Waiving 11 N.N.C. § 3(C), Navajo Nation Primary Election Date; Setting July 30, 2024, as the 2024 Navajo Nation Election Date for Year 2024 Only.

Dear Honorable Delegates of the 25th Navajo Nation Council,

I am pleased to sign Resolution CMA-13-24 into law. The Navajo Nation Council, upon the recommendation of the Navajo Election Board of Supervisors, has passed this resolution to change the Navajo Nation primary election date from the first Tuesday of August to July 30, 2024. This change is for this year, 2024, only.

The reason for the change is that the State of Arizona has changed its primary election date from the first Tuesday of August to July 30 for the 2024 election cycle. This means that for the 2024 election cycle there will be two primary dates for our Arizona Navajo constituents who have historically only had one. The Navajo Board of Election Supervisors reports that this will result in a lower turnout of the Navajo vote in each primary. As such, they recommend and the Council has agreed to set the date of the Navajo Nation primary election to July 30, 2024, for this year only. I support the right to vote and also agree to this change. As such, I am signing this resolution into law.

Some have expressed concerns that Navajos who vote in Utah or New Mexico elections will be hurt by this change. I have looked into this concern and found that the Utah and New Mexico primary elections do not occur the first Tuesday of August. Therefore, these voters were already and continue to face two different primary voting days. I appreciate that these voters will understand the importance of setting the Navajo Nation primary election on the same day as the Arizona primary election.

Sincerely,

Dr. Buu Nygren, President

THE NAVAJO NATION

RESOLUTION OF THE
NAVAJO NATION COUNCIL
25th NAVAJO NATION COUNCIL - SECOND YEAR, 2024

AN ACTION

RELATING TO AN EMERGENCY FOR THE NAVAJO NATION COUNCIL; WAIVING 11 N.N.C. § 3(C), NAVAJO NATION PRIMARY ELECTION DATE; SETTING JULY 30, 2024, AS THE 2024 NAVAJO NATION PRIMARY ELECTION DATE FOR YEAR 2024 ONLY

SECTION ONE. AUTHORITY

- A. Pursuant to 2 N.N.C. § 102(A), the Navajo Nation Council is the governing body of the Navajo Nation.
- B. Pursuant to 2 N.N.C. § 164(A)(16), "[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation. Such an emergency matter must arise due to the pressing public need for such resolution(s) and must be a matter requiring final action by the Council."

SECTION TWO. FINDINGS

- A. Pursuant to 2 N.N.C. § 871(A), the Navajo Board of Election Supervisors was *"created by the Navajo Nation Council as an independent entity. The Board shall be responsible to the Navajo Nation Council only...."* Among its various tasks, the Navajo Board of Election Supervisors ("the Board") oversees the conduct of all Navajo Nation elections - General Elections, Chapter Elections, and all special elections, including referendum elections. Purposes of the board include *"providing the opportunity for each qualified elector to exercise his or her right to vote for a candidate of his or her choice."* 2 N.N.C. § 871(B)(2).
- B. The Navajo Election Code, at 11 N.N.C. § 3(C), provide-
"Primary elections shall be held on the first Tuesday in August in any year in which a general election is held and at which candidates for public office are to be elected." The State of Arizona has essentially the same provision, conducting its state primary elections on the same day as the Navajo Nation Primary Election. Arizona Revised Statutes, § 16-201.

- C. On February 9, 2024, Arizona Governor Katie Hobbs signed into law House Bill 2785, changing Arizona's 2024 primary election date, among other provisions. See, HB 2785, attached hereto as EXHIBIT A. Under provisions of this new law, the State of Arizona will conduct its primary election on July 30, 2024 (a week earlier than the Navajo Nation Primary Election). Because of this change, there will be two major elections conducted within the Navajo Nation one week apart.
- D. Arizona is a swing state, and the number of Navajo voters in the state is significant. The date change of the 2024 Arizona primary election will impact Navajo voter turnout and dilute the Navajo vote.
- E. The Navajo Board of Election Supervisors by Resolution BOESF-11-24 recommended that the Navajo Nation Council, for Year 2024 only, waive 11 N.N.C. § 3(C) and authorize and direct that the 2024 Navajo Nation Primary Election be held on July 30, 2024. See Resolution BOESF-11-24, attached hereto as EXHIBIT B.
- F. As the new date provided for the Arizona primary election is approaching soon, the Navajo Nation Council finds it an emergency to waive 11 N.N.C. § 3(C) for Year 2024 only, and to authorize and direct that the 2024 Navajo Nation Primary Election be held on July 30, 2024. The action of the state of Arizona justifies a pressing public need for this resolution, a matter that requires final action by the Navajo Nation Council.
- G. In order to protect Navajo voter turnout in the primary elections in both the State of Arizona and the Navajo Nation, it is in the best interests of the Navajo Nation that the Navajo Nation Primary Election date as set forth in the Navajo Election Code be waived for 2024.

SECTION THREE. WAIVING 11 N.N.C. § 3(C), PRIMARY ELECTION DATE UNDER THE NAVAJO ELECTION CODE; PUBLIC NOTICES; AND AUTHORIZING NAVAJO BOARD OF ELECTION SUPERVISORS TO IMPLEMENT INTENT OF LEGISLATION

- A. The Navajo Nation Council hereby waives the applicability of 11 N.N.C. § 3(C), the Navajo Nation Primary Election date under the Navajo Election Code. The 2024 Navajo Nation Primary Election shall be held on July 30, 2024, for this year only.
- B. The Navajo Election Administration and the Navajo Board of Election Supervisors shall ensure that proper notices are

provided to the Navajo voters on this important change in the 2024 Navajo Nation Primary Election date.

- C. Subject to adequate public notice, the Navajo Board of Election Supervisors is authorized, through rules and regulations, to adjust any timelines and other requirements under the Navajo Election Code for purposes of implementing the intent and purposes of this emergency legislation.

SECTION FOUR. EFFECTIVE DATE

The provisions of this action of the Navajo Nation Council shall become effective in accordance with 2 N.N.C § 221(B).

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 08 in Favor, and 06 Opposed, on this 8th day of March 2024.



Honorable Crystalyne Curley, Speaker
25th Navajo Nation Council

3/11/2024


Date

Motion: Honorable Shaandiin Parrish
Second: Honorable Carl R. Slater

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

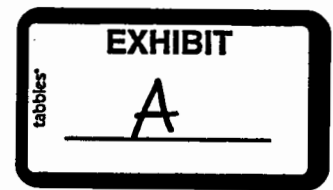
1. I, hereby, sign into law the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(10), on this 19 day of MARCH, 2024.



Buu Nygren, President
Navajo Nation

2. I, hereby, veto the foregoing legislation, pursuant to 2 N.N.C. § 1005 (C)(11), on this _____ day of _____, 2024 for the reason(s) expressed in the attached letter to the Speaker.

Buu Nygren, President
Navajo Nation



House Engrossed

primary; identification; canvass; recounts; ballots

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

FILED
ADRIAN FONTES
SECRETARY OF STATE

CHAPTER 1

HOUSE BILL 2785

AN ACT

AMENDING SECTIONS 16-411, 16-461, 16-510, 16-542, 16-547 AND 16-550, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-550.01; AMENDING SECTIONS 16-551, 16-552, 16-579, 16-584, 16-622, 16-642, 16-645, 16-646, 16-648, 16-662, 16-663 AND 16-664, ARIZONA REVISED STATUTES; RELATING TO CONDUCT OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-411, Arizona Revised Statutes, is amended to
3 read:

4 16-411. Designation of election precincts and polling places:
5 voting centers; electioneering; wait times

6 A. The board of supervisors of each county, on or before October 1
7 of each year preceding the year of a general election, by an order, shall
8 establish a convenient number of election precincts in the county and
9 define the boundaries of the precincts as follows:

10 1. The election precinct boundaries shall be established so as to
11 be included within election districts prescribed by law for elected
12 officers of the state and its political subdivisions, including community
13 college district precincts, except those elected officers provided for in
14 titles 30 and 48.

15 2. If after October 1 of the year preceding the year of a general
16 election the board of supervisors must further adjust precinct boundaries
17 due to the redistricting of election districts as prescribed by law and to
18 comply with this subsection, the board of supervisors shall adjust these
19 precinct boundaries as soon as is practicable.

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

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

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

35 3. On a specific finding of the board that the number of persons
36 who are listed as early voters pursuant to section 16-544 and who are not
37 expected to have their ballots tabulated at the polling place as
38 prescribed in section 16-579.02 is likely to substantially reduce the
39 number of voters appearing at one or more specific polling places at that
40 election, adjacent precincts may be consolidated by combining polling
41 places and precinct boards for that election. The board of supervisors
42 shall ensure that a reasonable and adequate number of polling places will
43 be designated for that election. Any consolidated polling places shall be
44 listed in separate sections of the order or resolution of the board.

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

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

13 (a) The board shall specify in the resolution the location and the
14 hours of operation of the emergency voting centers.

15 (b) A qualified elector voting at an emergency voting center shall
16 provide identification as prescribed in section 16-579, except that
17 notwithstanding section 16-579, subsection A, paragraph 2, for any voting
18 at an emergency voting center, the county recorder or other officer in
19 charge of elections may allow a qualified elector to update the elector's
20 voter registration information as provided for in the secretary of state's
21 instructions and procedures manual adopted pursuant to section 16-452.

