

PROPOSED
SENATE AMENDMENTS TO S.B. 1375
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 16-168, Arizona Revised Statutes, is amended to
3 read:

4 16-168. Precinct registers; date of preparation; contents;
5 registration rolls access; reports; statewide
6 database; violation; classification

7 A. By the tenth day preceding the primary and general elections the
8 county recorder shall prepare from the original registration forms or from
9 electronic media at least four lists that are printed or typed on paper,
10 or at least two electronic media poll lists, or any combination of both,
11 of all qualified electors in each precinct in the county, and the lists
12 shall be the official precinct registers.

13 B. The official precinct registers for use at the polling place
14 shall contain at least the names in full, party preference, date of
15 registration and residence address of each qualified elector in the
16 respective precincts. The names shall be in alphabetical order and, in a
17 column to the left of the names, shall be numbered consecutively beginning
18 with number 1 in each precinct register.

19 C. For the purposes of transmitting voter registration information
20 as prescribed by this subsection, electronic media shall be the principal
21 media. [A county or state chairman who is eligible to receive copies of
22 precinct lists as prescribed by this subsection may request that the
23 recorder provide a paper copy of the precinct lists. In addition to
24 preparing the official precinct lists, the county recorder shall provide a
25 means for electronically reproducing the precinct lists. Unless otherwise
26 agreed, the county recorder shall deliver one electronic media copy of
27 each precinct list in the county without charge and on the same day within
28 eight days after the close of registration for the primary and general

1 elections to the county chairman and one electronic media copy to the
2 state chairman of each party that has at least four candidates other than
3 presidential electors appearing on the ballot in that county at the
4 current election. The secretary of state shall establish a single format
5 that prescribes the manner and template in which all county recorders
6 provide this data to the secretary of state to ensure that the submissions
7 are uniform from all counties in this state, that all submissions are
8 identical in format, including the level of detail for voting history, and
9 that information may readily be combined from two or more counties. The
10 electronic media copies of the precinct lists that are delivered to the
11 party chairmen shall include for each elector the following information:

- 12 1. Name in full and appropriate title.
- 13 2. Party preference.
- 14 3. Date of registration.
- 15 4. Residence address.
- 16 5. Mailing address, if different from residence address.
- 17 6. Zip code.
- 18 7. Telephone number if given.
- 19 8. Birth year.
- 20 9. Occupation if given.
- 21 10. Voting history for all elections in the prior four years and
22 any other information regarding registered voters that the county recorder
23 or city or town clerk maintains electronically and that is public
24 information.
- 25 11. All data relating to early voters, including ballot requests
26 and ballot returns.

27 D. The names on the precinct lists shall be in alphabetical order
28 and the precinct lists in their entirety, unless otherwise agreed, shall
29 be delivered to each county chairman and each state chairman within ten
30 business days of the close of each date for counting registered voters
31 prescribed by subsection G of this section other than the primary and
32 general election registered voter counts in the same format and media as
33 prescribed by subsection C of this section. During the thirty-three days
34 immediately preceding an election and on request from a county or state
35 chairman, the county recorder shall provide at no cost a daily list of
36 persons who have requested an early ballot and shall provide at no cost a
37 weekly listing of persons who have returned their early ballots. The
38 recorder shall provide the daily and weekly information through the Friday
39 preceding the election. On request from a county chairman or state
40 chairman, the county recorder of a county with a population of more than
41 eight hundred thousand persons shall provide at no cost a daily listing of
42 persons who have returned their early ballots. The daily listing shall be
43 provided Mondays through Fridays, beginning with the first Monday
44 following the start of early voting and ending on the Monday before the
45 election.]

46 D. THE COUNTY RECORDER SHALL PROVIDE ACCESS TO THE VOTER
47 REGISTRATION ROLLS BY WAY OF AN INTERNET PORTAL THAT IS ACCESSIBLE TO THE

1 PUBLIC AND THAT ALLOWS THE INFORMATION TO BE DOWNLOADED. THE COUNTY
2 RECORDER MAY NOT CHARGE A FEE FOR THE ACCESS OR FOR THE INFORMATION.

