



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1362

early ballot on-site tabulation

Purpose

Requires, by the 2024 general election, every county recorder to provide for a method for an elector to have the elector's completed early ballot tabulated on site at a polling place or voting center according to outlined requirements. Establishes the Early Ballot On-Site Tabulation Fund (Fund) and appropriates \$_____ in FY 2023 and FY 2024 to the Fund.

Background

In order to vote a standard ballot at a voting location or voting center, a qualified elector must present valid identification. The name of each qualified elector must be numbered consecutively by the clerk in the order for applications of ballots. The qualified elector must be given a ballot by the judge and the elector's name must be checked on the precinct register. A qualified elector who is listed as having applied for an early ballot and who either states that the elector has not and will not vote an early ballot or surrenders the early ballot to the precinct inspector on election day must be permitted to vote a provisional ballot (A.R.S. §§ [16-579](#) and [16-584](#)).

Voters who appear at a voting location with an early mail ballot that has not been voted, along with the early ballot affidavit envelope, may use a privacy booth at the voting location to mark the ballot. If a voter uses a privacy booth to mark the ballot, the voter does not sign in and must place the voted early ballot in the affidavit envelope, sign the affidavit envelope and place the envelope in the early ballot drop-off container ([EPM Ch. 9 \(VI\)\(B\)\(1\)](#)). On receipt of an envelope containing an early ballot and ballot affidavit, a county recorder or other officer in charge of elections must compare the affidavit signature with the signature on the elector's registration record. If satisfied that the signatures correspond, the county recorder or other officer in charge of elections must hold the envelope containing the early ballot and completed affidavit unopened and may deliver the early ballot and affidavit for tallying ([A.R.S. § 16-550](#)).

SB 1362 appropriates \$_____ from the state General Fund (state GF) in FY 2023 and FY 2024 to the Fund.

Provisions

1. Requires, by the 2024 general election, every county recorder or other officer in charge of elections to allow a qualified elector who appears with the elector's voted early ballot at the elector's designated polling location or a vote center on election day to have the early ballot tabulated on site.
2. Establishes the Fund consisting of legislative appropriations, administered by the Arizona Department of Administration (ADOA).

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3. Appropriates \$_____ from the state GF in FY 2023 and FY 2024 to the Fund.
4. Allows ADOA to distribute Fund monies to a county recorder or other officer in charge of elections that submits a plan for conducting on-site early ballot tabulation in the 2022 general election.
5. Requires a county recorder or other officer in charge of elections to:
 - a) designate an area within a precinct or voting center for processing electors with voted early ballots that is physically separate from the area for voters who are voting standard ballots on site;
 - b) provide adequate poll workers, election officials and equipment necessary to conduct early ballot on-site tabulation;
 - c) categorize and separately tally by precinct, in the official canvass and other reports, electors whose voted early ballots are tabulated on site at the precinct or voting center; and
 - d) reconcile the number of electors who appear on the signature roster or electronic pollbook with the number of completed early ballot affidavits and early ballots tabulated on site for a polling place or voting center.
6. Requires a qualified elector who appears at a voting center or the elector's designated polling place with the elector's voted early ballot to present identification in the same manner as required to receive a standard ballot at a voting location.
7. Requires an elector who appears with the elector's voted early ballot at a voting center or the elector's designated polling place and who does not present valid identification to either:
 - a) deposit the elector's voted early ballot in the affidavit envelope in an official drop box; or
 - b) proceed to the area designated for election day voting to surrender the early ballot to the election board for retention.
8. Requires an elector that surrenders the elector's early ballot to an election board to be allowed to vote a provisional ballot.
9. Prohibits an election official from allowing on-site tabulation of an early ballot if the elector does not present valid identification.
10. Requires, when an elector appears with the elector's voted early ballot at a voting center or the elector's designated polling place and presents valid identification, that the:
 - a) elector to present the early ballot affidavit to the election official in charge of the signature roster;
 - b) election official in charge of the signature roster to confirm that the name and address on the completed affidavit reasonably appear to be the same as the name and address on the precinct register;
 - c) election official in charge of the signature roster to allow the elector to complete an incomplete affidavit; and
 - d) elector to present a completed early ballot affidavit to the election official in order to have the early ballot tabulated on site.

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11. Requires, after confirmation of the elector's name and address and if the elector's affidavit is complete, the elector's name to be numbered consecutively by the clerk and in the order of application for early ballot tabulation.
12. Requires, after confirmation of the elector's name and address, each qualified elector to sign either the paper signature roster or electronic pollbook before proceeding to the tabulating equipment.
13. Requires an elector, after signing the signature roster or electronic pollbook and proceeding to the tabulating equipment, to do the following while under observation of an election official:
 - a) remove the early ballot from the completed affidavit envelope;
 - b) deposit the empty, completed affidavit envelope in the secured and labeled drop box; and
 - c) insert the early ballot into the tabulating machine.
14. Prohibits an early ballot that has been separated from an elector's completed affidavit envelope from being removed from the on-site early ballot tabulation area.
15. Requires the completed affidavit drop box to:
 - a) indicate that the completed affidavits are from ballots tabulated on site; and
 - b) be secured in a manner substantially similar to other ballot boxes at that location.
16. Requires any elector that lawfully brings another elector's sealed and voted early ballot to a polling place or voting center to deposit the early ballot in the appropriate ballot drop box before entering the on-site early ballot tabulation area.
17. Requires a county recorder or other officer in charge of elections to ensure that a voter is not in possession of another voter's ballot within the on-site early ballot tabulation area.
18. Exempts Fund monies from lapsing.
19. Requires a county recorder or other officer in charge of elections to submit a plan by August 1, 2022, to receive monies for on-site early ballot tabulation in the 2022 general election.
20. Requires a county to separately account for monies received from the Fund.
21. Requires, by January 15, 2023, any county that receives Fund monies to report to the Joint Legislative Budget Committee on:
 - a) the precincts and voting centers that participated;
 - b) the number of voters who voted, by precinct and polling location;
 - c) average wait times by precinct and polling location; and
 - d) challenged to implementation.
22. Requires a county BOS, when determining whether it is necessary to consolidate polling places, to take into account the number of persons who are not expected to have their early ballots tabulated at a polling place.

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23. Adds, to the list of factors the SOS must consider when providing for a method to reduce voter wait times at the polls, the number of registered voters whose early ballots were tabulated on site in the prior primary and general elections.
24. Exempts early ballots tabulated on site from requirements related to early ballot affidavit signature verification.
25. Requires any notices necessary for complying with early ballot on-site tabulation procedures to be posted before the opening of the polls.
26. Makes technical and conforming changes.
27. Becomes effective on the general effective date.

Prepared by Senate Research

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MH/slp