22 (c) If an emergency voting center established pursuant to this
23 section becomes unavailable and there is not sufficient time for the board
24 of supervisors to convene to approve an alternate location for that
25 emergency voting center, the county recorder or other officer in charge of
26 elections may make changes to the approved emergency voting center
27 location and shall notify the public and the board of supervisors
28 regarding that change as soon as practicable. The alternate emergency
29 voting center shall be as close in proximity to the approved emergency
30 voting center location as possible.

31 C. If the board fails to designate the place for holding the
32 election, or if it cannot be held at or about the place designated, the
33 justice of the peace in the precinct, two days before the election, by an
34 order, copies of which the justice of the peace shall immediately post in
35 three public places in the precinct, shall designate the place within the
36 precinct for holding the election. If there is no justice of the peace in
37 the precinct, or if the justice of the peace fails to do so, the election
38 board of the precinct shall designate and give notice of the place within
39 the precinct of holding the election. For any election in which there are
40 no candidates for elected office appearing on the ballot, the board may
41 consolidate polling places and precinct boards and may consolidate the
42 tabulation of results for that election if all of the following apply:

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

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

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

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

12 E. Except as provided in subsection F of this section, a public
13 school shall provide sufficient space for use as a polling place for any
14 city, county or state election when requested by the officer in charge of
15 elections.

16 F. The principal of the school may deny a request to provide space
17 for use as a polling place for any city, county or state election if,
18 within two weeks after a request has been made, the principal provides a
19 written statement indicating a reason the election cannot be held in the
20 school, including any of the following:

21 1. Space is not available at the school.

22 2. The safety or welfare of the children would be jeopardized.

23 G. BEGINNING IN 2026, THE DEPARTMENT OF ADMINISTRATION SHALL
24 COORDINATE WITH STATE AGENCIES AND COUNTIES TO PROVIDE AVAILABLE AND
25 APPROPRIATE STATE-OWNED FACILITIES FOR USE AS A VOTING LOCATION FOR ANY
26 CITY, COUNTY OR STATE ELECTION WHEN REQUESTED BY THE OFFICER IN CHARGE OF
27 ELECTIONS.

28 ~~G.~~ H. The board shall make available to the public as a public
29 record a list of the polling places for all precincts in which the
30 election is to be held.

31 ~~H.~~ I. Except in the case of an emergency, any facility that is
32 used as a polling place on election day or that is used as an early voting
33 site during the period of early voting shall allow persons to electioneer
34 and engage in other political activity outside of the seventy-five foot
35 limit prescribed by section 16-515 in public areas and parking lots used
36 by voters. This subsection does not allow the temporary or permanent
37 construction of structures in public areas and parking lots or the
38 blocking or other impairment of access to parking spaces for voters. The
39 county recorder or other officer in charge of elections shall post on its
40 website at least two weeks before election day a list of those polling
41 places in which emergency conditions prevent electioneering and shall
42 specify the reason the emergency designation was granted and the number of
43 attempts that were made to find a polling place before granting an
44 emergency designation. If the polling place is not on the website list of
45 polling places with emergency designations, electioneering and other

1 political activity shall be allowed outside of the seventy-five foot
2 limit. If an emergency arises after the county recorder or other officer
3 in charge of elections' initial website posting, the county recorder or
4 other officer in charge of elections shall update the website as soon as
5 is practicable to include any new polling places, shall highlight the
6 polling place location on the website and shall specify the reason the
7 emergency designation was granted and the number of attempts that were
8 made to find a polling place before granting an emergency designation.

9 ~~F.~~ J. For the purposes of this section, a county recorder or other
10 officer in charge of elections shall designate a polling place as an
11 emergency polling place and thus prohibit persons from electioneering and
12 engaging in other political activity outside of the seventy-five foot
13 limit prescribed by section 16-515 but inside the property of the facility
14 that is hosting the polling place if any of the following occurs:

15 1. An act of God renders a previously set polling place as
16 unusable.

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

21 ~~G.~~ K. The secretary of state shall provide through the
22 instructions and procedures manual adopted pursuant to section 16-452 the
23 maximum allowable wait time for any election that is subject to section
24 16-204 and provide for a method to reduce voter wait time at the polls in
25 the primary and general elections. The method shall consider at least all
26 of the following for primary and general elections in each precinct:

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

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

31 3. The number of registered voters and the number of registered
32 voters who cast an early ballot for the current primary or general
33 election.

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

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

39 Sec. 2. Section 16-461, Arizona Revised Statutes, is amended to
40 read:

41 16-461. Sample primary election ballots: submission to party
42 chairmen for examination; preparation, printing and
43 distribution of ballot

44 A. At least forty-five days before a primary election, the officer
45 in charge of that election shall:

- 1 1. Prepare a proof of a sample ballot.
- 2 2. Submit the sample ballot proof of each party to the county
- 3 chairman or in city or town primaries to the city or town chairman.
- 4 3. Mail a sample ballot proof to each candidate for whom a
- 5 nomination paper and petitions have been filed.
- 6 B. Within ~~five~~ TWO CALENDAR days after receipt of the sample
- 7 ballot, the county chairman of each political party AND ANY CANDIDATE IN
- 8 THAT ELECTION WHO HAS SUBMITTED AND CONFIRMED AN EMAIL ADDRESS shall
- 9 suggest to the election officer any change the chairman OR CANDIDATE
- 10 considers should be made in the chairman's OR CANDIDATE'S party ballot,
- 11 and if on examination the election officer finds an error or omission ~~in~~
- 12 ON the ballot, the officer shall correct it. The election officer shall
- 13 ~~cause~~ PRINT AND DISTRIBUTE the sample ballots ~~to be printed and~~
- 14 ~~distributed~~ as required by law, shall maintain a copy of each sample
- 15 ballot and shall post a notice indicating that sample ballots are
- 16 available on request. The official sample ballot shall be printed on
- 17 colored paper or white paper with a different colored stripe for each
- 18 party that is represented on that ballot. For voters who are not
- 19 registered with a party that is entitled to continued representation on
- 20 the ballot pursuant to section 16-804, the election officer may print and
- 21 distribute the required sample ballots in an alternative format, including
- 22 a reduced size format.
- 23 C. Not later than forty days before a primary election, the county
- 24 chairman of a political party may request one sample primary election
- 25 ballot of the chairman's party for each election precinct.
- 26 D. The board of supervisors shall have printed mailer-type sample
- 27 ballots for a primary election and shall mail at least eleven days before
- 28 the election one sample ballot of a political party to each household
- 29 containing a registered voter of that political party unless that
- 30 registered voter is on the active early voting list established pursuant
- 31 to section 16-544. Each sample ballot shall contain the following
- 32 statement: "This is a sample ballot and cannot be used as an official
- 33 ballot under any circumstances". A certified claim shall be presented to
- 34 the secretary of state by the board of supervisors for the actual cost of
- 35 printing, labeling and postage of each sample ballot actually mailed, and
- 36 the secretary of state shall direct payment of the authenticated claim
- 37 from funds of the secretary of state's office.
- 38 E. For city and town elections, the governing body of a city or
- 39 town may have printed mailer-type sample ballots for a primary election.
- 40 If the city or town has printed such sample ballots, the city or town
- 41 shall provide for the distribution of such ballots and shall bear the
- 42 expense of printing and distributing of such sample ballots.

1 F. The return address on the mailer-type sample ballots shall not
2 contain the name of an appointed or elected public officer nor may the
3 name of an appointed or elected public officer be used to indicate who
4 produced the sample ballot.

5 G. The great seal of the state of Arizona shall be imprinted along
6 with the words "official voting materials" on the mailing face of each
7 sample ballot. In county, city or town elections the seal of such
8 jurisdiction shall be substituted for the state seal.

9 Sec. 3. Section 16-510, Arizona Revised Statutes, is amended to
10 read:

11 16-510. Sample ballots: preparation and distribution

12 A. Before printing the sample ballots for the general election the
13 board of supervisors shall send to each candidate whose name did not
14 appear on the preceding primary election ballot AND TO THE COUNTY
15 CHAIRPERSON OF EACH POLITICAL PARTY a ballot proof of the sample ballot
16 for the candidate's AND CHAIRPERSON'S review. WITHIN TWO CALENDAR DAYS
17 AFTER RECEIPT OF THE SAMPLE BALLOT, THOSE CANDIDATES AND THE COUNTY
18 CHAIRPERSON OF EACH POLITICAL PARTY SHALL SUGGEST TO THE ELECTION OFFICER
19 ANY CHANGE THE CANDIDATE OR CHAIRPERSON CONSIDERS SHOULD BE MADE TO THE
20 BALLOT, AND IF ON EXAMINATION THE ELECTION OFFICER FINDS AN ERROR OR
21 OMISSION ON THE BALLOT, THE OFFICER SHALL CORRECT THE ERROR OR OMISSION.

22 B. The board of supervisors shall print and distribute, for the
23 information of voters at each polling place, a number of sample ballots as
24 it deems necessary.

