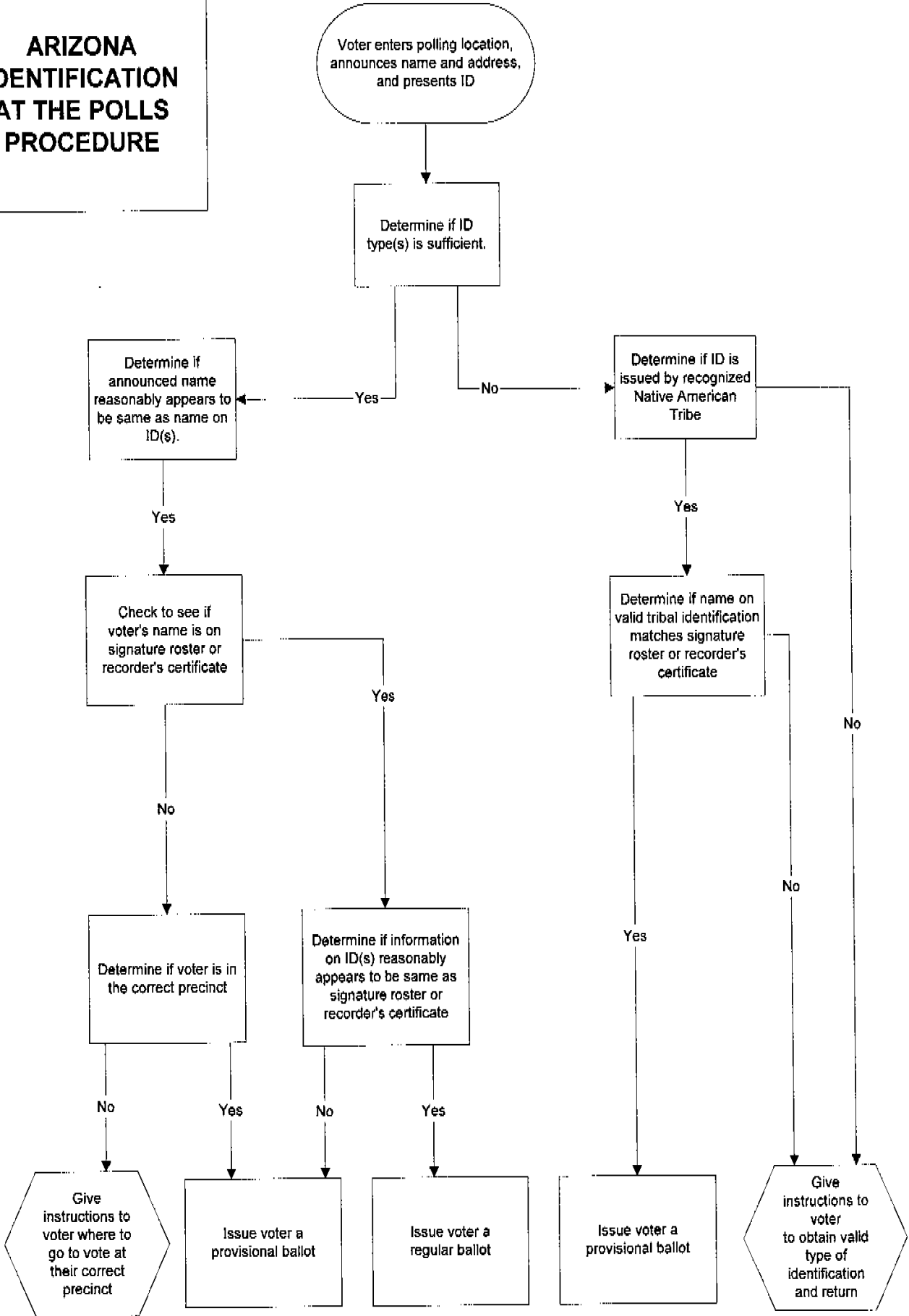


# ARIZONA IDENTIFICATION AT THE POLLS PROCEDURE



## **PROCEDURE FOR PROOF OF IDENTIFICATION AT THE POLLS**

Every qualified elector is required to show proof of identity at the polling place before receiving a ballot. The elector shall announce his/her name and place of residence to the election official and 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.

