

Section B

U.S. ELECTION ASSISTANCE COMMISSION



2008 Election Administration & Voting Survey

Statutory Overview

In order to better understand state laws governing federal elections, the U.S. Election Assistance Commission, as part of its biennial Election Administration and Voting Survey, is collecting information on state election laws and procedures. These answers will help us to better understand the quantitative data relating to the 2008 general election that we are collecting from all U.S. states and territories.

We understand that responding to this Statutory Overview may require significant staff time on the part of your office. Please be assured that we have attempted to minimize the burden, and we appreciate your cooperation in this very important project.

Information Supplied By	
Name	
Title	
Office/Agency Name	
Address 1	
Address 2	
City	
State	
Zip Code	
Email Address	
Telephone (area Code and number)	
Fax Number (area code and number)	

DIRECTIONS AND EXAMPLE

Please provide your state's legal citation for the responses to these questions (where applicable).

Please answer each question to the best of your ability. If terms are ambiguous or not relevant, please explain why. If a question is not applicable to your state, please explain why. If a definition or term lacks legal standing but is widely understood in practice, please explain. If election procedures vary at the local level within your state, please explain to the best of your ability.

If state laws are currently enjoined or otherwise blocked from enforcement by a state or federal court, please specify.

Please put your responses between the red, bracketed text lines. This will help us extract your answers into our central database.

Example:

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

- a. Over-vote

[Begin definition (a) below this line.]

Your answer goes here. You may enter the text directly, or cut and paste from another word processing program.

There is no limit to the length of your response.

[End definition (a) above this line.]

SECTION A: GENERAL

A1. How does your state define the following terms related to votes and ballots? Please provide your state's legal citation defining these terms, where applicable.

a. Over-vote

[Begin definition (a) below this line.]

An overvote occurs when a voter votes on the official ballot for more candidates than the number to be elected for the specific office or when a voter selects the correct number of candidates on the official ballot and also writes in a candidate's name for the same office. [A.R.S. § 16-452]

[End definition (a) above this line.]

b. Under-vote

[Begin definition (b) below this line.]

[End definition (b) above this line.]

c. Blank ballot

[Begin definition (c) below this line.]

[End definition (c) above this line.]

d. Void/Spoiled ballot

[Begin definition (d) below this line.]

[End definition (d) above this line.]

e. Provisional/Challenged ballot

[Begin definition (e) below this line.]

Provisional Ballot is defined in the Secretary of State Election Procedures Manual as a ballot that is cast by a voter whose name does not appear on the signature roster or inactive list and the voter has not moved; the voter has moved within the precinct; the voter has moved to a new precinct within the county and failed to notify the County Recorder of the change of address; the voter was issued an early ballot and did not vote his/her early ballot; or the voter has changed his/her name and did not notify the County Recorder of the name change. A Conditional Provisional Ballot is defined in the Manual as a ballot issued to a voter who does not present sufficient identification at the polling place pursuant to A.R.S. § 16-579(A), but who is entitled to vote a ballot that is conditioned on subsequently providing sufficient identification.

[End definition (e) above this line.]

f. Absentee

[Begin definition (f) below this line.]

[End definition (f) above this line.]

g. Early voting

[Begin definition (g) below this line.]

Beginning 33 days before the election or 26 days before the presidential preference election, voters may vote by mail or at places designated by the County Recorder. Early voting does not require a reason or a witnessed signature. [A.R.S. § 16-542]

[End definition (g) above this line.]

h. Active Voter

[Begin definition (h) below this line.]

[A.R.S. § 16-166]

[End definition (h) above this line.]

i. Inactive Voter

[Begin definition (i) below this line.]

[A.R.S. § 16-166]

[End definition (i) above this line.]

j. Other terms (please specify) _____

[Identify each TERM and definition separately and begin below this line.]

[End TERM(s) and definition(s) above this line.]

A2. Please provide the legal citation for any **significant** changes to election laws or procedures that have been enacted or adopted since the previous Federal election. By “significant,” we do not mean routine or technical changes (such as changes to election district boundaries or polling place changes). However, we would like to learn about any new identification requirements for voters or registrants; changes in eligibility for voting or registering; adoption of alternative voting methods; and other changes that you believe represent a significant change in the way your state runs its elections.

[Begin response to above question (A2) below this line.]