25 C. The board of supervisors shall have printed mailer-type sample
26 ballots for a general election and shall mail at least eleven days before
27 the election one such sample ballot to each household in the county
28 containing a registered voter unless that registered voter is on the
29 active early voting list established pursuant to section 16-544. Each
30 sample ballot shall contain the following statement: "This is a sample
31 ballot and cannot be used as an official ballot under any
32 circumstances". A certified claim shall be presented to the secretary of
33 state by the board of supervisors for the actual cost of printing,
34 labeling and postage of each sample ballot actually mailed, and the
35 secretary of state shall direct payment of the authenticated claim from
36 funds of the secretary of state's office.

37 D. For city and town elections, the governing body of a city or
38 town may have printed mailer-type sample ballots for a general
39 election. If the city or town has printed such sample ballots, the city
40 or town shall provide for the distribution of such ballots and shall bear
41 the expense of printing and distributing such sample ballots.

42 E. For special district elections, the governing body of a special
43 district may have printed mailer-type sample ballots. If the special
44 district has printed such sample ballots, the special district shall

1 provide for the distribution of such ballots and shall bear the expense of
2 printing and distributing such sample ballots.

3 Sec. 4. Section 16-542, Arizona Revised Statutes, is amended to
4 read:

5 16-542. Request for ballot: civil penalties: violation:
6 classification

7 A. Within ninety-three days before any election called pursuant to
8 the laws of this state, an elector may make a verbal or signed request to
9 the county recorder, or other officer in charge of elections for the
10 applicable political subdivision of this state in whose jurisdiction the
11 elector is registered to vote, for an official early ballot. In addition
12 to name and address, the requesting elector shall provide the date of
13 birth and state or country of birth or other information that if compared
14 to the voter registration information on file would confirm the identity
15 of the elector. If the request indicates that the elector needs a primary
16 election ballot and a general election ballot, the county recorder or
17 other officer in charge of elections shall honor the request. For any
18 partisan primary election, if the elector is not registered as a member of
19 a political party that is entitled to continued representation on the
20 ballot pursuant to section 16-804, the elector shall designate the ballot
21 of only one of the political parties that is entitled to continued
22 representation on the ballot and the elector may receive and vote the
23 ballot of only that one political party, which also shall include any
24 nonpartisan offices and ballot questions, or the elector shall designate
25 the ballot for nonpartisan offices and ballot questions only and the
26 elector may receive and vote the ballot that contains only nonpartisan
27 offices and ballot questions. The county recorder or other officer in
28 charge of elections shall process any request for an early ballot for a
29 municipal election pursuant to this subsection. The county recorder may
30 establish on-site early voting locations at the recorder's office, which
31 shall be open and available for use beginning the same day that a county
32 begins to send out the early ballots. The county recorder may also
33 establish any other early voting locations in the county the recorder
34 deems necessary. Any on-site early voting location or other early voting
35 location shall require each elector to present identification as
36 prescribed in section 16-579 before receiving a ballot. Notwithstanding
37 section 16-579, subsection A, paragraph 2, at any on-site early voting
38 location or other early voting location the county recorder or other
39 officer in charge of elections may provide for a qualified elector to
40 update the elector's voter registration information as provided for in the
41 secretary of state's instructions and procedures manual adopted pursuant
42 to section 16-452.

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

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

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

38 E. In order to be complete and correct and to receive an early
39 ballot by mail, an elector's request that an early ballot be mailed to the
40 elector's residence or temporary address must include all of the
41 information prescribed by subsection A of this section and must be
42 received by the county recorder or other officer in charge of elections ~~no~~
43 NOT later than 5:00 p.m. on the eleventh day preceding the election. An
44 elector who appears personally ~~no~~ NOT later than ~~5:00~~ 7:00 p.m. on the
45 Friday preceding the election at an on-site early voting location that is

1 established by the county recorder or other officer in charge of elections
2 shall be given a ballot after presenting identification as prescribed in
3 section 16-579 and shall be ~~permitted~~ ALLOWED to vote at the on-site
4 location. Notwithstanding section 16-579, subsection A, paragraph 2, at
5 any on-site early voting location the county recorder or other officer in
6 charge of elections may provide for a qualified elector to update the
7 elector's voter registration information as provided for in the secretary
8 of state's instructions and procedures manual adopted pursuant to section
9 16-452. If an elector's request to receive an early ballot is not
10 complete and correct but complies with all other requirements of this
11 section, the county recorder or other officer in charge of elections shall
12 attempt to notify the elector of the deficiency of the request.

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

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

22 H. As a result of experiencing an emergency between ~~5:00~~ 7:00 p.m.
23 on the Friday preceding the election and 5:00 p.m. on the Monday preceding
24 the election, qualified electors may request to vote in the manner
25 prescribed by the board of supervisors of their respective county. Before
26 voting pursuant to this subsection, an elector who experiences an
27 emergency shall provide identification as prescribed in section 16-579 and
28 shall sign a statement under penalty of perjury that states that the
29 person is experiencing or experienced an emergency after ~~5:00~~ 7:00 p.m. on
30 the Friday immediately preceding the election and before 5:00 p.m. on the
31 Monday immediately preceding the election that would prevent the person
32 from voting at the polls. Signed statements received pursuant to this
33 subsection are not subject to inspection pursuant to title 39, chapter 1,
34 article 2. For the purposes of this subsection, "emergency" means any
35 unforeseen circumstances that would prevent the elector from voting at the
36 polls.

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

43 J. A candidate, political committee or other organization may
44 distribute early ballot request forms to voters. If the early ballot
45 request forms include a printed address for return, the addressee shall be

1 the political subdivision that will conduct the election. Failure to use
2 the political subdivision as the return addressee is punishable by a civil
3 penalty of up to three times the cost of the production and distribution
4 of the request.

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

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

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

27 16-547. Ballot affidavit: form

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

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

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

41 I declare the following under penalty of perjury: At
42 the registered voter's request I assisted the voter identified
43 in this affidavit with marking the voter's ballot, I marked
44 the ballot as directly instructed by the voter, I provided the
45 assistance because the voter was physically unable to mark the

1 ballot solely due to illness, injury or physical limitation
2 and I understand that there is no power of attorney for voting
3 and that the voter must be able to make the voter's selection
4 even if the voter cannot physically mark the ballot.

5 Name of voter assistant: _____

6 Address of voter assistant: _____

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

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

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

20 D. The county recorder or other officer in charge of elections
21 shall supply printed instructions to early voters that direct them to sign
22 the affidavit, mark the ballot and return both in the enclosed
23 self-addressed envelope that complies with section 16-545, — AND:

24 1. THROUGH 2025, the instructions shall include the following
25 statement:

26 In order to be valid and counted, the ballot and MAIL
27 affidavit must be delivered to the office of the county
28 recorder or other officer in charge of elections or may be
29 deposited at any polling place in the county not later than
30 7:00 p.m. on election day. The ballot will not be counted
31 without the voter's signature on the envelope.

32 (WARNING — It is a felony to offer or receive any compensation
33 for a ballot.)

34 2. BEGINNING IN 2026, THE INSTRUCTIONS SHALL INCLUDE THE FOLLOWING
35 STATEMENT:

36 IN ORDER TO BE VALID AND COUNTED, THE MAIL AFFIDAVIT
37 THAT CONTAINS THE MAIL BALLOT MUST HAVE THE VOTER'S SIGNATURE
38 ON THE ENVELOPE AND MUST BE RETURNED TO THE OFFICE OF THE
39 COUNTY RECORDER BY ANY ONE OF THE FOLLOWING METHODS:

40 (a) DELIVERING IT TO THE OFFICE OF THE COUNTY RECORDER
41 OR OTHER OFFICER IN CHARGE OF ELECTIONS NOT LATER THAN
42 7:00 P.M. ON ELECTION DAY.

43 (b) DEPOSITING IT AT ANY POLLING PLACE IN THE COUNTY
44 NOT LATER THAN 7:00 P.M. ON ELECTION DAY.

(c) BRINGING THE BALLOT TO ANY POLLING PLACE IN THE COUNTY NOT LATER THAN 7:00 P.M. ON ELECTION DAY AND CHOOSING TO PRESENT VALID IDENTIFICATION THAT COMPLIES WITH SECTION 16-579, SUBSECTION A, PARAGRAPH 1, ARIZONA REVISED STATUTES. (WARNING - IT IS A FELONY TO OFFER OR RECEIVE ANY COMPENSATION FOR A BALLOT.)

