

## **Exhibit 2**

## **Proof of Citizenship Requirement**

Arizona voters approved Proposition 200 at the November 2, 2004 general election. The Proposition requires that voters prove United States citizenship prior to registering to vote. The county recorder must reject any registration that is not accompanied by satisfactory evidence of United States citizenship.

Satisfactory evidence of citizenship is specified in A.R.S. § 16-166(F) and includes the applicant's driver license number or nonoperating identification license number 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 license that the person has provided satisfactory proof of United States citizenship.

[Ariz. Atty. Gen. Op. No. I05-001]

The other "satisfactory evidence" of citizenship specified in A.R.S. § 16-166(F) includes:

- a copy of a birth certificate. Supporting legal documentation shall be provided if the name on the birth certificate is not the same as registrant's current name (i.e. marriage certificate, court documented name change).

The counties shall also accept a United States birth certificate as proof of citizenship where the name on the birth certificate is different from the voter registration if the following five fields match on both the voter registration form and the birth certificate:

- 1) First Name,
- 2) Middle Name,
- 3) Place of Birth,
- 4) Date of Birth, and
- 5) Parents' Name.

- in the event a United States citizen is born abroad in a non-military installation, they should have registered with the Department of State and obtained a "Certificate of Birth Abroad". This document counts as a birth certificate.
- pertinent pages of a United States passport identifying the registrant.
- United States naturalization documents or the number of the certificate of naturalization (Alien Registration Number).
- a driver license or nonoperating license from another state within the United States if the license indicates that the applicant has provided satisfactory proof of citizenship.
- the registrant's Bureau of Indian Affairs Card Number, Tribal Treaty Card Number, Tribal Enrollment Number, or Census Number

- Tribal Certificate of Indian Blood or Tribal or Bureau of Indian Affairs Affidavit of Birth.

[A.R.S. § 16-166]

In addition to presenting the documentation required by A.R.S. § 16-166(F), a person registering to vote must sign a statement declaring that he or she is a United States citizen and acknowledging that executing a false registration is a class 6 felony. It is a state and federal crime to falsely claim to be a United States citizen when registering to vote.

[A.R.S. § 16-152(A)(14), (18); A.R.S. § 16-152(A)(18); 18 U.S.C. § 1015(f)]

## **QUALIFICATIONS OF VOTERS IN CITY OR TOWN ELECTIONS**

No person is entitled to vote at an election in a city or town who has not been a qualified elector as defined in A.R.S. § 16-121 in the city or town for **29 days before** the election.

A person who has resided for at least **29 days before** an election in an area annexed at least 29 days before an election by a city or town shall be entitled to vote at the city or town election, provided the person is a qualified elector as defined in A.R.S. § 16-121.

Charter cities may have different qualifications.

[Ariz. Const. Art. XIII, § 2; A.R.S. § 9-822]

## **VOTER REGISTRATION PROCESSING**

- 1) A new completed voter registration form comes in to the recorder.
- 2) The voter registration form must be accompanied by proof of citizenship pursuant to A.R.S. § 16-166(F). If the form is not accompanied by proper proof of citizenship, the voter registration form is not valid and either will not be entered into the system or if it was entered into the system, the record shall be canceled. If the registrant subsequently provides proof of citizenship, it must be accompanied by a new voter registration form and a new registration date.
- 3) If the voter registration form has the five elements required by law—name, residence address, date of birth, signature and citizenship—it is entered and sent to the secretary of state even if it does not contain the driver license number, nonoperating identification license number or the last four digits of the social security number.