In 2008, the Arizona Legislature passed HB2213 allowing the military and overseas voter to return the ballot by fax "OR OTHER ELECTRONIC FORMAT". The Secretary of State implemented a secured internet application to allow the military and overseas voter to return the voted ballot in time for the 2008 General Election.

[End response to above question (A2) above this line.]

SECTION B: VOTER REGISTRATION

B1. Is your state's voter registration database system best described as a bottom-up, a top-down, or a hybrid? (Note: A bottom-up system generally uploads information retained at the local level and compiled at regular intervals to form the statewide voter registration list. A top-down system is hosted on a single, central platform/mainframe and is generally maintained by the state with information supplied by local jurisdictions. A hybrid is some combination of both systems described above.)

[Begin response to above question (B1) below this line.]

Hybrid

[End response to above question (B1) above this line.]

If your state has a bottom-up or hybrid system, how often do local jurisdictions transmit registration information to the state list?

[Begin response to above clarification question to B1 below this line.]

Real time.

[End response to above clarification question to B1 above this line.]

B2. Please describe the process used in your state to move voters from the active list to the inactive list, and from the inactive list to the active list. Is a different process used for UOCAVA voters?

[Begin response to above question (B2) below this line.]

A.R.S. § 16-166. Verification of registration

(A) Except for the mailing of sample ballots, a county recorder who mails an item to any elector shall send the mailing by nonforwardable first class mail marked with the statement required by the postmaster to receive an address correction notification. If the item is returned undelivered, the county recorder shall send a follow-up notice to that elector within three weeks of receipt of the returned notice. The county recorder shall send the follow-up notice to the address that appears on the general county register or to the forwarding address provided by the United States postal service. The follow-up notice shall include a registration form and the information prescribed by section 16-131, subsection C and shall state that if the elector does not complete and return a new registration form with current information to the county recorder within thirty-five days, the name of the elector will be removed from the general register and transferred to the inactive voter list.

(E) The county recorder on or before May 1 of each year preceding a state primary and general election or more frequently as the recorder deems necessary may use the change of address information supplied by the postal service through its licensees to identify registrants whose addresses may have changed. If it appears from information provided by the postal service that a registrant has moved to a different residence address in the same county, the county recorder shall change the registration records to reflect the new address and shall send the registrant a notice of the change by forwardable mail and a

postage prepaid preaddressed return form by which the registrant may verify or correct the registration information. If the registrant fails to return the form postmarked not later than thirty-five days after the mailing of the notice, the elector shall be removed from the general register and transferred to the inactive voter list. If the notice sent by the recorder is not returned, the registrant may be required to provide affirmation or confirmation of the registrant's address in order to vote. If the registrant does not vote in an election during the period after the date of the notice from the recorder through the date of the second general election for federal office following the date of that notice, the registrant's name shall be removed from the list of inactive voters. If the registrant has changed residence to a new county, the county recorder shall provide information on how the registrant can continue to be eligible to vote.

A.R.S. § 16-583. Voter not on precinct register; inactive voter list; procedure

A. On or before election day, the county recorder shall provide to each precinct the names of electors on the inactive voter list. If a person whose name is not on the precinct register appears at a polling place, an election official shall determine whether the person is on the inactive voter list. If the person is on the inactive voter list, The registrant, on affirmation by the registrant before an election official at the polling place that the registrant continues to reside at the address indicated on the inactive voter list, shall be permitted to vote at that polling place. The elector's name shall be entered on a separate signature roster page at the end of the signature roster, and voters' names shall be numbered consecutively. If the registrant indicates that he lives at a new residence, the election official shall direct the registrant to the polling place for the new address.

B. Following the election, the county recorder shall remove from the inactive voter list the names of all electors who voted pursuant to subsection A and shall place the electors' names back on the general register.

These procedures are the same for UOCAVA voters.

[End response to above question (B2) above this line.]

B3. Please describe your state's process for removing voters from the voter registration rolls (not merely moving them from active to inactive). Please include information regarding notices and confirmations. Are these procedures the same for UOCAVA voters?

[Begin response to above question (B3) below this line.]

A.R.S. § 16-165. Causes for cancellation

A. The county recorder shall cancel a registration:

1. At the request of the person registered.
2. When the county recorder knows of the death of the person registered.
3. If the person has been adjudicated an incapacitated person as defined in section 14-5101.