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

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

Sec. 6. Section 16-550, Arizona Revised Statutes, is amended to read:

16-550. Receipt of voter's ballot: cure period: tracking system

A. Except for early ballots tabulated as prescribed in section 16-579.02 OR, BEGINNING IN 2026, RECEIVED AT A VOTING LOCATION AFTER A VOTER'S IDENTIFICATION IS CONFIRMED AS PRESCRIBED BY SECTION 16-579, SUBSECTION A, PARAGRAPH 4, on receipt of the envelope containing the early ballot and the MAIL ballot affidavit, the county recorder or other officer in charge of elections shall compare the ~~signatures thereon~~ SIGNATURE ON THE ENVELOPE with the signature of the elector on the elector's registration record AS PRESCRIBED BY SECTION 16-550.01. If the 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 make reasonable efforts to contact the voter, advise the voter of the inconsistent signature and allow the voter to correct or the county to confirm the inconsistent signature. The county recorder or other officer in charge of elections shall allow signatures 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 ELECTION IS A PRIMARY, GENERAL OR SPECIAL ELECTION THAT INCLUDES A FEDERAL OFFICE, IN ADDITION TO THE OFFICE'S REGULAR BUSINESS HOURS, THE COUNTY RECORDER'S AND CITY OR TOWN CLERKS' OFFICES SHALL BE OPEN DURING REGULAR BUSINESS HOURS TO ALLOW FOR CURING SIGNATURES DURING THE FRIDAY AND WEEKEND BEFORE AND THE FRIDAY AND WEEKEND AFTER THE 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, the recorder or other officer in charge of elections shall hold the envelope containing the early ballot and the completed MAIL affidavit unopened in accordance

1 with the rules of the secretary of state. SIGNATURES THAT CANNOT BE
 2 VERIFIED PURSUANT TO SECTION 16-550.01 OR CURED PURSUANT TO THIS SECTION
 3 SHALL BE REJECTED. BEGINNING WITH THE FIRST MISSING OR MISMATCHED
 4 SIGNATURE THAT IS IDENTIFIED AFTER THE PERIOD OF EARLY VOTING BEGINS
 5 THROUGH THE MONDAY IMMEDIATELY PRECEDING THE ELECTION, THE COUNTY RECORDER
 6 OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL SUBMIT DAILY TO THE
 7 POLITICAL PARTIES THAT ARE QUALIFIED FOR CONTINUED REPRESENTATION ON THE
 8 STATE BALLOT AN UPDATED LIST OF ALL VOTERS WHOSE SIGNATURES ARE MISSING OR
 9 INCONSISTENT WITH THE VOTER'S SIGNATURE ON THE VOTER'S REGISTRATION
 10 RECORD. BEGINNING ON THE WEDNESDAY IMMEDIATELY FOLLOWING THE ELECTION
 11 THROUGH THE END OF THE SIGNATURE CURE PERIOD AFTER A PRIMARY, GENERAL OR
 12 SPECIAL ELECTION THAT INCLUDES A FEDERAL OFFICE, OR THE THIRD BUSINESS DAY
 13 AFTER THE ELECTION FOR ANY OTHER ELECTION, THE COUNTY RECORDER OR OTHER
 14 OFFICER IN CHARGE OF ELECTIONS SHALL SUBMIT DAILY TO THE POLITICAL PARTIES
 15 THAT ARE QUALIFIED FOR CONTINUED REPRESENTATION ON THE STATE BALLOT AN
 16 UPDATED LIST OF ALL VOTERS WHOSE SIGNATURES ARE INCONSISTENT WITH THE
 17 VOTER'S SIGNATURE ON THE VOTER'S REGISTRATION RECORD AND ALL VOTERS WHO
 18 VOTED WITH A CONDITIONAL PROVISIONAL BALLOT. THIS LIST OF VOTERS WHOSE
 19 SIGNATURES REQUIRE CURING SHALL INCLUDE FOR THOSE VOTERS ALL VOTER
 20 INFORMATION THAT IS PROVIDED TO THE POLITICAL PARTIES THAT ARE QUALIFIED
 21 FOR CONTINUED REPRESENTATION ON THE STATE BALLOT AS PRESCRIBED BY SECTION
 22 16-168.

23 B. The recorder or other officer in charge of elections shall
 24 thereafter safely keep the MAIL BALLOT affidavits and early ballots in the
 25 recorder's or other officer's office and may deliver them for tallying
 26 pursuant to section 16-551. ~~Tallying~~

27 C. PROCESSING AND TABULATION of INDIVIDUAL ballots may begin
 28 immediately after the envelope and completed MAIL BALLOT affidavit are
 29 processed pursuant to this section and delivered to the early election
 30 board AND SHALL CONTINUE WITHOUT DELAY UNTIL COMPLETED. UNTIL ELECTION
 31 DAY, THE EARLY ELECTION BOARD AND THE COUNTY RECORDER OR OTHER OFFICER IN
 32 CHARGE OF ELECTIONS SHALL:

33 1. NOT ACCESS AN AGGREGATED COMPLETE RESULTS FILE OF EARLY VOTING
 34 AND VOTE BY MAIL BALLOTS THAT WERE PROCESSED AND TABULATED BY THE END OF
 35 THE EARLY VOTING PERIOD.

36 2. NOT PRODUCE FOR INTERNAL OR EXTERNAL USE AN AGGREGATED RESULTS
 37 REPORT OR ASSOCIATED FILES OF COMPLETE RESULTS.

38 3. ONLY PRODUCE A PARTIAL RESULTS REPORT OR ASSOCIATED FILES IF IT
 39 IS PART OF THE INTERNAL PREPARATION FOR THE HAND COUNT PURSUANT TO SECTION
 40 16-602 OR FOR THE LOGIC AND ACCURACY TESTING REQUIRED PURSUANT TO SECTION
 41 16-449.

42 4. NOT PUBLICLY RELEASE COMPLETE OR PARTIAL RESULTS, WHETHER FOR
 43 INTERNAL OR EXTERNAL USE, UNTIL ALL PRECINCTS HAVE REPORTED OR ONE HOUR
 44 AFTER THE CLOSING OF THE POLLS ON ELECTION DAY, WHICHEVER IS EARLIER.

1 D. THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS
2 SHALL POST ON ITS WEBSITE WITHIN FORTY-EIGHT HOURS AFTER ALL BALLOT
3 TABULATION IS COMPLETE ALL SYSTEM LOG FILES AND OTHER SIMILAR FILES FROM
4 THE ELECTION MANAGEMENT SYSTEM THAT VERIFY COMPLIANCE WITH SUBSECTION C OF
5 THIS SECTION.

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

9 ~~F.~~ F. For a county that uses early ballots, the county recorder or
10 other officer in charge of elections shall provide an early ballot
11 tracking system that indicates whether the voter's early ballot has been
12 received and whether the early ballot has been verified and sent to be
13 tabulated or rejected. The county recorder or other officer in charge of
14 elections shall provide voters with access to the early ballot tracking
15 system on the county's website.

16 ~~G.~~ G. This section does not apply to:

17 1. A special taxing district that is authorized pursuant to section
18 16-191 to conduct its own elections.

19 2. A special district mail ballot election that is conducted
20 pursuant to article 8.1 of this chapter.

21 Sec. 7. Title 16, chapter 4, article 8, Arizona Revised Statutes,
22 is amended by adding section 16-550.01, to read:

23 16-550.01. Signature verification; procedures; exemption;
24 intent; definitions

25 A. EXCEPT FOR EARLY BALLOTS TABULATED AS PRESCRIBED IN SECTION
26 16-579.02, ON RECEIPT OF THE ENVELOPE CONTAINING THE EARLY BALLOT AND THE
27 BALLOT AFFIDAVIT, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF
28 ELECTIONS SHALL CONDUCT SIGNATURE VERIFICATION AS PRESCRIBED BY THIS
29 SECTION.

30 B. THE EVALUATOR SHALL EXAMINE ALL THE BROAD CHARACTERISTICS OF THE
31 SIGNATURE. IF THE BROAD CHARACTERISTICS OF THE SIGNATURE ON THE BALLOT
32 AFFIDAVIT ARE CLEARLY CONSISTENT WITH THE BROAD CHARACTERISTICS OF THE
33 VOTER'S SIGNATURE IN THE VOTER'S REGISTRATION RECORD, THE EVALUATOR MAY
34 ACCEPT THE SIGNATURE AS VALID.

35 C. IF THE EVALUATOR FINDS DISCREPANCIES BETWEEN THE SIGNATURE ON
36 THE BALLOT AFFIDAVIT AND THE VOTER'S SIGNATURE IN THE VOTER'S REGISTRATION
37 RECORD, THE EVALUATOR SHALL EXAMINE THE LOCAL CHARACTERISTICS OF THE
38 SIGNATURE. IF THE LOCAL CHARACTERISTICS OF THE SIGNATURE ON THE BALLOT
39 AFFIDAVIT ARE CLEARLY CONSISTENT WITH THE LOCAL CHARACTERISTICS OF THE
40 VOTER'S SIGNATURE IN THE VOTER'S REGISTRATION RECORD, THE EVALUATOR MAY
41 ACCEPT THE SIGNATURE AS VALID.

42 D. IF THE EVALUATOR FINDS A COMBINATION OF BROAD AND LOCAL
43 CHARACTERISTIC DIFFERENCES BETWEEN THE SIGNATURE ON THE BALLOT AFFIDAVIT
44 AND THE VOTER'S SIGNATURE IN THE VOTER'S REGISTRATION RECORD, THE
45 EVALUATOR SHALL DENOTE THE SIGNATURE FOR A SECOND REVIEW THAT SHALL BE

1 CONDUCTED BY AN EVALUATOR USING THE SAME STANDARDS PRESCRIBED BY THIS
2 SECTION.

3 E. ELECTRONIC SIGNATURES SHALL BE EVALUATED AS PRESCRIBED BY THIS
4 SECTION, EXCEPT THAT ELECTRONIC SIGNATURES THAT USE A TYPED FONT SHALL BE
5 REJECTED.

6 F. THE LEGISLATURE INTENDS THAT THE ILLUSTRATIONS OF BROAD AND
7 LOCAL CHARACTERISTICS IN THE 2020 SECRETARY OF STATE'S SIGNATURE
8 VERIFICATION GUIDE BE USED AS REFERENCE.