[A.R.S. § 16-579(A)]

An elector who does not provide 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 shall not be issued a regular ballot or a provisional ballot unless the elector identifies himself or herself as a Native American. The poll worker shall provide the elector instructions on the acceptable forms of identification and encourage the elector to obtain the identification and return to the polling place. If the elector identifies himself or herself as a Native American, the elector shall be processed under the section of this procedure titled "Identification Requirements for Native American Electors".

Acceptable proof of identification includes but is not limited to the sources listed below. Other forms of identification not on this list must be deemed acceptable by the county election official in charge of elections and must establish the identity of the elector in accordance with the requirements of A.R.S. § 16-579(A).

### **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 ninety 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 ninety 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.

#### **Compare Identification to Announced Name**

If the elector has provided the acceptable form of identification(s), the poll worker shall compare the information on the identification(s) with the information the elector announced. If the name on the identification(s) reasonably appears to be the same as the announced name, the poll worker shall compare the identification to the signature roster. If the name on the identification(s) does not reasonably appear to be the same as the announced name, the elector shall be instructed to obtain proper identification.

#### **Compare Identification to Signature Roster**

The poll worker shall compare the information on the identification(s) provided by the elector with the information on the signature roster.

#### **Polling Place Process for Elector Whose Name Appears on the Signature Roster**

If the elector presents one form of identification that bears the name, address, and photograph of the elector and the name and address on the identification and the signature roster reasonably appear to be the same and the photo reasonably appears to be the elector, then the elector shall be issued a regular ballot. If the name and address on the identification do not reasonably appear to be the same as the name and address on the signature roster or the photo does not reasonably appear to be the elector, then the elector shall not be issued a regular ballot, but shall be issued a provisional ballot.

If the elector presents two forms of identification that bear the name and address of the elector without a photograph of the elector, the poll worker shall compare the name and address on the two pieces of identification with the name and address on the signature roster. If both pieces of identification reasonably appear to be the same as the name and address on the signature roster the elector shall be issued a regular ballot. If the name or address on either piece of provided identification does not reasonably appear to be the same as the name and address on the signature roster then the elector shall not be issued a regular ballot, but shall be issued a provisional ballot.

If the elector presents only one form of identification that bears the name and address of the elector without a photograph of the elector, the elector shall not be issued a regular or provisional ballot.

If the elector has moved within the precinct and, therefore, his or her name is on the register but the address on the identification(s) are not the same as the signature roster, the elector shall be issued a provisional ballot. [A.R.S. § 16-135].

**Polling Place Process for Elector Whose Name Does Not Appear on the Signature Roster**

If the poll worker is unable to locate the elector's name on the signature roster after the elector presents 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, the elector shall be permitted to vote a provisional ballot [A.R.S. §§ 16-135(B), -137, and 584(C)].

**Polling Place Process for Elector Who Presents a Recorder's Certificate**

If the elector presents a recorder's certificate to the poll worker, the poll worker shall treat the recorder's certificate in the same manner as if the information on the recorder's certificate appeared in the signature roster and compare the identification to the recorder's certificate.

If the elector presents one form of identification that bears the name, address, and photograph of the elector and the name and address on the identification and the recorder's certificate reasonably appear to be the same and the photo reasonably appears to be the elector, then the elector shall be issued a regular ballot.

If the name or address on the identification do not reasonably appear to be the same as the name or address on the recorder's certificate or the photo does not reasonably appear to be the elector, then the elector shall not be issued a regular ballot, but shall be issued a provisional ballot.

