

State Law Resources

Arizona: Voter Registration

Disclosure

These resources are current as of 11/20/2020. We do our best to periodically update these resources and welcome any comments or questions regarding new developments in the law. Please email us at advocacy@afj.org.

WHAT'S NEW IN THIS GUIDE

This version updates the following parts of this guide:

- Proof of citizenship requirements for voter registration
- The ID requirements for voting.
- Voter registration drives

In addition, a section on voting by mail has been added.

This guide summarizes key aspects of laws governing voter registration on the state level. It is not intended to provide legal advice or to serve as a substitute for legal advice.

In some jurisdictions, city and/or county regulations may also apply to certain political activities. Check with the appropriate local jurisdiction before undertaking any activity.



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Deadlines for Registration

Deadline for registering

- The deadline for registration is 29 days prior to the election.¹

Does Arizona offer Election Day registration?

- No.

Does Arizona allow by-mail registration?

- Yes. Registration may be conducted online, in person, or by mail. Voter registration information is available at <https://azsos.gov/elections/voting-election/register-vote-or-update-your-current-voter-information>.
- A voter registration form postmarked on or before the 29th day prior to the election is valid if it is received by the county recorder by 7:00 p.m. on the day of the election.²
- A voter registration form dated on or before the 29th day prior to the election is valid if it is received by first class mail within five days after the last day to register to vote in that election.³

Does Arizona allow online registration?

- Yes, Online registration is available at <https://servicearizona.com/webapp/evoter/>; voter registration forms can be downloaded at https://azsos.gov/sites/default/files/2019_az_voter_registration_form.pdf.
- There is no prohibition on helping someone complete the voter registration application online.

¹ See Arizona Revised Statutes ("A.R.S.") § 16-120. The Arizona Revised Statutes are available at www.azleg.gov/arstitle/.

² A.R.S. § 16-134(C).

³ A.R.S. § 16-134(C).

ID Requirements

May voter register before turning 18?

- Yes. Voters may register before they turn 18, so long as they will be 18 by the time of the next regular general election.⁴

Is photo ID required to register to vote in Arizona?

- No. Photo ID is not required to register to vote in Arizona.

Is proof of citizenship required to register to vote in Arizona?

- Sort of. Arizona requires proof of citizenship to register to vote for state offices.
- Proof of citizenship can be provided in two ways: (1) the voter can provide documentary proof of citizenship with or after submission of the voter registration form, or (2) the County Recorder may acquire proof of citizenship on the voter's behalf through an automated check of the Arizona Motor Vehicle Department ("MVD") record.⁵
- Valid documentary proof of citizenship includes certain Arizona driver license or identification cards issued after October 1, 1996 (with verification by the County Recorder that the license or ID card is not a "Type F" card issued to a non-citizen); an out-of-state driver license or identification card that indicates on its face that the person provided proof of U.S. citizenship to the state; a birth certificate from any U.S. state or territory; a U.S. passport; naturalization documents; or tribal identification or enrollment documents.⁶
- If a voter does not provide proof of citizenship and the County Recorder is not able to obtain proof citizenship through the MVD records check, the voter will be entitled to vote a federal-only ballot (i.e., voting for Members of Congress), not for statewide offices, such as Secretary of State, or for the Legislature.

4 A.R.S. § 16-101(A)(2).

5 See 2019 Addendum to the Arizona Elections Procedures Manual.

6 See A.R.S. § 16-166(F); Arizona Elections Procedure Manual (2019), p. 3 to 6.

What identification is required for voting?

- In order to obtain a ballot at a polling place, the voter must present any of the following.⁷
- (a) Photo ID. A valid form of identification that bears the photograph, name, and address of the voter that matches the name and address in the precinct register, including:
 - Arizona driver license
 - Arizona nonoperating identification license
 - Tribal enrollment card or other form of tribal identification
 - Federal, state, or local government-issued identification
- (b) Non-photo ID. Two different items that contain the name and address of the voter that matches the name and address in the precinct register, including:
 - Utility bill (electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television)
 - Bank or credit union statement dated within ninety days of the date of the election
 - Valid Arizona vehicle registration
 - Arizona vehicle insurance card
 - Indian census card, tribal enrollment card, or other form of tribal identification
 - Property tax statement
 - Recorder's certificate
 - Voter registration card
 - Valid U.S. federal, state, or local government-issued identification
 - Official election mail
- (c) Photo ID without a correct address plus non-photo ID with correct address. A valid photo ID with an incorrect address (or a valid US military ID card or US passport without an address) plus a document with the correct address from the items listed in paragraph (b) above.
 - As of 2019, Arizona law requires a voter who receives a ballot at an on-site early voting location to present the same identification as required to vote in person on election day.⁸ This rule only applies to voters "receiving" an early ballot in person; it does not apply to voters who receive a ballot via mail and return it in person. See *id.* ("Any on-site early voting location or other early voting location shall require each elector to present identification as prescribed in section 16-579 before

⁷ See A.R.S. § 16-579(A); <https://azsos.gov/elections/voting-election>.