- 4) If the voter registration form does not have one or more of the five elements, the information is put in a pending file until the data is acquired. The registration cannot be considered received until the five elements are completed. The county recorder will attempt to contact the registrant by phone or mail to obtain the missing information or a completed voter registration form. Any letter mailed shall include information informing the voter of approaching voter registration deadlines.
- 5) The secretary of state will coordinate with the Arizona Motor Vehicle Division to check the voter file against the driver license number or nonoperating identification license number and the last four digits of the social security number.
- 6) The secretary of state will add to the official registration file the driver license number or nonoperating identification license number, and the last four digits of the social security number, if there is sufficient matching information.
- 7) For any new voter registration that does not contain the driver license number or nonoperating identification license number or the last four digits of the social security number, the secretary of state will add the data, if there is sufficient matching information. A registration is considered new if the voter does not have a unique identifying number previously assigned by the secretary of state.
- 8) The secretary of state will assign a unique identifying number to any registrant who does not have a driver license number, nonoperating identification license number or social security number.
- 9) Any registrant modifying their registration record in the county they are currently registered in does not need to provide proof of citizenship. If the registrant is registered in Arizona and now is registering in a new county, the registrant is required to provide proof of citizenship pursuant to A.R.S. § 16-166(G).
- 10) The secretary of state will return the file to the recorder with a unique identifying number assigned to each registrant. Additionally, counties may maintain their own voter identification numbers. The counties will determine what number to use as the voter registration identification number that is printed on the citizen's voter registration card.
- 11) The secretary of state will also send the recorder an exception report. The recorder will review the report for items such as duplicate voter registrations, felons, death records, and processing errors such as transposed numbers. If the driver license or social security records conflict with the registrant's information that was provided by the county recorder, the registrant's information shall be changed to reflect the correct information. The county recorder shall notify the registrant by letter to confirm which information is correct.
- 12) If there are any discrepancies between the motor vehicle division record or county recorder record in the name, driver license number, nonoperating identification

license number or the last four digits of the social security number, the recorder shall send a letter to the registrant to confirm which information is correct.

- a. If a registrant submits a voter registration application in which the Arizona driver license number does not match the records at the Motor Vehicle Division (MVD) and the driver license number is being used for proof of citizenship purposes, the county shall cancel the voter registration and send a letter to the registrant providing the registrant the opportunity to remedy the error. (See "SAMPLE FORMS: Uniform Correspondence: AZ DLN Did Not Match at MVD"). The registration effective date will be the date the new voter registration form is signed, not the date of the form that had the incorrect driver license number.
  - b. If a registrant submits a voter registration application where the name, last four digits of social security number and/or the date of birth does not match the Motor Vehicle Division or the Social Security Administration, the recorder shall send a letter to the registrant to confirm which information is correct. The registration effective date will be the date the original voter registration form was signed.
- 13) If the registrant does not provide the driver license number, nonoperating identification license number or the last four digits of his/her social security number, by signing the form, the voter is affirming that he/she does not have a driver license number, nonoperating identification license number or social security number.
- 14) The voter registration form, accompanied by acceptable proof of citizenship must be accepted for processing even if the citizenship question is not answered. The registration shall not be completed, however, until the citizenship question is answered "yes" as required by A.R.S. § 16-121.01 and 42 U.S.C. § 15483(b)(4)(B). The county recorder shall notify registrants by letter in accordance with A.R.S. § 16-134(B) and provide the registrant an opportunity to make a check mark or other appropriate indicator showing that the registrant answered "yes" to the question regarding citizenship. [*Id.*] For the purpose of voter registration, an appropriate indicator includes making a check mark in the box, placing an X in the box, circling the box, shading or any other method involving the "yes" box that indicates the registrant is a citizen.
- 15) If the citizenship box is marked "no", the recorder shall send a copy of the voter registration form to the registrant along with a letter explaining that the registrant must be a citizen of the United States to register.
- 16) All citizenship verification information collected pursuant to A.R.S. § 16-166(F) shall be maintained by the county recorder in a manner that the county recorder reasonably believes will ensure that no unauthorized person has access to the information.

The recorder shall maintain copies of citizenship proof provided by the voter batched by month and year. [A.R.S. § 16-166(J)]. After two years, the county recorder may destroy all documents that were submitted as evidence of citizenship. If the county recorder chooses to destroy these documents, the county recorder must use due diligence to properly discard or dispose of the records.

- 17) If only the alien registration number from the naturalization documents is provided for citizenship purposes, the number shall be verified with the United States Citizenship and Immigration Services before the registrant may be added to the registration rolls.

To conduct the verification, each county recorder shall establish an account with the United States Citizenship and Immigration Services to utilize the Systematic Alien Verification for Entitlements (SAVE) program. This program allows the recorders access to information contained in the Verification Information System (VIS) database.

The alien registration number is the only number from a registrant's naturalization documents that can be validated against the SAVE system. The validation will indicate if the registrant is a citizen of the United States.

It takes approximately two weeks from the time after a new citizen takes his or her oath at the citizenship ceremony before that citizen's alien registration number is placed in the SAVE database. If the registration is received within 14 days of the voter registration deadline, the county recorder shall notify the registrant that further citizenship proof may be necessary in order to assure that the voter is registered on time. The correspondence shall indicate that the registrant may present his or her naturalization papers to the recorder to satisfy the proof of citizenship requirement.