3 E. Precinct registers and other lists and information derived from
4 registration forms AND FROM THE VOTER REGISTRATION ROLLS may be used only
5 for purposes relating to a political or political party activity, a
6 political campaign or an election, for revising election district
7 boundaries or for any other purpose specifically authorized by law and may
8 not be used for a commercial purpose as defined in section 39-121.03. The
9 sale of registers, lists and information derived from registration forms
10 to a candidate or a registered political committee for a use specifically
11 authorized by this subsection does not constitute use for a commercial
12 purpose. [THE COUNTY RECORDER, THE SECRETARY OF STATE AND OTHER OFFICERS
13 IN CHARGE OF ELECTIONS,][SHALL PROVIDE FOR ELECTRONIC ACCESS TO VOTER
14 REGISTRATION INFORMATION, AND][on a request for]~~an authorized~~[A
15 NONCOMMERCIAL][use and within thirty days from receipt of the request,
16 shall prepare additional copies of an official precinct list and furnish
17 them to any person]~~requesting them~~[WHO ESTABLISHES AN ELECTRONIC PROFILE
18 WITH THE INFORMATION PROVIDER AND ATTESTS THAT THE INFORMATION WILL NOT BE
19 USED FOR A COMMERCIAL PURPOSE AND][on payment of a fee equal to the
20 following amounts for the following number of voter registration records
21 provided:

22 1. For one to one hundred twenty-four thousand nine hundred
23 ninety-nine records, \$93.75 plus \$0.0005 per record.

24 2. For one hundred twenty-five thousand to two hundred forty-nine
25 thousand nine hundred ninety-nine records, \$156.25 plus \$0.000375 per
26 record.

27 3. For two hundred fifty thousand to four hundred ninety-nine
28 thousand nine hundred ninety-nine records, \$203.13 plus \$0.00025 per
29 record.

30 4. For five hundred thousand to nine hundred ninety-nine thousand
31 nine hundred ninety-nine records, \$265.63 plus \$0.000125 per record.

32 5. For one million or more records, \$328.13 plus \$0.0000625 per
33 record.]

34 F. Any person in possession of a precinct register or list, in
35 whole or part, or any reproduction of a precinct register or list, shall
36 not ~~permit~~ ALLOW the register or list to be used, bought, sold or
37 otherwise transferred for any purpose except for uses otherwise authorized
38 by this section. ~~A person in possession of information derived from voter~~
39 ~~registration forms or precinct registers shall not distribute, post or~~
40 ~~otherwise provide access to any portion of that information through the~~
41 ~~internet except as authorized by subsection I of this section.~~ [Nothing
42 in this section shall preclude public inspection of voter registration
43 records at the office of the county recorder for the purposes prescribed
44 by this section, except that the month and day of birth date, the social
45 security number or any portion thereof, the driver license number or
46 nonoperating identification license number, the Indian census number, the
47 father's name or mother's maiden name, the state or country of birth and

1 the records containing a voter's signature and a voter's e-mail address
2 shall not be accessible or reproduced by any person other than the voter,
3 by an authorized government official in the scope of the official's
4 duties, for any purpose by an entity designated by the secretary of state
5 as a voter registration agency pursuant to the national voter registration
6 act of 1993 (P.L. 103-31; 107 Stat. 77), for signature verification on
7 petitions and candidate filings, for election purposes and for news
8 gathering purposes by a person engaged in newspaper, radio, television or
9 reportorial work, or connected with or employed by a newspaper, radio or
10 television station or pursuant to a court order. Notwithstanding any
11 other law, a voter's e-mail address may not be released for any purpose.]

12 A person who violates this subsection or subsection E of this section is
13 guilty of a class 6 felony.

14 G. The county recorder shall count the registered voters by
15 political party by precinct, legislative district and congressional
16 district as follows:

17 1. In even numbered years, the county recorder shall count all
18 persons who are registered to vote as of:

19 (a) January 2.

20 (b) April 1.

21 (c) The last day on which a person may register to be eligible to
22 vote in the next primary election.

23 (d) The last day on which a person may register to be eligible to
24 vote in the next general election.

