



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

VETOED

AMENDED

FACT SHEET FOR S.B. 1095

early ballot envelope; notice

Purpose

Requires an early ballot envelope to include a prescribed statement relating to the return of an early ballot after the Friday before the election.

Background

A county board of supervisors prepares early ballots, including ballots-by-mail, to be used in federal, statewide, legislative and countywide elections (A.R.S. §§ [16-405](#) and [16-503](#)). The county recorder or other officer in charge of elections may begin distributing the early ballots 27 days before the election ([A.R.S. § 16-542](#)). The county recorder must receive and process early ballot requests and provide early ballots and printed instructions to early voters directing the voters to sign the affidavit, mark the ballot and return both in the enclosed envelope ([A.R.S. § 16-544](#)). An early ballot must 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 in a county in Arizona; 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. For the ballot 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](#)).

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

Provisions

1. Requires the envelope accompanying an early ballot to state:

Dropping off an early ballot after the Friday before the election may result in delayed results as each ballot requires verification.

2. Makes technical changes.
3. Becomes effective on the general effective date.

Amendments Adopted by the House of Representatives

- Modifies the statement included on the envelope accompanying an early ballot.

Governor's Veto Message

The Governor indicates in her [veto message](#) that S.B. 1095 could discourage voter participation.

Senate Action

| | | | |
|----------------------|---------|----|---------|
| ELEC | 1/30/23 | DP | 5-3-0 |
| 3 rd Read | 2/28/23 | | 16-14-0 |
| Final Read | 6/13/23 | | 16-12-2 |

House Action

| | | | |
|----------------------|---------|-----|-------------|
| MOE | 3/22/23 | DPA | 5-4-0-1 |
| 3 rd Read | 5/15/23 | | 33-25-1-0-1 |

Vetoed by the Governor on 6/20/23

Prepared by Senate Research

June 22, 2023

AN/CS/slp