4. When the person registered has been convicted of a felony, and the judgment of conviction has not been reversed or set aside. The county recorder shall cancel the registration on receipt of notice of a felony conviction from the court or from the secretary of state or when reported by the elector on a signed juror questionnaire that is completed pursuant to section 21-314.
5. Upon production of a certified copy of a judgment directing a cancellation to be made.
6. Promptly after the election if the person registered has applied for a ballot pursuant to section 16-126.
7. When a person has been on the inactive voter list and has not voted during the time periods prescribed in section 16-166, subsection C.
8. When the county recorder receives written information from the person registered that the person has a change of residence within the county and the person does not complete and return a new registration form within twenty-nine days after the county recorder mails notification of the need to complete and return a new registration form with current information.
9. When the county recorder receives written information from the person registered that the person has a change of address outside the county.

B. If the county recorder cancels a registration pursuant to subsection A, paragraph 8 of this section, the county recorder shall send the person notice that the registration has been cancelled and a registration form with the information described in section 16-131, subsection C attached to the form.

C. When proceedings in the superior court or the district court result in a person being declared incapable of taking care of himself and managing his property, and for whom a guardian of the person and estate is appointed, result in such person being committed as an insane person or result in a person being convicted of a felony, the clerk of the superior court in the county in which those proceedings occurred shall file with the secretary of state an official notice of that fact. The secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person upon the register. Such notice shall name the person covered, shall give the person's date and place of birth if available, the person's social security number, if available, the person's usual place of residence, the person's address and the date of the notice, and shall be filed with the recorder of the county where the person last resided.

D. Each month the department of health services shall transmit to the secretary of state without charge a record of the death of every resident of the state sixteen years of age and older reported to the department within the preceding month. This record shall include only the name of the decedent, the decedent's date of birth, the decedent's social security number, if available, the decedent's usual legal residence at the time of death and, if available, the decedent's father's name or mother's maiden name. The record shall be used by the secretary of state for the sole purpose of canceling the names of deceased persons from the statewide voter registration database. Public access to the records is prohibited. Use of information from the records for purposes other than those required by this section is prohibited. The name of each deceased person shall promptly be canceled from the

statewide voter registration database and the secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person from the register.

These procedures are the same for UOCAVA voters.

[End response to above question (B3) above this line.]

B4. Can your state's voter registration database (or equivalent) share information electronically with your state's drivers license agency (for example, to match records or trace changes in address)? Can your voter registration database be similarly linked with databases in any other state or federal agencies? Please describe these links, including any use of database matching to verify voter registration applications.

[Begin response to above question (B4) below this line.]

Yes, Arizona's voter registration data base shares information electronically with the Arizona Motor Vehicle Division Database. The statewide voter registration database is also compared to data from the Arizona Department of Health (death records) and the federal and state court systems (felony and incapacitated records).

[End response to above question (B4) above this line.]

B5. Please describe how your state uses National Change of Address (NCOA). What has been your state's experience with using NCOA?

[Begin response to above question (B5) below this line.]

As set forth in the Arizona Secretary of State Election Procedures Manual [A.R.S. § 16-452], the County Recorder on or before **May 1** of each year preceding a state primary and general election, or more frequently as the Recorder deems necessary, may use the change of address information supplied by the postal service through its licensees to identify registrants whose addresses may have changed.

[End response to above question (B5) above this line.]

B6. Please describe your state's voting eligibility requirements as they relate to individuals with a felony conviction. (For example, are convicted felons allowed to vote while in prison or while on parole or probation? Are voting rights automatically restored or does the individual have to apply for a pardon, certificate of eligibility or other similar certificate? Does an individual whose voting rights have been restored have to produce documentation of his/her status when registering to vote?)

[Begin response to above question (B6) below this line.]

Every resident of the state is qualified to register to vote if he has not been convicted of treason or a felony, unless restored to civil rights. [16-101(A) (5)] Any person who has not previously been convicted of any other felony shall automatically be restored any civil rights that were lost or suspended by the conviction if the person both completes a term of probation or receives an absolute discharge from imprisonment and pays any fine of restitution imposed. [A.R.S. § 13-912] An individual who signs a voter registration form declares by his/her signature the following: "By signing below, I swear or affirm that the above information is true, that I am a RESIDENT of Arizona, I am NOT a convicted FELON or my civil rights are restored, and I have NOT been adjudicated INCOMPETENT". No documentation is required by statute.

[End response to above question (B6) above this line.]

B7. Does your state currently use the Internet in any way to facilitate voter registration? If yes, please describe how your state allows voters to use the Internet in the registration process (e.g., entire registration completed online; completed online but then must be printed, signed, and mailed by voter, etc.).

