



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, First Regular Session*

FACT SHEET FOR S.B. 1003

early voting; signature required; notice

Purpose

Allows an early voter to add their signature to an early ballot returned without a signature on the return envelope no later than 7:00 p.m. on election day.

Background

Current statute requires an early ballot be accompanied with a self-addressed return envelope that includes a printed affidavit which declares, under penalty of perjury, that the voter: 1) is a registered voter; 2) has not voted and will not vote in the same election in any other county or state; 3) understands knowingly voting more than once in any election is a class 5 felony; and 4) voted the enclosed ballot and signed the affidavit personally unless noted that the voter was assisted by another person in marking the ballot. In order to be counted, the ballot and affidavit must be delivered to the office of the county recorder or other officer in charge of elections or deposited at any polling place in the county by 7:00 p.m. on election day ([A.R.S. § 16-547](#)).

Upon receiving the early ballot and the ballot affidavit, the county recorder or other officer in charge of elections must compare the signature with the signature on the voter's registration record. The county recorder or other officer in charge of elections must make reasonable efforts to contact the voter if the signatures are inconsistent and allow the voter to correct or the county to confirm the inconsistent signature. Signatures must be corrected by 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 ([A.R.S. § 16-550](#)).

If an early ballot affidavit is not signed, the county recorder must not count the ballot. The county recorder must then make a reasonable and meaningful attempt to contact the voter via mail, phone, text message and/or email, to notify the voter the affidavit was not signed and explain to the voter how they may cure the missing signature or cast a replacement ballot before 7:00 p.m. on election day ([Elections Procedures Manual, 2019](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the county recorder or other officer in charge of elections, if a signature is missing from an early ballot return envelope, to make reasonable efforts to contact the elector and allow the elector to add their signature no later than 7:00 p.m. on election day.
2. Requires early voter instructions to state that the ballot will not be counted without the voter's signature on the return envelope.

FACT SHEET

S.B. 1003

Page 2

3. Includes a legislative intent clause that states the proposed changes are clarifying and do not provide substantive changes to law.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

Prepared by Senate Research

January 28, 2021

MH/ML/gs