9 G. FOR THE PURPOSES OF THIS SECTION:

10 1. "BROAD CHARACTERISTICS" MEANS ALL OF THE FOLLOWING:

- 11 (a) THE TYPE OF WRITING.
- 12 (b) THE SPEED OF WRITING.
- 13 (c) OVERALL SPACING.
- 14 (d) OVERALL SIZE AND PROPORTIONS.
- 15 (e) POSITION OF THE SIGNATURE.
- 16 (f) SPELLING AND PUNCTUATION.

17 2. "EVALUATOR" MEANS THE INDIVIDUAL WHO IS DESIGNATED BY THE COUNTY
18 RECORDER OR OFFICER IN CHARGE OF ELECTIONS AND WHO CONDUCTS SIGNATURE
19 VERIFICATION.

20 3. "LOCAL CHARACTERISTICS" MEANS ALL OF THE FOLLOWING:

- 21 (a) INTERNAL SPACING.
- 22 (b) THE SIZE OR PROPORTIONS OF A LETTER OR LETTER COMBINATION.
- 23 (c) CURVES, LOOPS AND CROSS POINTS.
- 24 (d) THE PRESENCE OR ABSENCE OF PEN LIFTS.
- 25 (e) BEGINNING AND ENDING STROKES.

26 4. "SIGNATURE VERIFICATION" MEANS THE PROCESS OF MANUALLY COMPARING
27 THE SIGNATURE ON A VOTER'S AFFIDAVIT ENVELOPE OR BALLOT AFFIDAVIT WITH THE
28 VOTER'S SIGNATURE IN THE VOTER'S REGISTRATION RECORD.

29 H. THE LEGISLATURE INTENDS BY THIS SECTION TO CODIFY PROCEDURES
30 BASED ON THE 2020 SECRETARY OF STATE SIGNATURE VERIFICATION GUIDE,
31 PROVIDED THAT IN THE EVENT OF ANY CONFLICT BETWEEN THE GUIDE AND THIS
32 SECTION, THIS SECTION CONTROLS. THIS SECTION IS NOT INTENDED TO MODIFY
33 THE GROUNDS ON WHICH A PARTY-APPOINTED CHALLENGER MAY CHALLENGE AN EARLY
34 BALLOT. THIS SECTION DOES NOT REQUIRE SIGNATURE EVALUATORS TO EXAMINE
35 BROAD OR LOCAL CHARACTERISTICS ONE AT A TIME. THIS SECTION IS NOT
36 INTENDED TO REQUIRE AN EXACT MATCH.

37 Sec. 8. Section 16-551, Arizona Revised Statutes, is amended to
38 read:

39 16-551. Early election board; violation; classification

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

1 B. If an electronic voting system is in use for early voting, the
2 early election board shall consist of at least one inspector and two
3 judges who shall perform the processing requirements in accordance with
4 the rules issued by the secretary of state. The inspector and judges
5 shall be appointed in the same manner by party as provided in section
6 16-531.

7 C. All early ballots received by the county recorder or other
8 officer in charge of elections before 7:00 p.m. on election day and the
9 original MAIL BALLOT affidavit of the voter shall be delivered to the
10 early election boards for processing as provided in the rules of the
11 secretary of state. BEGINNING IN 2026, ALL EARLY BALLOTS THAT ARE
12 DELIVERED BY A VOTER TO A VOTING LOCATION WITHOUT PRESENTING
13 IDENTIFICATION THAT COMPLIES WITH SECTION 16-579, SUBSECTION A, PARAGRAPH
14 1 MUST BE SIGNATURE VERIFIED. The office of the county recorder or other
15 officer in charge of elections shall remain open until 7:00 p.m. on
16 election day for the purpose of receiving early ballots. Partial or
17 complete tallies of the early election board shall not be released or
18 divulged before all precincts have reported or one hour after the closing
19 of the polls on election day, whichever occurs first. Any person who
20 unlawfully releases information regarding vote tallies or who possesses a
21 tally sheet or summary without authorization from the recorder or officer
22 in charge of elections is guilty of a class 6 felony.

23 D. ~~if practicable~~, The county recorder or other officer in charge
24 of elections shall count the number of early ballots that are returned at
25 voting locations on election day and shall post on its website those
26 totals with the last unofficial results that are released on election
27 night pursuant to section 16-622. Beginning with the day following the
28 election, the county recorder or other officer in charge of elections
29 shall enter into the county's ballot tracking system, if established,
30 early ballots that were returned at the voting location on election day.

31 E. The necessary printed blanks for poll lists, tally lists, lists
32 of voters, ballots, oaths and returns, together with envelopes in which to
33 enclose the returns, shall be furnished by the board of supervisors or the
34 governing body of the political subdivision to the early election board
35 for each election precinct at the expense of the county or the political
36 subdivision.

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

39 16-552. Early ballots; processing; challenges

40 A. In a jurisdiction that uses optical scan ballots, the officer in
41 charge of elections may use the procedure prescribed by this section or
42 may request approval from the secretary of state for a different method
43 for processing early ballots. The request shall be made in writing at
44 least ninety days before the election for which the procedure is intended
45 to be used. After the election official has confirmed with the secretary

1 of state that all election equipment passes the logic and accuracy test,
2 the election official may begin to count early ballots. No early ballot
3 results may be released except as prescribed by section 16-561.

4 B. The early election board shall check the voter's MAIL BALLOT
5 affidavit on the envelope containing the early ballot. If it is found to
6 be sufficient, the vote shall be allowed. If the MAIL BALLOT affidavit is
7 insufficient, the vote shall not be allowed. BEGINNING IN 2026, FOR AN
8 EARLY BALLOT THAT IS RECEIVED AND VERIFIED AS PRESCRIBED BY SECTION
9 16-579, SUBSECTION A, PARAGRAPH 4, ADDITIONAL SIGNATURE VERIFICATION IS
10 NOT REQUIRED.

11 C. The county chairman of each political party represented on the
12 ballot, by written appointment addressed to the early election board, may
13 designate party representatives and alternates to act as early ballot
14 challengers for the party. No party may have more than the number of such
15 representatives or alternates that were mutually agreed on by each
16 political party to be present at one time. If such agreement cannot be
17 reached, the number of representatives shall be limited to one for each
18 political party.

19 D. An early ballot may be challenged on any grounds set forth in
20 section 16-591. All challenges shall be made in writing with a brief
21 statement of the grounds before the early ballot is placed in the ballot
22 box. A record of all challenges and resulting proceedings shall be kept
23 in substantially the same manner as provided in section 16-594. If an
24 early ballot is challenged, it shall be set aside and retained in the
25 possession of the early election board or other officer in charge of early
26 ballot processing until a time that the early election board sets for
27 determination of the challenge, subject to the procedure in subsection E
28 of this section, at which time the early election board shall hear the
29 grounds for the challenge and shall decide what disposition shall be made
30 of the early ballot by majority vote. If the early ballot is not allowed,
31 it shall be handled pursuant to subsection G of this section.

32 E. Within twenty-four hours of receipt of a challenge, the early
33 election board or other officer in charge of early ballot processing shall
34 mail, by first class mail, a notice of the challenge including a copy of
35 the written challenge, and also including the time and place at which the
36 voter may appear to defend the challenge, to the voter at the mailing
37 address shown on the request for an early ballot or, if none was provided,
38 to the mailing address shown on the registration rolls. Notice shall also
39 be mailed to the challenger at the address listed on the written challenge
40 and provided to the county chairman of each political party represented on
41 the ballot. The board shall meet to determine the challenge at the time
42 specified by the notice but, in any event, not earlier than ninety-six
43 hours after the notice is mailed, or forty-eight hours if the notifying
44 party chooses to deliver the notice by overnight or hand delivery, and not
45 later than 5:00 p.m. on the Monday following the election. The board

1 shall provide the voter with an informal opportunity to make, or to
 2 submit, brief statements regarding the challenge. The board may decline
 3 to permit comments, either in person or in writing, by anyone other than
 4 the voter, the challenger and the party representatives. The burden of
 5 proof is on the challenger to show why the voter should not be permitted
 6 to vote. The fact that the voter fails to appear shall not be deemed to
 7 be an admission of the validity of the challenge. The early election
 8 board or other officer in charge of early ballot processing is not
 9 required to provide the notices described in this subsection if the
 10 written challenge fails to set forth at least one of the grounds listed in
 11 section 16-591 as a basis for the challenge. In that event, the challenge
 12 will be summarily rejected at the meeting of the board. Except for
 13 election contests pursuant to section 16-672, the board's decision is
 14 final and may not be appealed.

15 F. If the vote is allowed, the board shall open the envelope
 16 containing the ballot in such a manner that the MAIL BALLOT affidavit
 17 thereon is not destroyed, take out the ballot without unfolding it or
 18 permitting it to be opened or examined and show by the records of the
 19 election that the elector has voted.

20 G. If the vote is not allowed, the MAIL BALLOT affidavit envelope
 21 containing the early ballot shall not be opened and the board shall mark
 22 across the face of such envelope the grounds for rejection. The MAIL
 23 BALLOT affidavit envelope and its contents shall then be deposited with
 24 the opened MAIL BALLOT affidavit envelopes and shall be preserved with
 25 official returns. If the voter does not enter an appearance, the board
 26 shall send the voter a notice stating whether the early ballot was
 27 disallowed and, if disallowed, providing the grounds for the
 28 determination. The notice shall be mailed by first class mail to the
 29 voter's mailing address as shown on the registration rolls within three
 30 days after the board's determination.