[Begin response to above question (B7) below this line.]

Yes, Arizona Secretary of State in cooperation with the Arizona Motor Vehicle Division, allows a voter to complete an entire registration online. In addition, the Arizona Secretary of State's office has Voter View which allows a voter to see if they are registered, find their polling place, and find out the status of their provisional ballot.

[End response to above question (B7) above this line.]

SECTION C: ELECTION ADMINISTRATION

C1. Please describe how all votes cast at a place other than the voter's precinct of registration are tabulated (for example, please include descriptions of such votes as absentee ballots, mail-in ballots, votes cast at vote centers, provisional ballots, early voting locations, etc.).

a. Are the votes counted centrally or at the precincts?

[Begin response to above question (a) below this line.]

All votes cast at a place other than the voter's precinct of registration are tabulated centrally.

[End response to above question (a) above this line.]

b. If centrally tabulated, are the votes redirected to the appropriate precinct for reporting in the canvass?

[Begin response to above question (b) below this line.]

Yes.

[End response to above question (b) above this line.]

c. Are the absentee, mail, etc., votes reported separately for each precinct, or are they added to the in-precinct results and reported as just a single number?

[Begin response to above question (c) below this line.]

Votes are reported with the precinct results as a single number.

[End response to above question (c) above this line.]

d. How are UOCAVA ballots counted and reported?

[Begin response to above question (d) below this line.]

UOCAVA ballots are counted and reported in the same manner as early ballots.

[End response to above question (d) above this line.]

C2. Does your state require a reason for voting absentee, or does your state allow no-excuse absentee voting? (If a reason is required, please provide the legal citation.)

[Begin response to above question (C2) below this line.]

Arizona does not require a reason to vote early. [A.R.S. § 16-541]

[End response to above question (C2) above this line.]

C3. Does your state provide for in-person early voting? If so, how is early voting defined? When early voting is used, are the ballots counted at the precinct or at a central location? How are these votes reported?

[Begin response to above question (C3) below this line.]

The county recorder may establish on-site early voting locations at the recorder's office or any other locations in the county the recorder deems necessary. [A.R.S. § 16-541(A)]

Early voting is defined as beginning 33 days before the election or 26 days before the presidential preference election, voters may vote by mail or at places designated by the County Recorder. Early voting does not require a reason or a witnessed signature. [A.R.S. § 16-542]

Early ballots may be dropped off at any polling location within a county, but are counted at the central location.

The votes are reported with the precinct results as a single number.

[End response to above question (C3) above this line.]

C4. Do any jurisdictions in your state use a vote-by-mail system to replace (and not merely supplement) at-the-precinct voting in any elections?

[Begin response to above question (C4) below this line.]

Yes. [A.R.S. §§ 16-248(H), 16-409 & 16-558]

[End response to above question (C4) above this line.]

C5. Please list each of the situations that require a provisional ballot in your state. Please provide the relevant legal citation for each situation.

[Begin response to above question (C5) below this line.]

Proof of identification [A.R.S. § 16-579]

Name does not appear on signature roster or voter has changed name [A.R.S. § 16-584(A) & (B)]

Voter has moved to a new precinct within the county [A.R.S. §§ 16-135 & 16-584(C)]

Change of residence from one address to another within the same county [A.R.S. §§ 16-135 & 16-584(C)]

The voter has been issued an early ballot [A.R.S. §§ 16-550, 16-579 & 16-584]

[End response to above question (C5) above this line.]

C6. Does your state count provisional ballots of voters who are registered in different precincts, or are those ballots automatically rejected? Please describe the process used by local election officials in determining whether to count a provisional ballot.

[Begin response to above question (C6) below this line.]

No, Arizona does not count provisional ballots of voters who are registered in different precincts unless they moved into a new precinct within the same county. Arizona voters

are required to vote in their new precinct and would have to vote provisionally. The provisional ballot would not be counted until the county recorder could determine that the voter did not vote in their old precinct where they were currently registered.

VERIFICATION OF PROVISIONAL BALLOTS

Time for Verification

Verify all provisional ballots for proper registration within 10 calendar days after a general election that includes an election for a federal office and within five business days for all other elections.

The provisional ballot shall be counted if:

- the voter's signature does not appear on any other signature roster for that election, *and*
- there is no record that the voter voted early for that election.