If a registrant provides a number that cannot be validated by the SAVE system, the county recorder shall take all reasonable steps necessary to obtain the alien registration number from the registrant, including, but not limited to, contacting the voter by phone and sending correspondence. The registrant is not officially registered until they satisfy the proof of citizenship requirement. If the county recorder obtains the alien registration number from the registrant, the recorder may enter the alien registration number on the form and validate the number through the SAVE system. If the number is validated, the recorder may use the date the original form was signed as the registration date. If after 120 days, the registrant has not provided a valid alien registration number, the county recorder shall send the registrant correspondence stating that the registration form has been rejected and the reason why along with a new voter registration form.

- 18) If the driver licenses number entered on the voter registration form was issued on or before October 1, 1996, or the driver license type is "F" (foreign or out of

country) or "N" (commercial foreign or out of country), the recorder shall take the following steps:

- a. Ensure the driver license number was entered correctly. If the recorder determines it was not, the recorder shall correct the driver license number on the county system and the new driver license number match will be reported on the statewide voter registration database (VRZ) the next day.
  - b. If the driver license number was entered correctly, check the current database to determine if the registrant is currently registered to vote in that county. If the voter is registered to vote in that county and is only updating the voter registration information, no citizenship proof is required.
  - c. If it is determined that the voter is a first time registrant or is reregistering in a different county, check to see if other citizenship documents were provided with the voter registration application. If the registrant provided other satisfactory proof of citizenship, the registration should be accepted.
  - d. If no satisfactory proof of citizenship is provided, the voter registration record should be cancelled and the voter should be contacted within ten business days of receipt of the registration form as provided by A.R.S. § 16-134 with a request to provide proper proof of citizenship. (See "SAMPLE FORMS: Uniform Correspondence: 2<sup>nd</sup> Notice that Citizenship Documentation Needed").
- 19) A legible photocopy of pertinent pages of the registrant's United States passport is considered proof of citizenship. The pertinent pages of a United States Passport are considered the pages that contain the passport number, name, nationality, date of birth, gender, place of birth, and signature.
- 20) If a registrant submits tribal documentation or a tribal number on his/her form, it will be presumed valid as proof of citizenship for voter registration purposes.
- 21) The registrant may present to the recorder the registrant's United States naturalization documents or other documents of proof that are established pursuant to the Immigration Reform and Control Act of 1986 as acceptable proof of citizenship.
- 22) The registrant may present or send the recorder a legible photocopy of the applicant's birth certificate that verifies citizenship as acceptable proof of citizenship.
- 23) If a registration is conducted in person at the county recorder's office, the county recorder personnel shall indicate on the voter registration form (1) that the person provided proof of citizenship, (2) the type of citizenship proof provided, and (3) the name and initials of the employee who made the verification.
- 24) County recorder personnel who attend naturalization ceremonies may assist the new citizens in registering to vote. The county personnel shall verify the alien registration number, write their name and initials on the voter registration form, and

date the form. If voters are registered at the ceremony from outside the county, the county personnel conducting the voter registration drive shall bundle the registrations by county and send them to the county recorder with an official cover letter stating that all alien registration numbers were verified by county recorder personnel. Neighboring counties may accept the voter registration form without further proof of citizenship. (See "SAMPLE FORMS – Uniform Correspondence - County Recorder Naturalization Ceremony Certification").

25) If all fields are filled in on a voter registration form they shall be entered into the voter registration system.

## **STATEWIDE VOTER REGISTRATION SYSTEM**

The secretary of state administers a statewide database of voter registration information that contains the name and registration information of every registered voter in this state. The database includes an identifier that is unique to each individual voter.

The statewide voter registration system is intended to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration list. The goal is to eliminate the threat to the integrity of the election process by minimizing the problems that can occur when individuals register to vote in multiple jurisdictions.

The statewide voter registration system does statewide comparisons in four major areas:

- 1) Motor Vehicle Records
- 2) Duplicate Matching Across Counties
- 3) Court Felony or Incapacitated Matching
- 4) Death Notification Matching

The following procedures shall be followed by the secretary of state and the county recorders when administering voter registrations through the statewide voter registration system:

- 1) Motor Vehicle Records - All new additions to the voter registration database shall be matched against the Arizona Motor Vehicle Division (MVD) database. Any changes to a voter's identity information in a voter registration system (driver license number, last four digits of social security number, name or date of birth) shall also be compared to the Motor Vehicle Division database.