31 H. Party representatives and alternates may be appointed as
 32 provided in subsection C of this section to be present and to challenge
 33 the verification of questioned ballots pursuant to section 16-584 on any
 34 grounds ~~permitted~~ ALLOWED by this section. Questioned ballots that are
 35 challenged shall be presented to the early election board for decision
 36 under the provisions of this section.

37 Sec. 10. Section 16-579, Arizona Revised Statutes, is amended to
 38 read:

39 16-579. Procedure for obtaining ballot by elector

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

1 1. The elector shall present any of the following:

2 (a) A valid form of identification that bears the photograph, name
3 and address of the elector that reasonably appear to be the same as the
4 name and address in the precinct register, including an Arizona driver
5 license, an Arizona nonoperating identification license, a tribal
6 enrollment card or other form of tribal identification or a United States
7 federal, state or local government issued identification. Identification
8 is deemed valid unless it can be determined on its face that it has
9 expired.

10 (b) Two different items that contain the name and address of the
11 elector that reasonably appear to be the same as the name and address in
12 the precinct register, including a utility bill, a bank or credit union
13 statement that is dated within ninety days of the date of the election, a
14 valid Arizona vehicle registration, an Arizona vehicle insurance card, an
15 Indian census card, tribal enrollment card or other form of tribal
16 identification, a property tax statement, a recorder's certificate, a
17 voter registration card, a valid United States federal, state or local
18 government issued identification or any mailing that is labeled as
19 "official election material". Identification is deemed valid unless it
20 can be determined on its face that it has expired.

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

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

33 3. THROUGH 2025, if the voter surrenders the early ballot to the
34 precinct inspector and the voter is not otherwise required to be issued a
35 provisional ballot, the voter shall be issued a standard ballot after
36 presenting identification pursuant to this subsection. The precinct
37 inspector shall retain the surrendered early ballot, unopened in its
38 affidavit envelope.

39 4. BEGINNING IN 2026, AT ANY VOTING LOCATION THE VOTER MAY CHOOSE
40 TO PROVIDE IDENTIFICATION WHEN PRESENTING THE VOTER'S MAILED EARLY BALLOT,
41 AND IF SO THE ELECTION OFFICIAL SHALL:

42 (a) REQUIRE THE VOTER TO PRESENT IDENTIFICATION THAT COMPLIES WITH
43 PARAGRAPH 1 OF THIS SUBSECTION.

1 (b) CONFIRM THAT THE NAME AND ADDRESS ON THE IDENTIFICATION
2 REASONABLY APPEAR TO BE THE SAME NAME AND ADDRESS SHOWN ON THE VOTER'S
3 REGISTRATION RECORD.

4 (c) STAMP THE SIGNED AFFIDAVIT WITH A STAMP THAT READS
5 "ID VERIFIED" AND PLACE THE STAMPED AFFIDAVIT THAT CONTAINS THE EARLY
6 BALLOT IN A SECURED BALLOT BOX THAT IS LABELED FOR EARLY BALLOTS. THE
7 STAMPED AFFIDAVIT ENVELOPE IS NOT REQUIRED TO BE REVIEWED AT THE VOTING
8 LOCATION, THE VOTER'S EARLY BALLOT IS DEEMED READY FOR TABULATING AND
9 ADDITIONAL SIGNATURE VERIFICATION OF THE COMPLETED AFFIDAVIT ENVELOPE AS
10 PRESCRIBED BY SECTION 16-550 IS NOT REQUIRED.

11 (d) MAINTAIN A TALLY OF THE NUMBER OF BALLOTS THAT HAVE BEEN
12 DEPOSITED IN THE SECURED BALLOT BOX AND SIGN AN AFFIDAVIT THAT INCLUDES
13 THE ELECTION OFFICIAL'S NAME, THE POLLING LOCATION, THE TIME AND DATE, THE
14 NUMBER OF EARLY BALLOTS DEPOSITED ACCORDING TO THE TALLY MAINTAINED BY THE
15 ELECTION OFFICIAL AND A STATEMENT SUFFICIENT TO RECORD AND MAINTAIN THE
16 CHAIN OF CUSTODY FOR THOSE BALLOTS.

17 B. Any qualified elector who is listed as having applied for an
18 early ballot but who states that the elector has not voted and will not
19 vote an early ballot for this election or surrenders the early ballot to
20 the precinct inspector on election day shall be allowed to vote pursuant
21 to the procedure set forth in section 16-584, except that for elections
22 conducted using an electronic pollbook or similar system with continuous
23 voter usage updates, the following apply:

24 1. If the electronic pollbook or other system indicates that the
25 voter's early ballot has not been returned or accepted by the county
26 recorder and the voter is not otherwise required to be issued a
27 provisional ballot, the voter may be issued a standard ballot after
28 presenting identification pursuant to subsection A of this section.

29 2. If the electronic pollbook or other system indicates that the
30 voter's early ballot has been received or accepted by the county recorder,
31 the voter may not be issued a standard ballot and may only be issued a
32 provisional ballot as prescribed in section 16-584.

33 C. Each qualified elector's name shall be numbered consecutively by
34 the clerks and in the order of applications for ballots. The judge shall
35 give the qualified elector only one ballot and a ballot privacy folder,
36 and the elector's name shall be immediately checked on the precinct
37 register. Notwithstanding any provision of this subsection, an elector
38 shall not be required to accept or use a ballot privacy folder.

39 D. For precincts in which a paper signature roster is used, each
40 qualified elector shall sign the elector's name in the signature roster
41 before receiving a ballot, but an inspector or judge may sign the roster
42 for an elector who is unable to sign because of physical disability, and
43 in that event the name of the elector shall be written with red ink, and
44 no attestation or other proof shall be necessary. The provisions of this

1 subsection relating to signing the signature roster ~~shall~~ DO not apply to
2 electors casting a ballot using early voting procedures.

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

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

17 Sec. 11. Section 16-584, Arizona Revised Statutes, is amended to
18 read:

19 16-584. Qualified elector not on precinct register:
20 recorder's certificate; verified ballot; procedure

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

27 B. A qualified elector whose name is not on the precinct register,
28 on presentation of identification verifying the identity of the elector
29 that includes the voter's given name and surname and the complete
30 residence address that is verified by the election board to be in the
31 precinct or on signing an affirmation that states that the elector is a
32 registered voter in that jurisdiction and is eligible to vote in that
33 jurisdiction, shall be allowed to vote a provisional ballot.

34 C. If a voter has moved to a new address within the county and has
35 not notified the county recorder of the change of address before the date
36 of an election, the voter shall be ~~permitted~~ ALLOWED to correct the voting
37 records for purposes of voting in future elections at the appropriate
38 polling place for the voter's new address. The voter shall be ~~permitted~~
39 ALLOWED to vote a provisional ballot. The voter shall present a form of
40 identification that includes the voter's given name and surname and the
41 voter's complete residence address. The residence address must be within
42 the precinct in which the voter is attempting to vote, and the voter shall
43 affirm in writing that the voter is registered in that jurisdiction and is
44 eligible to vote in that jurisdiction.

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

16 E. When a voter is allowed to vote a provisional ballot, the
17 elector's name shall be entered on a separate signature roster page at the
18 end of the signature roster. Voters' names shall be numbered
19 consecutively beginning with the number V-1. The elector shall sign in
20 the space provided. The ballot shall be placed in a separate envelope,
21 the outside of which shall contain the precinct name or number, a sworn or
22 attested statement of the elector that the elector resides in the
23 precinct, is eligible to vote in the election and has not previously voted
24 in the election, the signature of the elector and the voter registration
25 number of the elector, if available. The ballot shall be verified for
26 proper registration of the elector by the county recorder before being
27 counted. The verification shall be made by the county recorder within ten
28 calendar days after a general election that includes an election for a
29 federal office and within five business days following any other
30 election. Verified ballots shall be counted by depositing the ballot in
31 the ballot box and showing on the records of the election that the elector
32 has voted. If registration is not verified the ballot shall remain
33 unopened and shall be retained in the same manner as voted ballots.

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

1 Sec. 12. Section 16-622, Arizona Revised Statutes, is amended to
2 read:

3 16-622. Official canvass: unofficial results

4 A. At any time following the close of the polls, except as provided
5 in SECTION 16-550 AND section 16-551, subsection C, unofficial returns may
6 be released during the counting of the ballots by vote tabulating
7 equipment, and ~~upon~~ ON completion of the count the unofficial results
8 shall be open to the public. The result printed by the vote tabulating
9 equipment, to which have been added write-in and early votes, ~~shall~~, when
10 certified by the board of supervisors or other officer in charge, SHALL
11 constitute the official canvass of each precinct or election district.

12 B. In any election for a federal office, a statewide office or a
13 member of the legislature or in any election for a statewide ballot
14 measure, all unofficial returns that are released during the counting of
15 the ballots and all unofficial results that are open to the public shall
16 when released to the public be transmitted by telephone, by ~~telefacsimile~~
17 FAX or by other electronic means to the secretary of state.