If a signature roster or early ballot information indicates that the person already voted in that election the provisional ballot for that person shall:

- remain unopened,
- not be counted, *and*
- be retained in the same manner as voted ballots.

The ballot shall remain unopened and shall **not be counted** if:

- the voter is not registered to vote, or
- the voter is in the wrong precinct/voting area, or
- the voter has not produced sufficient identification, or
- the voter's signature does not match the signature on his/her voter registration form.

The County Recorder's office shall create a provisional ballot record for the voter that contains the following information:

- provisional ballot receipt number
- name of voter
- precinct where provisional ballot was voted
- provisional ballot status
- provisional ballot status reason
- address (optional)
- date of birth (optional)
- political party (optional)

This information will be used for online verification of a voter's provisional ballot. All provisional ballots for the election must be processed before posting this data on the internet. The information shall be available to the public online for one month after posting.

Rejection Reason Code

The rejection reason code is determined at the County Recorder's office. The rejection reasons are:

- not registered
- no ballot in envelope
- registered after 29-day cut-off
- no signature
- insufficient/illegible information
- signature does not match
- wrong party
- outside jurisdiction ballot
- voter challenge upheld
- voted in wrong precinct
- voted and returned an early ballot
- proper identification not provided by deadline

[A.R.S. § 16-584(E)]

As soon as possible after verification of the provisional ballots is complete a notice informing the voter whether his/her vote was counted or not counted and the reason for not counting the ballot shall be provided to the voter. This may be in the form of a notice mailed to the voter, or the voter may access the information pursuant to the instructions on the receipt that was issued to the voter at the time he/she voted the provisional ballot. The receipt will provide the voter with clear instructions on how to determine the status of his/her vote.

The County Recorder or officer in charge of the election shall provide to the voters of provisional ballots a toll free number or other method of verifying the status of their vote. Reasonable restrictions will be employed to limit transmittal of the information only to the voter, such as verifying the date of birth and state or country of birth or other information that if compared to the voter registration information on file would confirm the identity of the voter. The County Recorder or officer in charge of elections will request verification of identity with information from the voter's registration record or provisional ballot envelope.

[A.R.S. §§ 16-135(D) & 16-584]

[End response to above question (C6) above this line.]

C7. Please describe your state's laws regarding post-election audits, if any.

[Begin response to above question (C7) below this line.]

In addition to the abstract vote, the counties may perform a precinct hand count and early ballot audit within 24 hours after the closing of the polls. For each countywide primary, general, and presidential preference election, the county officer shall:

1. conduct a hand count at the central counting center of at least two per cent of the polling locations in that county or two polling locations, whichever is greater;

2. conduct a manual audit of early ballots equal to one per cent of the total number of early ballots cast or 5,000 early ballots, whichever is less, and
3. in the event of a recount, conduct a hand count of at least five per cent of the precincts for the recounted race in that county.

[A.R.S. §§ 16-602(C), (G), & 16-663(B)]

Pursuant to the Arizona Secretary of State Election Procedures Manual counties are also required to submit additional reports. These include an accessibility report, a voter education report, a poll worker training report, and a provisional ballot report.
[A.R.S. § 16-452]

[End response to above question (C7) above this line.]

C8. Please describe any state requirements for poll worker training.

[Begin response to above question (C8) below this line.]

Instruction of Election Board Workers

Except as indicated in A.R.S. § 16-532(D), within 45 days before an election the Board of Supervisors or other officer in charge of elections shall conduct training for

- inspectors,
- judges, and
- deputized counting place officers

to instruct them in their duties and related election law. The following shall be covered in election board worker training:

- delivery of ballots/supplies to precinct
- election board officer duties
- election board political party representation
- pre-election responsibilities
- pre-election meeting
- building access
- time and location of meeting
- checking supplies
- equipment and furniture arrangement
- voting device check
- official ballot count/precinct ballot account
- early voters
- election day
- opening polls (synchronize watches to precinct tabulator)
- hours the polls are open
- working hours (come prepared to stay)
- 75-foot limitation (electioneering)
- sharing polling places (tribal elections)
- procedures for Proof of Identification and Provisional Ballot Processing at the Polls
- voting equipment

- accessible voting equipment
- troubleshooting
- voter registration
- who may vote (open primary, etc.)
- standard voting procedures
- Recorder's Certificates
- spoiled ballot procedures
- procedure for early ballot drop off
- political observers/challengers
- challenges
- Kids Voting/Youth in the Booth (when applicable)
- closing polls (transmitting results, delivery of ballots)
- Certificate of Performance (signature rosters)
- official/unofficial envelope contents
- customer service
- assisting the voter
- assisting the disabled voter
- language accessibility/interpreters
- compensation of election workers

Premium Board Worker Training

The Board of Supervisors or officer in charge of elections may approve an alternate method of instruction and testing for election board members. The course of instruction should include:

- at least eight hours of training, and
- a written examination on election law and procedures.

