Pursuant to A.R.S. § 16-452 and in accordance with § 2 of the Consent Decree entered in *League of United Latin American Citizens of Arizona (LULAC) v. Reagan*, 2:17-cv-04102-DGC, Doc. 37 (D. Ariz. June 18, 2018) (the “LULAC Consent Decree”), the Secretary of State’s Office, in consultation with County Recorders and Election Officials, developed the procedures in the enclosed 2019 Addendum to the 2014 Elections Procedures Manual in order to correctly, impartially, uniformly, and efficiently implement the requirements of the LULAC Consent Decree throughout the State. Pursuant to A.R.S. § 16-452(B), the 2019 Addendum was approved by the Attorney General’s Office on June 13, 2019 and approved by the Governor’s Office on July 5, 2019 and is now in effect.

Contact Us:

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*The Elections Services Division strives for accuracy in its publications. If the user finds a misprint or error, please contact our office at (602) 542-8683 or elections@azsos.gov.*
July 5, 2019

The Honorable Katie Hobbs
Arizona Secretary of State
Capitol Executive Tower, 7th Floor
1700 West Washington Street
Phoenix, AZ 85007-2888

Re: Approval of 2019 Addendum to Election Procedures Manual

Dear Secretary Hobbs:

I have reviewed the May 2019 revisions to the Arizona Secretary of State Election Procedures Manual necessitated in accordance with the Consent Decree entered on June 18, 2018 in League of United Latin American Citizens of Arizona ("LULAC") v. Michele Reagan, CV1 7-4102-PHX-DGC. I have also reviewed the June 2019 letter submitted by Attorney General’s Office stating the revisions comply with Arizona election laws.

I hereby approve it in accordance with A.R.S.§ 16-452(B).

Sincerely,

Douglas A. Ducey
Governor
State of Arizona
June 13, 2019

Via Email and U.S. Mail

The Honorable Katie Hobbs
Arizona Secretary of State
1700 West Washington Street, Floor 7
Phoenix, AZ 85007

Re: Elections Procedures Manual

Dear Secretary Hobbs:

As you know, the Attorney General has a statutory duty to review each version of the Elections Procedures Manual before it is issued by the Secretary of State. A.R.S. § 16-452(B). This duty is shared with the Governor, and both the Attorney General and Governor must give approval before an Elections Procedures Manual may be finally issued. Id.


This letter is to notify you that the Attorney General has approved the June 7, 2019 Amended Supplement to the Elections Procedure Manual, which is attached to this letter.

Sincerely,

[Signature]

Joseph A. Kanefield
Acting Attorney General

Attachment
The procedures outlined in this Appendix supersede any conflicting procedures outlined in the Elections Procedures Manual currently in effect.


1.1 **PROOF OF CITIZENSHIP AND FULL-BALLOT VOTER STATUS**

A County Recorder must make a registrant a "full-ballot" voter for the next election if the County Recorder receives accompanying documentary proof of citizenship for the registrant. A County Recorder may receive proof of citizenship for a registrant in the following ways:

- The registrant may provide documentary proof of citizenship with or after submission of the registrant’s voter registration form; or
- The County Recorder may acquire proof of citizenship on the registrant’s behalf, including through the automated check of the Arizona Motor Vehicle Department ("MVD") records as described in section 1.1.1.

1.1.1 **ACQUISITION OF PROOF OF CITIZENSHIP VIA MVD RECORDS**

The Secretary of State must program or enable the statewide voter registration database to attempt to acquire proof of citizenship for new registrants from Arizona MVD records. This attempt to acquire proof of citizenship must be completed in all cases where a new registrant fails to provide documentary proof of citizenship with the voter registration form. The Secretary shall promptly notify the applicable County Recorder of the results of the check against MVD records. If proof of citizenship is acquired, the Secretary shall promptly notify the applicable County Recorder, via the automated process in the database, to make the applicant a "full-ballot" voter. However, in no event shall an acquired "F-Type" Arizona driver’s license number qualify as valid proof of citizenship.

A County Recorder may also acquire proof of citizenship for prior registrants who attempted to register to vote anytime after January 1, 2017 using a State Form but whose State Forms were previously rejected due to lack of documentary proof of citizenship. In that case, the County Recorder must:

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1 A "full-ballot" voter is entitled to vote in all federal, statewide, or local elections for which the registrant is qualified to vote.

2 A.R.S. § 16-166(F).

3 Pursuant to the LULAC Consent Decree, Maricopa County is required to attempt to acquire documentary proof of citizenship for all registrants dating back to January 1, 2017 if the registrant was rejected for failure to provide documentary proof of citizenship. Retrospective acquisition of proof of citizenship for previously rejected applicants is optional for counties other than Maricopa County.
• Ensure the registrant has not moved, become deceased, or already registered before registering the voter based on information supplied on the prior registration form; and
• Timely send the registrant a voter identification card that identifies the registrant’s status.