18 Sec. 13. Section 16-642, Arizona Revised Statutes, is amended to
19 read:

20 16-642. Canvass of election: postponements

21 A. The governing body holding an election shall meet and canvass
22 the election ~~not less than six days nor more than twenty days following~~
23 ~~the election~~ AS FOLLOWS:

24 1. THE GOVERNING BOARD OF A COUNTY SHALL MEET AND CANVASS AS
25 FOLLOWS:

26 (a) FOR THE PRIMARY ELECTION, NOT LATER THAN THE SECOND MONDAY
27 AFTER THE ELECTION.

28 (b) FOR THE GENERAL ELECTION, NOT LATER THAN THE THIRD THURSDAY
29 AFTER THE ELECTION.

30 2. THE SECRETARY OF STATE SHALL CANVASS AS FOLLOWS:

31 (a) FOR THE PRIMARY ELECTION, NOT LATER THAN THE THIRD THURSDAY
32 AFTER THE ELECTION.

33 (b) FOR THE GENERAL ELECTION, NOT LATER THAN THE THIRD MONDAY AFTER
34 THE ELECTION.

35 3. THE GOVERNING BODY OF A CITY, TOWN OR SPECIAL DISTRICT SHALL
36 MEET AND CANVASS THE ELECTION NOT LESS THAN SIX DAYS AND NOT MORE THAN
37 TWENTY DAYS FOLLOWING THE ELECTION.

38 B. The governing body of a special district as defined in title 48
39 shall present to the board of supervisors a certified copy of the official
40 canvass of the election at the next regularly scheduled meeting of the
41 board of supervisors. For purposes of contesting a special district
42 election as described in section 16-673, the canvass is not complete until
43 the presentation to the board of supervisors is made.

C. If, at the time of the meeting of the governing body, the returns from any polling place in the election district where the polls were opened and an election held are found to be missing, the canvass shall be postponed from day to day until all the returns are received or until six postponements have been had. THE SUBSECTION DOES NOT APPLY TO THE COUNTY BOARD OF SUPERVISORS' CANVASS OF THE PRIMARY AND GENERAL ELECTION.

Sec. 14. 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, shall be 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 OFFICIAL canvass BY ELECTRONIC MEANS to the secretary of state within ~~fourteen~~ THIRTEEN CALENDAR days after the primary election, and the secretary of state shall on or before the third ~~Monday~~ THURSDAY 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.

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

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

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

17 Sec. 15. Section 16-646, Arizona Revised Statutes, is amended to
18 read:

19 16-646. Statement, contents and mailing of official canvass

20 A. When the result of the canvass is determined, a statement, known
21 and designated as the official canvass, shall be entered on the official
22 record of the election district that shall show:

23 1. The number of ballots cast in each precinct and in the county.

24 2. The number of ballots rejected in each precinct and in the
25 county.

26 3. The titles of the offices voted for and the names of the
27 persons, together with the party designation, if any, of each person voted
28 for to fill the offices.

29 4. The number of votes by precincts and county received by each
30 candidate.

31 5. For each candidate race in each political subdivision prescribed
32 by section 16-204.01, the number of ballots cast and the number of active
33 registered voters in each political subdivision and portion of a political
34 subdivision for which a candidate may be elected.

35 6. The numbers and a brief title of each proposed constitutional
36 amendment and each initiated or referred measure voted on.

37 7. The number of votes by precincts and county for and against such
38 proposed amendment or measure.

39 B. The certified permanent copy of the official canvass for all
40 offices and ballot measures, except offices and ballot measures in a city
41 or town election and nonpartisan election returns, shall be mailed
42 immediately to the secretary of state who shall maintain and preserve it
43 as a permanent public record.

1 C. The board of supervisors shall FIRST MAIL WITH A POSTMARK OR
2 OTHER SIMILAR DATE AND TIME INDICATOR, THEN deliver ELECTRONICALLY a copy
3 of the official canvass for all offices and ballot measures in the primary
4 and general elections to the secretary of state in a uniform electronic
5 computer media format that shall be agreed on between the secretary of
6 state and all county election officials. The uniform format shall be
7 designed to facilitate the computer analysis of election results for
8 offices and ballot measures that are statewide or are common to more than
9 one county. THE ELECTRONIC COPY OF THE OFFICIAL CANVASS FROM THE BOARD OF
10 SUPERVISORS IS SUFFICIENT FOR THE SECRETARY OF STATE TO CONDUCT AND ISSUE
11 THE STATEWIDE CANVASS IF THE ELECTRONIC COPY INCLUDES A SCAN OR OTHER
12 SIMILAR EVIDENCE THAT THE PAPER OFFICIAL CANVASS WAS MAILED BEFORE THE
13 ELECTRONIC VERSION WAS SENT.

14 D. The certified permanent copy of the official canvass for all
15 offices and ballot measures in a city or town election shall be filed with
16 the appropriate city or town clerk, or in a special district election with
17 the clerk of the board of supervisors, who shall maintain and preserve it
18 as a permanent public record.

19 Sec. 16. Section 16-648, Arizona Revised Statutes, is amended to
20 read:

21 16-648. Canvass for state offices, amendments and measures

22 A. On the fourth THIRD MONDAY following a general election, the
23 secretary of state, in the presence of the governor and the attorney
24 general, shall canvass all offices for which the nominees filed nominating
25 petitions and papers with the secretary of state pursuant to section
26 16-311, subsection E.

27 B. The secretary of state, in the presence of the governor and the
28 chief justice of the supreme court, shall canvass all proposed
29 constitutional amendments and initiated or referred measures, as shown by
30 the ELECTRONIC OR certified copies of THE official canvass received from
31 the several counties, and forthwith certify the result to the governor.

32 ~~C. If the official canvass of any county has not been received on~~
33 ~~the fourth Monday following the general election, the canvass shall be~~
34 ~~postponed from day to day, not to exceed thirty days from the date of the~~
35 ~~election, until canvasses from all counties are received.~~

36 Sec. 17. Section 16-662, Arizona Revised Statutes, is amended to
37 read:

38 16-662. Certification to superior court of facts requiring
39 recount

40 When the canvass shows that a recount is required, the secretary of
41 state, WITHIN TWENTY-FOUR HOURS AFTER THE LAST COUNTY CANVASS OR THE LAST
42 DAY FOR COUNTY CANVASSES PRESCRIBED BY SECTION 16-642, WHICHEVER IS
43 EARLIER, shall, in the case of an office to be filled by electors of the
44 entire state, a congressional district, a legislative district or a
45 subdivision of the state greater than a county, initiated or referred

1 measures or proposals to amend the constitution, certify the facts
2 requiring the recount to the superior court in Maricopa county. In the
3 case of an office to be filled by the electors of a county or subdivision
4 of a county or precinct, the board of supervisors of such county or in the
5 case of an office to be filled by the electors of a city or town, the city
6 or town council of that city or town shall certify the facts requiring a
7 recount to the superior court in the county in which the canvass was
8 conducted.

9 Sec. 18. Section 16-663, Arizona Revised Statutes, is amended to
10 read:

11 16-663. Recount of votes: method

12 A. The superior court to which the facts requiring a recount are
13 certified shall ~~forthwith~~ PROMPTLY make and enter an order requiring a
14 recount of the votes cast for such office, measure or proposal. The
15 recount shall be conducted in accordance with the laws pertaining to
16 contests of elections.

17 B. ~~When the court orders~~ A COURT-ORDERED recount of votes which
18 THAT were cast and tabulated on electronic voting equipment, ~~such recount~~
19 shall be pursuant to section 16-664. ~~On completion of~~ WHILE the recount
20 IS BEING CONDUCTED, and for legislative, statewide and federal candidate
21 races only, the county ~~chairmen~~ CHAIRPERSONS of the political parties
22 entitled to continued representation on the ballot or the ~~chairman's~~
23 CHAIRPERSON'S designee shall select at random without the use of a
24 computer five ~~per cent~~ PERCENT of the precincts for the recounted race for
25 a hand count, and if the results of that hand count when compared to the
26 electronic tabulation of that same race are less than the designated
27 margins calculated pursuant to section 16-602, the recount is complete and
28 the electronic tabulation is the official result. If the hand count
29 results in a difference that is equal to or greater than the designated
30 margin for that race, the ~~procedure~~ PROCEDURES established in section
31 16-602, subsections C, D, E and F ~~applies~~ APPLY. THE HAND COUNT CONDUCTED
32 PURSUANT TO THIS SECTION MAY BEGIN BEFORE THE MACHINE TABULATION OF
33 BALLOTS FOR THE COURT-ORDERED RECOUNT IS COMPLETE.

34 Sec. 19. Section 16-664, Arizona Revised Statutes, is amended to
35 read:

36 16-664. Recount of votes by automatic tabulating system

37 A. In the event of a court-ordered recount of votes that were cast
38 and tabulated on electronic voting equipment for a state primary, state
39 general or state special election, the secretary of state shall order the
40 ballots recounted on an automatic tabulating system to be furnished and
41 programmed under the supervision of the secretary of state. In the event
42 of a court-ordered recount for elections other than for the office of
43 supervisor, the secretary of state may designate the county board of
44 supervisors to perform the duties assigned to the secretary of state.