Each election board member who completes this training and passes the test shall be certified as a "premium board worker." Premium board workers will be certified for a period of 30 months. Changes in procedure or new laws affecting the election process will either be forwarded to the premium board worker or additional training may be required. A special rate for compensation of premium board workers may be approved by the Board of Supervisors.

The training sessions held for the election board workers shall be taught by personnel:

- deemed by the Board of Supervisors or officer in charge of elections to be qualified in the area of the election process they teach, who have had practical experience in the area of the election process they teach
- under the supervision of an individual who holds an election officer's certificate issued by the Secretary of State in accordance with A.R.S. § 16-407

Certificate of Qualification

Each worker, upon successful completion of the attended course of instruction, shall receive a certificate of qualification from the Board of Supervisors or officer in charge of elections stating the worker's name, and the course of instruction completed. No

inspector or judge, except those appointed under the provisions of A.R.S. §§ 16-533 and 16-534, shall serve at any election unless the inspector or judge has received the required instruction and a certificate of qualification.

[A.R.S. § 16-532(A)]

[End response to above question (C8) above this line.]

SECTION D: ELECTION DAY ACTIVITIES

D1. Please describe your state's process for capturing "over-vote" and "under-vote" counts.

[Begin response to above question (D1) below this line.]

Arizona does not require capturing under-votes. For over-votes, the following applies:

A.R.S. § 16-446. Specifications of electronic voting system

A. An electronic voting system consisting of a voting or marking device in combination with vote tabulating equipment shall provide facilities for voting for candidates at both primary and general elections.

B. An electronic voting system shall:

1. Provide for voting in secrecy when used with voting booths.
2. Permit each elector to vote at any election for any person for any office whether or not nominated as a candidate, to vote for as many persons for an office as he is entitled to vote for and to vote for or against any question on which he is entitled to vote, and the vote tabulating equipment shall reject choices recorded on his ballot card or paper ballot if the number of choices exceeds the number that he is entitled to vote for the office or on the measure.
3. Prevent the elector from voting for the same person more than once for the same office.
4. Be suitably designed for the purpose used and be of durable construction, and may be used safely, efficiently and accurately in the conduct of elections and counting ballots.
5. Be provided with means for sealing the voting or marking device against any further voting after the close of the polls and the last voter has voted.
6. When properly operated, record correctly and count accurately every vote cast.
7. Provide a durable paper document that visually indicates the voter's selections, that the voter may use to verify the voter's choices, that may be spoiled by the voter if it fails to reflect the voter's choices and that permits the voter to cast a new ballot. This paper document shall be used in manual audits and recounts.

[End response to above question (D1) above this line.]

D2. What identification does your state require from voters in the following situations:

- a. registering to vote;

[Begin response to above question (a) below this line.]

The county recorder shall reject any application for registration that is not accompanied by satisfactory evidence of United States citizenship. Satisfactory evidence of citizenship shall include any of the following:

1. The number of the applicant's driver license or nonoperating identification license issued after October 1, 1996 by the department of transportation or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant's driver license or nonoperating identification license that the person has provided satisfactory proof of United States citizenship.

2. A legible photocopy of the applicant's birth certificate that verifies citizenship to the satisfaction of the county recorder.
3. A legible photocopy of pertinent pages of the applicant's United States passport identifying the applicant and the applicant's passport number or presentation to the county recorder of the applicant's United States passport.
4. A presentation to the county recorder of the applicant's United States naturalization documents or the number of the certificate of naturalization. If only the number of the certificate of naturalization is provided, the applicant shall not be included in the registration rolls until the number of the certificate of naturalization is verified with the United States immigration and naturalization service by the county recorder.
5. Other documents or methods of proof that are established pursuant to the immigration reform and control act of 1986.
6. The applicant's bureau of Indian affairs card number, tribal treaty card number or tribal enrollment number. [A.R.S. § 16-166(F)]

[End response to above question (a) above this line.]

b. casting an in-person ballot;

[Begin response to above question (b) below this line.]