In addition to name and date of birth, the driver license number or the last four digits of the registrant's social security number shall be compared against the Motor Vehicle Division database. The statewide voter registration system shall notify the counties of the results of the MVD matching. The counties shall process any discrepancies or updates obtained from the MVD match in order to update the

statewide voter registration database. If the county has reason to believe that the MVD information is incorrect, the county shall forward the information to the secretary of state to resolve.

- 2) Duplicate Matching Across Counties - All new additions to the voter registration database or records of a voter who has moved from one county to another shall be compared with all records in other counties to determine if a duplicate record exists. The statewide voter registration system shall notify the counties of the results of the duplicate matching. In the event that a duplicate does exist, the prior county will be responsible for resolving the duplicate and then update any duplicate records found in order to update the statewide voter registration database.

There are four pieces of information that are critical for determining if a record is duplicated in two counties: 1. driver license number (DLN), 2. last four digits of the registrant's social security number (SSN-4), 3. name, and 4. date of birth (DOB).

The duplication is automatically resolved in the following three scenarios:

- 1) All four pieces of information match.
- 2) The name, DOB and DLN match but no SSN-4 is provided on the form.
- 3) The name, DOB and SSN-4 match but no DLN is provided on the form.

For all other scenarios, the county recorder from the prior county shall inspect the registration information and determine how to resolve the duplications.

- 3) Records Regarding Court Felony or Incapacitated Matching - All felony/incapacitated records received by the secretary of state's office from the state and federal courts shall be compared to the entire voter registration database. The statewide voter registration system shall notify the counties of the results of the court matched felony/incapacitated records. The counties shall update the voter registration record for any matched felony/incapacitated records in order to update the statewide voter registration database. If the county has reason to believe that the court information is incorrect, the county shall forward the information to the secretary of state to resolve.

- Juror Questionnaire

- a. Any juror questionnaire form received by the secretary of state's office that indicates a person is a felon shall be forwarded to the county in which the person resides.
- b. A county receiving notice from the court or the secretary of state's office that a person signed a juror questionnaire indicating that he or she is a felon shall cancel the voter from the voter registration system and send the person correspondence informing him or her of the cancellation. (See "SAMPLE FORMS: Uniform Correspondence: Jury Questionnaire Felon).

- Court Notification

A county receiving notice from the secretary of state or the court that a voter has been convicted of a felony shall cancel the voter from the voter registration system and send correspondence informing the person of his or her cancellation. (See "SAMPLE FORMS: Uniform Correspondence: Felony Conviction").

[A.R.S. § 16-165(A)(4)]

**NOTE:** In Arizona, a person that has been convicted of one felony can have his/her voting rights restored automatically once that person has finished his/her probation and paid any fine or restitution. No court action is necessary for the person's rights to be restored and the person may register to vote. The county recorder shall presume that the person is eligible to register and accept the registration. A second time felon does **not** have his/her rights automatically restored and must petition the court to have that person's rights restored.

[A.R.S. § 13-905]

Upon official notice from the superior court, the secretary of state shall notify a county that a voter has been deemed incapacitated as defined by A.R.S. § 16-165(C). The county recorder shall cancel the voter from the voter registration system and shall notify the voter.

[A.R.S. § 16-165(C)]

- 4) Records Regarding Death Notification Matching – The secretary of state's office shall compare all death notification records received from the Department of Health Services (DHS) to the voter registration database. The secretary of state's office, through the statewide voter registration system shall notify the counties of the results of the death notification comparison. The counties will update any matched death notification records on a regular basis in order to update the statewide voter registration database.

If the county feels that the DHS death information is incorrect, the county shall forward the information to the secretary of state to resolve.

## VOTER REGISTRATION RECORD STATUS LIST

A voter registration record has five possible statuses: active, inactive, canceled, pending, and rejected.

**Active** – The "Active" status will be assigned to voter registration records meeting all minimum standards for a qualified voter.

Active Reason Codes:

- valid registration
- challenged
- National Voter Registration Act (NVRA) confirmation response needed

**Inactive** – The “Inactive” status will be assigned to voter registration records meeting the standards of the NVRA for having an inactive address.

**Canceled** – A canceled voter registration status is for a voter registration record that once was active within the county and the person is no longer registered in the county. The “Canceled” status is reserved for voter registrations that no longer meet the minimum qualifications for registration and all procedures for notification and challenges have been exhausted.