1 B. If the office of secretary of state is contested, the governor
2 shall order the ballots recounted on an automatic tabulating system to be
3 furnished and programmed under the supervision of the governor.

4 C. The programs to be used in the recount of votes pursuant to this
5 section shall differ from the programs prescribed by section 16-445 and
6 used in the initial tabulation of the votes.

7 D. THE SECRETARY OF STATE SHALL CONDUCT LOGIC AND ACCURACY TESTING
8 ON THE AUTOMATED TABULATING SYSTEM TO BE USED IN THE RECOUNT OF VOTES NOT
9 MORE THAN TWO CALENDAR DAYS AFTER THE COURT ORDERS A RECOUNT. EACH TEAM
10 THAT IS CONDUCTING A LOGIC AND ACCURACY TEST SHALL BE SUPERVISED BY A
11 CERTIFIED ELECTION OFFICER. A PERSON IS NOT ELIGIBLE TO SERVE AS CONTRACT
12 STAFF FOR LOGIC AND ACCURACY TESTING ON THE AUTOMATED TABULATING SYSTEM TO
13 BE USED IN A RECOUNT OF VOTES IF THAT PERSON HAS BEEN AFFILIATED WITH OR
14 RECEIVED ANY INCOME IN THE PRECEDING THREE YEARS FROM A VOTING SYSTEM
15 VENDOR FOR A VOTING SYSTEM THAT IS USED IN THAT COUNTY.

16 Sec. 20. Primary election date 2024

17 Notwithstanding section 16-204, Arizona Revised Statutes, as amended
18 by this act, and any other law, the 2024 primary election shall be held on
19 July 30, 2024.

20 Sec. 21. 2024 primary election: nomination petition forms:
21 local initiative petition forms: previous primary
22 election date

23 A. A person who desires to become a candidate at the 2024 primary
24 election, who collects signatures on a nomination petition form before the
25 effective date of this act and who has used a petition form that includes
26 the former primary election date of August 6, 2024 may lawfully submit
27 those signatures for the 2024 primary election to be held on July 30,
28 2024. Signatures that are collected with the August 6, 2024 primary
29 election date, that are submitted as prescribed in this subsection and
30 that otherwise comply with the requirements provided by law are deemed to
31 be as valid as signatures collected on a nomination petition form that
32 complies with the newly designated primary election date of July 30, 2024
33 and shall not be ruled invalid due solely to the changed date of the
34 primary election.

35 B. Any city, town or county initiative petition that is circulated
36 before the effective date of this act and that is on a petition form that
37 includes the former 2024 primary election date of August 6, 2024 may
38 lawfully submit those petitions and signatures for the primary election to
39 be held on July 30, 2024. Signatures that are collected with the August
40 6, 2024 primary election date, that are submitted as prescribed in this
41 subsection and that otherwise comply with the requirements provided by law
42 are deemed to be as valid as signatures collected on an initiative
43 petition form that complies with the newly designated primary election
44 date of July 30, 2024 and shall not be ruled invalid due solely to the
45 changed date of the primary election.

1 Sec. 22. 2024, 2025 and 2026 elections: signature cure period

2 Notwithstanding section 16-550, subsection A, Arizona Revised
3 Statutes, as amended by this act, and any other law, the following apply:

4 1. For a primary, general or special election in 2024, 2025 and
5 2026 that includes a federal office, the county recorder or other officer
6 in charge of elections shall allow signatures to be corrected not later
7 than the fifth calendar day after the election.

8 2. For all other elections in 2024, 2025 and 2026, the county
9 recorder or other officer in charge of elections shall allow signatures to
10 be corrected not later than the third business day after the election.

11 Sec. 23. Emergency

12 This act is an emergency measure that is necessary to preserve the
13 public peace, health or safety and is operative immediately as provided by
14 law.

APPROVED BY THE GOVERNOR FEBRUARY 9, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 9, 2024.

Passed the House February 8, 2024

by the following vote: 56 Ayes,

2 Nays, 0 Not Voting
2 vacant



Speaker of the House

☒ Pro Tempore



Chief Clerk of the House

☐ Deputy Chief Clerk

Passed the Senate February 8, 2024

by the following vote: 24 Ayes,

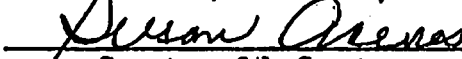
2 Nays, 4 Not Voting

With Emergency



President of the Senate

Pro Tempore



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

8th day of February, 20 24

at 4:17 o'clock P M.

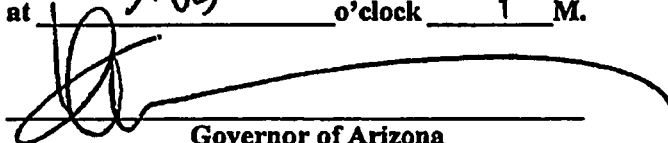


Secretary to the Governor

Approved this 9th day of

February

at 3:05 o'clock P M.



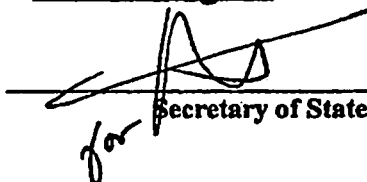
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 9th day of February, 20 24

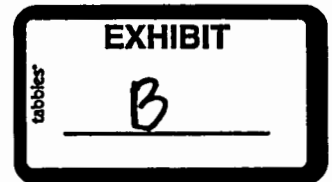
at 4:08 o'clock P M.



Secretary of State

H.B. 2785

RESOLUTION OF THE
NAVAJO BOARD OF ELECTION SUPERVISORS



**Recommending that the Navajo Nation Council, for Year 2024 only,
waive 11 N.N.C. §3(C) and Authorize and Direct that the 2024 Navajo Nation
Primary Election be held on July 30, 2024**

WHEREAS:

1. Pursuant to 2 N.N.C. §873 and 11 N.N.C. §321, the Navajo Board of Election Supervisors ("Board") enforces and implements the Navajo Election Code.
2. Pursuant to 2 N.N.C. § 871(A), the Board was *"created by the Navajo Nation Council as an independent entity, ... responsible to the Navajo Nation Council only...."* Among its various tasks, the Board oversees the conduct of all Navajo Nation elections - General Elections, Chapter Elections, and all special elections, including referendum elections. In conducting these elections, the Board ensures the protection of every individual's right to vote and participate in elections.
3. Under the Navajo Election Code, the Primary Elections are held *"on the first Tuesday in August in any year in which a general election is held ..."* 11 N.N.C. §3(C). Until recently, the State of Arizona held its primary elections on the same day, allowing Navajo voters to also vote in state elections at that time. However, on February 9, 2024, Arizona Governor Katie Hobbs signed into law House Bill 2785, a portion of which affects the Arizona's primary election date for 2024. For 2024, the State of Arizona will conduct its primary election on July 30, 2024 (a week earlier than the Navajo Nation's Primary Election). See section 20, *HB 2785*, attached hereto as **EXHIBIT A**. Because of the Arizona primary election date change for 2024, there will be two major elections (Navajo Nation and Arizona) conducted within the Navajo Nation one week apart. It is certain that this will impact Navajo voter turnout in both elections.
4. There are a significant number of registered Navajo voters in the states of Arizona, New Mexico, and Utah. Within the Navajo Nation, Arizona maintains a higher number of Navajo voters among the three states. It is crucial that Navajo voters be encouraged and provided with the opportunity to vote in all elections, Navajo, state, and federal elections.
5. It is in the best interests of voters of the Navajo Nation that, for the 2024 year only, the scheduled Navajo Nation Primary Election date be moved from August 6, 2024, to July 30, 2024.
6. The Navajo Nation General Election date will remain the same and will be conducted November 5, 2024.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Board of Election Supervisors hereby recommends that the Navajo Nation Council, for this year only, waive the applicability of 11 N.N.C. §3(C) and authorize and direct that the Navajo Nation Primary Election be conducted July 30, 2024.
2. The Navajo Board of Election Supervisors recommends that the Navajo Nation Council authorize the board to adjust Navajo Nation election timelines as necessary and as deemed to be in the best interest of voters of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Board of Election Supervisors at a duly called meeting within the Navajo Nation in Window Rock, Arizona during which a quorum was present and that the same was passed by a vote of (8) in favor, (0) opposed, and (0) abstained, this 22nd day of February, 2024.



Melvin Harrison, Chairperson
Navajo Board of Election Supervisors

Motion: Shirlee A. Bedonie
Second: Charles Long

NAVAJO NATION

331

3/8/2024

Navajo Nation Council Special Session

10:57:07 AM

Amd# to Amd#

New Business: Item A.

PASSED

MOT Parrish, S

#0047-24: Waiving 11 N.N.C.

SEC Slater, C

§...

Yeas : 8

Nays : 6

Excused : 5

Not Voting : 4

Yea : 8

Arviso, S

Jesus, B

Parrish, S

Slater, C

Aseret, L

Nez, A

Simonson, G

Yazzie, C

Nay : 6

Begay, N

Simpson, D

Yanito, C

Yazzie, L

Daniels, H

Tolth, G

Excused : 5

Charles-Newton, E

Johnson, C

Nez, R

Notah, N

Crotty, A

Not Voting : 4

James, V

Claw, S

Begay, H

Tso, O

Presiding Speaker: Curley, C