- b. A. Every qualified elector, before receiving his ballot, shall announce his name and place of residence in a clear, audible tone of voice to the election official in charge of the signature roster or present his name and residence in writing and shall present one form of identification that bears the name, address and photograph of the elector or two different forms of identification that bear the name and address of the elector. If the name is found upon the precinct register by the election officer having charge thereof, or the qualified elector presents a certificate from the county recorder showing that he is entitled by law to vote in the precinct, the election official in charge of the signature roster shall repeat the name and the qualified elector shall be allowed within the voting area. [A.R.S. § 16-579]

In addition, Arizona's Procedures Manual [A.R.S. § 16-452] gives the following forms of identification:

Acceptable Forms of Identification with Photograph, Name, and Address of the Elector

- Valid Arizona driver license
- Valid Arizona nonoperating identification license
- Tribal enrollment card or other form of tribal identification
- Valid United States federal, state, or local government issued identification

An identification is "valid" unless it can be determined on its face that it has expired.

Acceptable Forms of Identification Without a Photograph that Bear the Name and Address of the Elector (Two Required)

- Utility bill of the elector that is dated within 90 days of the date of the election. A utility bill may be for electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television
- Bank or credit union statement that is dated within 90 days of the date of the election
- Valid Arizona Vehicle Registration
- Indian census card
- Property tax statement of the elector's residence
- Tribal enrollment card or other form of tribal identification
- Vehicle insurance card
- Recorder's Certificate
- Valid United States federal, state, or local government issued identification, including a voter registration card issued by the County Recorder

An identification is "valid" unless it can be determined on its face that it has expired.

[End response to above question (b) above this line.]

c. casting a mail-in or absentee vote;

[Begin response to above question (c) below this line.]

None.

[End response to above question (c) above this line.]

d. casting a ballot under UOCAVA;

[Begin response to above question (d) below this line.]

None.

[End response to above question (d) above this line.]

e. any other stage in registration or voting process in which identification is required (please specify).

[Begin response to above question (e) below this line.]

N/A

[End response to above question (e) above this line.]

D3. Please describe your state's laws regarding access to the polling place for election observers. Election observers are people allowed inside the polling place who are not poll workers, election officials or voters. If decisions on access to observers are left to local jurisdictions, please explain.

[Begin response to above question (D3) below this line.]

Except as prescribed in this section and section 16-580, a person shall not be allowed to remain inside the seventy-five foot limit while the polls are open, except for the purpose of voting, and except the election officials, one representative at any one time of each political party represented on the ballot who has been appointed by the county chairman of that political party and the challengers allowed by law, and no political or electioneering materials may be displayed within the seventy-five foot limit. Voters having cast their ballots shall promptly move outside the seventy-five foot limit. [A.R.S. § 16-515(A)] In addition, Arizona's Procedures Manual allows Department of Justice observers, if any. [A.R.S. § 16-452]

[End response to above question (D3) above this line.]

SECTION E: OTHER

E1. Under HAVA, Section 402, states are required to have in place administrative complaint procedures to remedy grievances. Has your state revised its administrative complaint procedures since they were first implemented? If so, how?

[Begin response to above question (E1) below this line.]

No, Arizona has not revised its administrative complaint procedure since it was first implemented.

[End response to above question (E1) above this line.]

E2. Please add any additional comments or information about your state's election administration processes that would help to inform the EAC's interpretation of your data.

[Begin response to above question (E2) below this line.]

[End response to above question (E2) above this line.]

* The information collection associated with the Election Administration and Voting Survey is required for the EAC to meet its statutory requirements under the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). Respondent's obligation to reply to this information collection is mandatory as required under NVRA (42 U.S.C. 1973gg-1 et seq.) and UOCAVA (42 U.S.C. 1973ff-1). This part of the information collection is being requested to help the EAC to better understand state laws governing federal elections. Respondents include the fifty states, the District of Columbia, and the U.S. Territories. This information will be made publicly available on the EAC website (www.eac.gov). According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB Control No. 3265-0006 (expires 3/31/09). The time required to complete this information collection is estimated to average 59 hours per state response. This estimate includes the time for reviewing the instructions, gathering information, and completing the form. Comments regarding this burden estimate should be sent the U.S. Election Assistance Commission – 2008 Election Administration and Voting Survey, 1225 New York Avenue, Suite 1100, Washington, DC 20005.