Canceled Reason Codes:

- deceased
- declared incompetent
- felon
- moved out of jurisdiction
- invalid residence address
- voter request – voluntary
- involuntary cancellation (e.g. pursuant to court order)
- NVRA
- non-citizen
- jury questionnaire
  - indicated felon on questionnaire (See “SAMPLE FORMS: Uniform Correspondence: Jury Questionnaire – Felon”)
  - indicated non-citizen on questionnaire (See “SAMPLE FORMS: Uniform Correspondence: Jury Questionnaire – Citizenship”)

Any elector whose registration is canceled for reasons other than for being convicted of a felony and wishes to participate in the election process needs to register to vote and must meet all the requirements of a first time registrant. A voter, who is removed from the registration rolls as a result of a felony conviction, may only register again if the terms set forth on page 40 have been met.

**Pending** – The “Pending” status will be assigned to a voter registration in the case that an incomplete application was received or further information is required to complete the processing of the application.

#### Pending Reason Codes:

- waiting for verification from the statewide voter registration database
- waiting on response from registrant

If a voter registration request is missing key information (other than proof of citizenship), the voter registration record shall be placed in a "pending" status and the registrant shall be allowed no less than 35 and no more than 90 days as set by the county recorder to respond to the request for information before deleting the record. The county recorder shall provide the person a registration form and instructions on how to complete the application. The person may be deemed to have been registered on the date the registration was first received.

**Rejected** – The "Rejected" status will be assigned for voter registrations that have not satisfied the minimum requirements for a valid voter registration application. A voter registration record can be rejected prior to ever becoming a full active voter registration record.

#### Rejected Reason Codes:

- invalid citizenship proof

If a voter registration request is missing citizenship proof, the voter registration record shall be placed in a "rejected" status and the registrant shall be allowed no less than 35 and no more than 90 days as set by the county recorder to respond to the request for information before deleting the record. For citizenship proof cases, the registrant shall be provided a blank voter registration form and the registration date entered on the completed form shall be the official date of registration.

## REGISTRATION OF ELECTORS

### County Recorder Obligations

A county recorder shall:

- authorize persons to accept registration forms
- distribute mail-in registration forms
- designate places for receipt of registration forms

[A.R.S. § 16-134]

## Registration Through Public Assistance Agencies

Public assistance agencies and disabilities agencies as defined in A.R.S. § 16-140 shall return or mail completed voter registrations to the county recorder of the county in which the registrant resides within **five days after receipt** of those registrations.

[A.R.S. § 16-134]

## Online, Electronic Voter Registration

Registrations that are generated through the Arizona state EZ voter system will be transmitted by the secretary of state, no later than five days after they have been received, to the appropriate county recorder for processing. These include registrations done through the EZ Voter Internet service or voter registrations processed in a Motor Vehicle Division office and electronically transmitted to the secretary of state.

In the case of voter registrations received through the EZ Voter System, a voter registration is valid for an election if the time of the electronic registration is 29 days or more before an election as reflected on the EZ Voter confirmation receipt.

The respective county may process EZ Voter Registrations either by paper or electronically.

## Mail-In Registration

In the case of voter registrations received **by mail**, a voter registration is valid for an election if it complies with either of the following:

- the voter registration form is:
  - *postmarked* 29 days or more before an election *and*
  - *received* by the county recorder by 7:00 p.m. on the day of the election
- the voter registration form is:
  - ***dated 29 days or more*** before an election *and*
  - ***received*** by the county recorder **within five days** after the last day to register to vote in that election

[A.R.S. § 16-134(C)]

If the voter returns a receipt to the recorder, which contains all of the required information for registration, the recorder shall accept the receipt as the voter's registration. The recorder may request the voter to complete a new registration form to

replace the accepted receipt. If the voter does not send the recorder a requested form to replace the receipt, the voter will nevertheless be considered properly registered to vote if the receipt contains all required information.