25 (e) The last day on which a person may register to be eligible to
26 vote in the next presidential preference election.

27 2. In odd numbered years, the county recorder shall count all
28 persons who are registered to vote as of:

29 (a) January 2.

30 (b) April 1.

31 (c) July 1.

32 (d) October 1.

33 H. The county recorder shall report the totals to the secretary of
34 state as soon as is practicable following each of the dates prescribed in
35 subsection G of this section. The report shall include completed
36 registration forms returned in accordance with section 16-134,
37 subsection B. The county recorder shall also provide the report in a
38 uniform electronic computer media format that shall be agreed on between
39 the secretary of state and all county recorders. The secretary of state
40 shall then prepare a summary report for the state and shall maintain that
41 report as a permanent record.

42 I. The county recorder and the secretary of state shall protect
43 access to voter registration information in an auditable format and method
44 specified in the secretary of state's electronic voting system
45 instructions and procedures manual that is adopted pursuant to section
46 16-452.

1 J. The secretary of state shall develop and administer a statewide
2 database of voter registration information that contains the name and
3 registration information of every registered voter in this state. The
4 statewide database is a matter of statewide concern and is not subject to
5 modification or further regulation by a political subdivision. The
6 database shall include an identifier that is unique for each individual
7 voter. The database shall provide for access by voter registration
8 officials and shall allow expedited entry of voter registration
9 information after it is received by county recorders. As a part of the
10 statewide voter registration database, county recorders shall provide for
11 the electronic transmittal of that information to the secretary of state
12 on a real time basis. The secretary of state shall provide for
13 maintenance of the database, including provisions regarding removal of
14 ineligible voters that are consistent with the national voter registration
15 act of 1993 (P.L. 103-31; 107 Stat. 77; 52 United States Code sections
16 20501 through 20511) and the help America vote act of 2002 (P.L. 107-252;
17 116 Stat. 1666; 52 United States Code sections 20901 through 21145),
18 provisions regarding removal of duplicate registrations and provisions to
19 ensure that eligible voters are not removed in error. For the purpose of
20 maintaining compliance with the help America vote act of 2002, each county
21 voter registration system is subject to approval by the secretary of state
22 for compatibility with the statewide voter registration database system.

23 K. Except as provided in subsection L of this section, for
24 requests for the use of registration forms and access to information as
25 provided in subsections E and F of this section, the county recorder shall
26 receive and respond to requests regarding federal, state and county
27 elections.

28 L. Beginning January 1, 2008, recognized political parties shall
29 request precinct lists and access to information as provided in
30 subsection E and F of this section during the time periods prescribed in
31 subsection C or D of this section and the county recorder shall receive
32 and respond to those requests. If the county recorder does not provide
33 the requested materials within the applicable time prescribed for the
34 county recorder pursuant to subsection C or D of this section, a
35 recognized political party may request that the secretary of state provide
36 precinct lists and access to information as provided in subsections E and
37 F of this section for federal, state and county elections. The secretary
38 of state shall not provide access to precinct lists and information for
39 recognized political parties unless the county recorder has failed or
40 refused to provide the lists and materials as prescribed by this section.
41 The secretary of state may charge the county recorder a fee determined by
42 rule for each name or record produced.

43 M. For municipal registration information in those municipalities
44 in which the county administers the municipal elections, county and state
45 party chairmen shall request and obtain voter registration information and
46 precinct lists from the city or town clerk during the time periods
47 prescribed in subsection C or D of this section. If the city or town

1 clerk does not provide that information within the same time prescribed
2 for county recorders pursuant to subsection C or D of this section, the
3 county or state party chairman may request and obtain the information from
4 the county recorder. The county recorder shall provide the municipal
5 voter registration and precinct lists within the time prescribed in
6 subsection C or D of this section.]
7 ~~N.~~ K. The county recorders and the secretary of state shall not
8 prohibit any person or entity ~~prescribed in subsection C of this section~~
9 from distributing a precinct list to any person or entity that is deemed
10 to be using the precinct list in a lawful manner as prescribed in
11 subsections E and F of this section.

12 Enroll and engross to conform
13 Amend title to conform

MARK FINCHEM

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