



# ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

House: FMAE DPA 4-3-0-0

## **HB 2703: early voting; tabulation; ballot deadlines**

**Sponsor: Representative Hendrix, LD 14**

**House Engrossed**

### **Overview**

Modifies the deadlines and methods by which a voter may return their voted early ballot in person and allows for on-site tabulation during the period of early voting, including during the weekend and Monday before the election.

### **History**

#### ***'Late Early' Ballots***

The term *late early* refers to instances where a voter returns their mailed early ballot on election day. Late early ballots are often processed last by counties since they are subject to signature verification and curing deadlines. Arizona law allows voters to return their voted early ballot to any polling place within their county by 7:00 P.M. on election day. In the 2024 general election, the Secretary of State reported an estimated 264,554 *late early* ballots. This number includes 210,039 late earlys in Maricopa County alone, Arizona's largest voting jurisdiction ([AZ SOS](#)).

Florida law requires vote-by-mail ballots to be received by the election's office by 7:00 P.M. on election day to be counted. A postmark does not extend this deadline. A Florida voter may return their vote-by-mail ballot to a secure ballot drop box at any early voting site during voting hours. However, a voter cannot return their voted mail ballot at an election day polling place. If a voter still has their voted mail ballot on election day, it must be delivered directly to the election's office no later than 7:00 P.M. to be counted (F.S.A. §§ [101.67](#), [101.69](#)).

#### ***On-Site Tabulation***

[Laws 2022, Chapter 271](#) provides counties the option to provide for the on-site tabulation of voted early ballots on election day. If a county chooses to provide for on-site tabulation, the County Recorder or officer in charge of elections must designate an area within a precinct or voting center to process voted early ballots. The voter must provide valid identification and sign the signature roster before proceeding to the tabulating equipment where they are directed, under the observation of an election official, to remove the early ballot from the completed ballot affidavit envelope, deposit the empty completed affidavit envelope in a secured drop box and insert the early ballot into the tabulating machine (A.R.S. §§ [16-579.01](#), [16-579.02](#)).

### **Provisions**

#### ***Early Voting Methods & Deadlines***

1. Repeals provisions allowing the Board of Supervisors to authorize County Recorders to use emergency voting centers. (Sec. 1, 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

2. Requires an early mail voter, regardless of whether the voter is on AEVL, to confirm their address through an affirmative act on the part of the voter:
  - a) every election cycle for counties with a population of 500,000 or more; or
  - b) every four year period constituting two consecutive election cycles for counties with a population of 500,000 or fewer. (Sec. 4)
3. Provides the County Recorder specified options through which an early mail voter may confirm their address. (Sec. 4)
4. Specifies, if an early mail voter does not confirm or update their address until after the last day to request an early ballot, the County Recorder will process the request for the next election within that election cycle. (Sec. 4)
5. Clarifies the early voting instructions mailed to an early mail voter. (Sec. 5)
6. Establishes the following methods by which a voter may return their voted early ballot:
  - a) mailing the voted early ballot to the County Recorder or officer in charge of elections by 7:00 PM on election day;
  - b) delivering the voted early ballot to the office of the County Recorder or officer in charge of elections by 7:00 PM on election day; or
  - c) depositing the voted early ballot at any voting location in the county by 7:00 PM on the Friday before election day. (Sec. 6)
7. Instructs voters who appear at an early voting location during the period of early voting, including the Saturday and Monday before election day, to:
  - a) present valid identification;
  - b) sign the early voter affidavit;
  - c) mark their ballot in a manner that cannot be seen; and
  - d) return the voted ballot to the election official at the early voting location. (Sec. 6)

#### ***On-Site Tabulation of Early Ballots***

8. Allows the County Recorder or officer in charge of elections to provide for on-site tabulation at any time during the period of early voting. (Sec. 9)
9. Allows a county that provides for on-site tabulation to conduct logic and accuracy testing of the equipment to be used within 50 days before election day. (Sec. 3)
10. Specifies, if a county provides for on-site tabulation during the weekend and Monday before the election:
  - a) the early voter must appear personally at the on-site tabulation location and submit the voter's early ballot and affidavit; and
  - b) the election official must allow the early voter to tabulate their early ballot on-site as prescribed by law. (Sec. 6)
11. Requires the chain of custody procedures for early ballots cast in person to be identical to the requirements prescribed for in-person election day voting. (Sec. 6)

#### ***Miscellaneous***

12. Removes provisions allowing the principal of a school to deny a request to serve as a polling place when requested to do so by the officer in charge of elections. (Sec. 1)
13. Modifies the instructions sent to early voters. (Sec. 5)
14. Contains a legislative findings clause. (Sec. 11)
15. Makes technical and conforming changes.