



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED

FACT SHEET FOR S.B. 1485

elections; voting voter tabulation
(NOW: early voting list; eligibility)

Purpose

Renames the permanent early voting list (PEVL) as the active early voting list (AEVL). Removes a voter from the AEVL if the voter fails to vote by early ballot in all regular primary or regular general elections and all city or town candidate primary or first elections or city or town candidate second, general or runoff elections for two consecutive election cycles. Requires counties to notify a voter prior to removing that voter from the AEVL.

Background

Any voter may request to be included on the PEVL. The county recorder of each county is required to maintain the PEVL as part of the voter registration roll.

After a voter has requested to be included on the PEVL, the voter must be sent an early ballot by mail automatically for any election at which a voter is eligible to vote until: 1) the voter requests in writing to be removed from the PEVL; 2) the voter's registration or eligibility for registration is moved to inactive status or canceled as otherwise provided by law; and 3) the notice sent by the county recorder or other officer in charge of elections is returned undeliverable and the county recorder or officer in charge of elections is unable to contact the voter. A voter's failure to vote an early ballot once received does not constitute grounds to remove the voter from the PEVL ([A.R.S. § 16-544](#)).

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

Provisions

1. Requires a county recorder or other officer in charge of elections to remove a voter from the AEVL and stop sending the voter early ballots if the voter fails to:
 - a) vote by early ballot in all regular primary or regular general elections for which there was a federal race on the ballot and all city or town candidate primary or first elections or a city or town candidate second, general or runoff elections on the ballot for two consecutive election cycles; and
 - b) respond within 90 days after receiving a notice from the county recorder or other officer in charge of elections of the voter's potential removal from the AEVL.
2. Requires a county recorder or other officer in charge of elections to notify a voter on the AEVL who did not vote an early ballot in all elections for two consecutive election cycles by January 15 of each odd-numbered year prior to removing that voter from the AEVL.
3. Defines *election* as a:
 - a) regular primary or regular general election for which there was a federal race on the ballot; and
 - b) city or town candidate primary or first election or a city or town candidate second, general or runoff election was on the ballot.

4. Allows a county recorder, if a voter has provided the voter's telephone, mobile phone number or email address to the county recorder, to additionally provide the notice of removal from the AEVL to the voter by telephone call, text message or email.
5. Requires the notice sent to a voter prior to removal from the AEVL for failure to vote by early ballot to inform the voter that, in order to remain on the AEVL, the voter must:
 - a) confirm in writing the voter's desire to remain on the AEVL;
 - b) return the completed notice to the county recorder or other officer in charge of elections within 90 days after the notice is sent to the voter;
 - c) include the voter's address and date of birth; and
 - d) sign the notice.
6. Exempts special taxing districts authorized to conduct their own elections and special district mail ballot election from the requirement to remove voters from the AEVL for failure to vote by early ballot.
7. Renames the PEVL to the AEVL.
8. Defines *election cycle*.
9. Contains a legislative intent clause.
10. Contains a severability clause.
11. Makes technical and conforming changes.
12. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Amendments Adopted by the House of Representatives

1. Specifies that a county recorder or other officer in charge of elections must remove a voter from the AEVL and stop sending the voter early ballots if the voter fails to:
 - a) vote by early ballot in all regular primary or regular general elections for which there was a federal race on the ballot and all city or town candidate primary or first elections or a city or town candidate second, general or runoff elections on the ballot for two consecutive election cycles, rather than both the primary election and the general election for two consecutive primary and general elections in which there was a federal, statewide or legislative race on the ballot; and
 - b) respond within 90 days, rather than 30 days, after receiving a notice of potential removal from the AEVL.
2. Requires a county recorder to notify a voter prior to removal from the AEVL by January 15 of each odd-numbered year, rather than by December 1 of each even-numbered year.

3. Allows a county recorder, if a voter has provided the voter's telephone, mobile phone number or email address to the county recorder, to additionally provide the notice for removal from the AEVL to the voter by telephone call, text message or email.
4. Requires the notice sent to a voter prior to removal from the AEVL to inform the voter that, in order to remain on the AEVL, the voter must return the completed notice within 90 days, rather than 30 days.
5. Renames EVL as AEVL.
6. Defines *election* and *election cycle*.
7. Adds a legislative intent clause.
8. Adds a severability clause.
9. Makes technical and conforming changes.

Senate Action

GOV	2/18/21	W/D	
APPROP	2/23/21	DPA/SE	6-4-0
3 rd Read	3/2/21		16-14-0

House Action

GE	3/10/21	DP	7-6-0-0
3 rd Read	4/20/21		31-29-0

Prepared by Senate Research
April 20, 2021
LMM/ML/gs