If the elector presents two forms of identification that bear the name and address of the elector without a photograph of the elector, the poll worker shall compare the name and address on the two pieces of identification with the name and address on the recorder's certificate. If both pieces of identification reasonably appear to be the same as the name and address on the recorder's certificate the elector shall be issued a regular ballot. If the name or address on either piece of provided identification do not reasonably appear to be the same as the name and address on the recorder's certificate then the elector shall not be issued a regular ballot, but shall be issued a provisional ballot.

If the elector has presented sufficient identification to receive a regular ballot, the poll worker shall add the elector's name to the next consecutive sequence number at the end of the signature roster. The pollworker shall then have the elector sign the signature roster and give the elector a ballot.

If the elector has moved within the precinct and, therefore, his or her name is on the recorder's certificate but the address on the identification(s) is not the same as the recorder's certificate, the elector shall be issued a provisional ballot. [A.R.S. § 16-135].

If the elector presents only one form of identification that bears the name and address of the elector without a photograph of the elector, the elector shall not be issued a regular or provisional ballot.

**Returning Elector's Identification Sources**

All identification sources shall be returned to the elector. In no circumstances shall the identification sources be kept by the poll worker.

**Addresses on the Signature Roster**

The official signature rosters for use at the polling places shall include the elector's residence address and the mailing address, if different from the residence address, from the elector's registration form as prescribed by A.R.S. § 16-152(A). Identification as set forth in this procedure that bears the mailing address of the elector is sufficient identification if the name and address reasonably appear to be the same as the elector's name and address contained in the signature roster or recorder's certificate.

**Identification Requirement for Native American Electors**

An elector who identifies himself or herself as a member of a federally recognized Native American tribe and who does not provide 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 shall be issued a provisional ballot upon presenting one form of tribal identification that bears the name of the elector and that reasonably appears to be the same as the signature roster or recorder's certificate.

**Indication that proof of identity was provided**

The oath statement on the signature roster shall include a statement that the poll worker obtained valid proof of identification from every elector.

The oath statement may be included on the official ballot report and certificate of performance if the county so chooses.

**Polling Place**

A list of acceptable identification shall be posted in a conspicuous place and made available to the electors at each polling location.

**Notice of Identification Requirement**

Notice of the identification at the polls requirement and a list of acceptable forms of identification shall be included with the sample ballots mailed to each household with a registered voter or any other notice sent to electors regarding polling place locations. In addition, a similar notice shall appear in the Secretary of State's Publicity Pamphlet.

**Early Ballot Drop Off**

An elector who is dropping off their early ballot at a precinct voting location is not required to show identification.



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*Rep. Russell Pearce (R-18)*

# NEWS RELEASE

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Friday, August 12, 2005

**FOR IMMEDIATE RELEASE**

### **Pearce demands Napolitano action on Prop. 200**

(State Capitol, Phoenix) – A new set of regulations to institute new voter-mandated ballot procedures now awaits Gov. Janet Napolitano's approval.

After months of negotiations, the new procedures to implement the voter provisions of Proposition 200 were released Friday by Secretary of State Jan Brewer. The procedures set out the forms of identification that can be used when seeking a ballot.

"These regulations will ensure that our elections are clean and only people who are allowed to vote receive a ballot," said House Appropriations Chairman Russell Pearce, R-Mesa.

The procedures outlined by Brewer specify what forms of ID can be used to obtain a ballot. Prop. 200, approved by voters in November, mandates that a person seeking a ballot produce identification to reduce chances for fraud.

Brewer will forward her plan to Napolitano, who must also give her approval.

With more than nine months passed since voters approved Prop. 200, Pearce said it is well past time to implement the voter provisions of the initiative. Pearce, a co-author of Prop. 200, said he expects Napolitano to sign off on the new procedures and send them to the U.S. Department of Justice for final approval by Aug. 26. If Napolitano fails to give her approval, Randy Pullen, chairman of the Yes on Prop. 200 committee said the group would go to court to force her to submit the new regulations to the Justice Department.

"It would be a sad day if we have to sue the governor to enforce the law," Pearce said.

Pullen added: "If Napolitano doesn't follow the wishes of the voters, then she leaves us no other choice but to take legal action."

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