⁸ See A.R.S. § 16-542(A).

receiving a ballot.”) (emphasis added)

- o A voter who does not have the required identification can vote a conditional provisional ballot and return with the required identification to the polling place on election day or to designated locations by 5:00 p.m. on the fifth business day after an election that includes an election for federal office or 5:00 p.m. on the third business day after an election not including an election for federal office.⁹
- o A voter who presents identification, but the name or address does not reasonably match the signature roster, receives a provisional ballot.¹⁰ The voter need not return with identification as is required for a voter receiving a conditional provisional ballot.

9 A.R.S. § 16-579(A)(2); Arizona Elections Procedure Manual (2019) p. 182.

10 Arizona Elections Procedures Manual (2019) p. 182.

Voting by Mail

- Many Arizona voters vote by mail. Any qualified voter may request to be placed on the Permanent Early Voting List (PEVL) and receive a ballot-by-mail for each election the voter is eligible for.¹¹
- Voters can sign up for the PEVL online, at <https://servicearizona.com/webapp/evoter>. The County Recorders also provide forms on their websites, e.g., https://recorder.maricopa.gov/pdf/PEVL_Request_Form.pdf.
- To receive a mail-in ballot for a given election, the voter must sign up for the PEVL (or otherwise request a mail-in ballot) at least 11 days before the election.
- Mail-in ballots do not require the voter to present either photo or non-photo identification if they are returned by mail. To be counted, they must be received by 7pm on Election Day.¹² The voter must also complete the affidavit that is on the ballot envelope.
- Instead of returning their ballots by mail, voters may also deposit their ballots at a polling place on election day or at an on-site early voting location within the voter's county. A voter who returns a mail-in ballot in person does not need to present identification.¹³
- Arizona prohibits people from collecting others' early ballots (so-called "ballot harvesting").¹⁴ There is an exception for family members, household members, and caregivers.¹⁵ On January 27, 2020, an en banc panel of the Ninth Circuit held that the prohibition on collecting others' early ballots violated Section 2 of the Voting Rights Act.¹⁶ On October 2, 2020, the Supreme Court granted certiorari. The Court is expected to hold oral argument some time in 2021. The prohibition remains in effect pending Supreme Court review.

¹¹ A.R.S. § 16-544(A); Arizona Elections Procedure Manual (2019), p. 49.

¹² A.R.S. § 16-548(A).

¹³ See A.R.S. § 16-542(A) (early voting locations shall require electors to present ID "before receiving a ballot") (emphasis added).

¹⁴ A.R.S. § 16-1005(H).

¹⁵ A.R.S. § 16-1005(I).

¹⁶ See Democratic Nat'l Comm. v. Hobbs, 948 F.3d 989 (9th Cir. 2020).

Voter Registration Drives

Arizona does not expressly regulate voter registration drives by private groups. However, any group engaged in a voter registration drive should be prudent in the way it conducts the drive, including providing accurate, up-to-date information to the applicants, transmitting completed applications it accepts to the proper authorities promptly, and making clear to applicants what information, if any, the organization will retain about the applicants. An intentional failure to return completed voter registration materials is a misdemeanor.¹⁷

The Elections Department for Maricopa County (the largest county in the State, which includes Phoenix) has a page with resources on voter registration drives, <https://recorder.maricopa.gov/elections/vrtoolkit.aspx>.

Does Arizona accept National Voter Registration Act (NVRA) registration forms? Any restrictions?

- Yes, but a voter who does not provide proof of citizenship (and for whom the County Recorder is not able to locate proof using the MVD database) will be allowed to vote in only federal elections.

May voter registration drive workers assist a voter in completing their registration form?

- If the person is unable to complete or sign the form, the form can be completed by the person assisting the voter. There is a place on the registration form for the person assisting the voter to sign her name.

Arizona does not require or regulate any of the following:

- Training of voter registration workers
- Registration of voter registration drives
- Whether a group must provide information to voters about how they may contact the group to determine the status of their registration
- Whether a group may pay voter registration drive workers and if so whether it is

¹⁷ A.R.S. § 16-181.

permissible to pay on a per-voter-registered basis

Arizona also does not regulate whether groups may “cage” completed registration forms (i.e. asks voters to mail them back to the group, which will then send them to the appropriate elections registrar(s)). However, a group that seeks to cage and copy forms, or any data included on them, should be aware that any information derived from registration forms “may be used only for purposes relating to a political or political party activity, a political campaign or an election, for revising election district boundaries or for any other purpose specifically authorized by law and may not be used for a commercial purpose.”¹⁸

18 See A.R.S. § 16-168(E).

Contact Information for State and Local Agencies

Arizona Secretary of State

Elections Services Division
State Capitol, Executive Tower
1700 West Washington Street
Seventh Floor
Phoenix, Arizona 85007-2888

(602) 542-8683 or 1-877-THE VOTE

www.azsos.gov/election

Listing of County Elections Officials:

www.azsos.gov/election/county.htm

The first edition of the Arizona Campaign Finance State Law Resource was written by Kim Demarchi and published by Alliance for Justice in 2007.

For Further Assistance

For assistance regarding these resources or for more information about federal law, please contact our attorney one-on-one counseling service:

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