[A.R.S. § 16-152 (B)]

### **Incomplete or Illegible Registration**

If the information on the registration form is incomplete or illegible, and the county recorder is not able to process it, the registrant shall be notified within **10 business days of receipt**. Any new voter registration must have the following:

- name,
- residence address or location of residence,
- date of birth,
- signature, or if the registrant is unable to sign, a statement that the form was completed according to the registrant's direction,
- an answer of "yes" to the question "Are you a citizen of the United States of America?",
- Proof of United States citizenship

[A.R.S. §§ 16-121.01, 16-134(B), 16-152(A)(20), 16-166(F); 42 U.S.C. § 15483(b)(4)(B)]

A completed voter registration form must contain the Arizona driver license number or nonoperating identification license number issued pursuant to A.R.S. § 28-3165, if the license is current and valid. If the registrant has no current and valid Arizona driver license or nonoperating identification license, the last four digits of his/her social security number must be provided if one has been issued. If the registrant has no current and valid Arizona driver license or nonoperating identification license or social security number, the secretary of state's office will assign a unique identifying number.

[A.R.S. § 16-152]

## **REGISTRATION DEADLINE**

No elector shall vote in an election called pursuant to the laws of this state unless the elector has been registered to vote as a resident within the boundaries or the proposed boundaries of the election district for which the election is being conducted by **midnight of the 29th day preceding the date of the election**.

**Registration deadlines:**

2006 March Election	February 13
2006 May Election	April 17
2006 Primary	August 14
2006 General	October 9
2007 March Election	February 12
2007 May Election	April 16
2007 September Election	August 13
2007 November Election	October 8

[A.R.S. § 16-120]

## **CHANGE OF VOTER'S RESIDENCE**

There are three methods for a voter to register with a new address:

- reregistration (The voter may complete a new registration form).
- early ballot (The voter may reregister with the new residence address or correct the record by requesting an address change on a written request for early ballot. [A.R.S. § 16-135(A)(E)])
- provisional ballot (A voter who moves from the address at which the voter is registered to another address within the same county and who fails to notify the county recorder of the change of address before the date of an election shall be permitted to correct the voter registration records at the appropriate polling place for the voter's new address).

[A.R.S. § 16-135(B)]

## **CAUSES FOR CANCELLATION**

The county recorder shall cancel a registration:

- at the request of the person registered,
- when the county recorder knows of the death of the person registered,
- if the person has been adjudicated an incapacitated person as defined in A.R.S. § 14-5101,

- when the person registered has been convicted of a felony and the judgment of conviction has not been reversed or set aside,
- when a person indicates on a signed jury questionnaire that he or she is a convicted felon,
- upon production of a certified copy of a judgment directing a cancellation to be made,
- promptly after the election, if the person registered has applied for a ballot pursuant to A.R.S. § 16-126,
- when a person has been on the inactive voter list for a period of four years or through the date of the second general election for a federal office following the date of inactivation,
- 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 mail a new registration form 29 days before the election after the county recorder mails notification of the need to complete a new registration form with current information, or
- when the county recorder receives written information from the voter that he or she has a change of address outside the county.

[A.R.S. § 16-165]

Once a county cancels a voter registration, the record of that voter shall be retained for five years on the voter registration database before moving the record to alternative storage.

## VERIFICATION OF REGISTRATION

### Mailing Requirements

Except for the mailing of sample ballots, a county recorder, who mails an item to any elector, shall follow these procedures:

- Send the mailing by non-forwardable first class mail marked with the statement required by the postmaster to receive an address correction notification.
- If the item is returned as undeliverable, the county recorder shall send a follow-up notice to that elector **within three weeks** of the returned notice.
- The county recorder shall mail the follow-up notice to the address on the general county register or to the forwarding address given by the post office.
- The follow-up notice shall include a registration form and a notice that if the elector does not complete and return a new registration form **no later than 29 days before the election**, the name of the elector will be transferred to the inactive voter list.
- The county recorder shall transfer to the inactive list any voter who has not responded by the 29<sup>th</sup> day before the election.

- If the elector provides the county recorder with a new registration form, the county recorder shall change the general register to reflect the changes indicated.
- If the elector indicates a new residence address outside the county, the county recorder shall forward the new registration to the appropriate county recorder.
- If the elector indicates a new residence address outside of this state, the county recorder shall cancel the elector's registration.
- The county recorder shall maintain the names of electors who have been removed from the general register on the inactive voter list for **four years** or through the date of the second general election for a federal office following the date of inactivation.
- Only official election mailings shall count toward the first attempt under the National Voter Registration Act in accordance with law.

The county recorder shall keep track of the number of verification notices sent and the number of confirmation notices received for reporting pursuant to the National Voter Registration Act of 1993.

### **National Change of Address (NCOA)**

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 that the registrant has moved to a different address in the same county, the 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 **29 days before** the next election, 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. § 16-166]