1.1.2 FAILURE TO ACQUIRE PROOF OF CITIZENSHIP VIA MVD RECORDS

If a registrant does not provide documentary proof of citizenship with his or her voter registration form and valid proof of citizenship cannot be electronically acquired via MVD records or the statewide voter registration database, a County Recorder must perform the following actions.

If the registrant is shown to have an “F-Type” Arizona driver’s license and the registrant has not provided proof of citizenship (other than an Arizona driver’s license or non-operating license number), a County Recorder must:

• Enter the registrant’s information into the voter registration database with a status of “Not Eligible” and a reason code of “Invalid Citizenship Proof”;
• Send a letter to the registrant (including a proof of citizenship submission form) within 10 business days, informing the registrant that:
  • According to MVD records, the registrant holds an F-type license indicating noncitizenship and has not been registered to vote for that reason; and
  • The registrant may be registered and become a “full-ballot” voter if the registrant submits valid documentary proof of citizenship to the County Recorder. The registrant must provide such proof of citizenship by 5:00 p.m. on the Thursday before any given election in order to vote a full ballot in that election.
• Maintain the registrant’s information in the voter registration database with a status of “Not Eligible” and a reason code of “Invalid Citizenship Proof” for four years if the registrant has not provided valid documentary proof of citizenship. If, after four years the next regular general election, the registrant still has not provided valid documentary proof of citizenship, the registrant’s record may be amended changed to “Not Registered.” The registrant would then be required to complete a new registration form in order to become eligible to vote in future elections.

If valid proof of citizenship otherwise cannot be electronically acquired via MVD records or the statewide voter registration database, and the registrant is not shown to have an F-type license, a County Recorder must:

• Designate the registrant as a “federal-only” voter; and
• Send a letter to the registrant (including a proof of citizenship submission form) within 10 business days, informing the registrant that:

4 A “federal-only” or “Fed-Only” voter is an individual who is registered to vote solely in elections for federal office in Arizona.
• The registrant has not satisfied the proof of citizenship requirements;
• The registrant must submit documentary proof of citizenship to become a “full-ballot” voter. The registrant must provide documentary proof of citizenship by 5:00 p.m. on the Thursday before any given election in order to vote a full ballot in that election; and
• The registrant will remain a “federal-only” voter unless and until the registrant submits valid documentary proof of citizenship to become a “full-ballot” voter.

### 1.1.3 DELAYED RECEIPT OF PROOF OF CITIZENSHIP

Even if a registrant does not provide documentary proof of citizenship at the time of submitting the registrant’s voter registration application or by the voter registration deadline, the registrant is nonetheless entitled to vote a full ballot at the next election if:

- The registrant submitted a voter registration application by the voter registration deadline; and
- The registrant separately provides documentary proof of citizenship to the County Recorder by 5:00 p.m. on the Thursday before the election.

A registrant may provide separate proof of citizenship by using the proof of citizenship submission form promulgated by the Secretary of State and County Recorders. A registrant who provides proof of citizenship using a method other than the official proof of citizenship submission form may be made a “full-ballot” voter if the County Recorder has sufficient information to link the registrant’s proof of citizenship with the registrant’s form on file. If the County Recorder lacks sufficient information to link the proof of citizenship to a registration form, the County Recorder may follow up with the registrant to seek the missing information necessary. Registrants who subsequently provide the missing information necessary to link their submitted proof of citizenship to their registration form shall be made “full-ballot” voters within ten business days.

If the registration is received after the voter registration deadline, or the registrant provides documentary proof of citizenship to the County Recorder after 5:00 p.m. on the Thursday before the next election, the County Recorder must make the registrant a “full-ballot” voter for future elections within five business days after the completion of processing provisional ballots.

### 1.1.4 MOVING BETWEEN COUNTIES

A voter who registered to vote before December 8, 2004, and was therefore exempted from the requirement of providing evidence of citizenship, must submit valid documentary proof of citizenship if the voter is changing voter registration from one county to another in order to be registered as a “full-ballot” voter in the new county.⁴

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⁴ A.R.S. § 16-166(G).
Registered voters who submitted valid documentary proof of citizenship to the County Recorder in their county of residence need not resubmit evidence of citizenship upon moving and registering to vote in a new county in Arizona so long as a record of their previously-submitted proof of citizenship is accessible by the new County Recorder (e.g., via MVD records or the statewide voter registration database) and can be made part of their voter registration file in the new county. While proof of voter registration from another state or county is not satisfactory evidence of citizenship, valid documentary proof of citizenship presented in one Arizona county and documented in the statewide voter registration database constitutes valid proof of citizenship if the voter registers in another county in Arizona.

1.2 USE OF STATE OR FEDERAL FORM TO REGISTER FOR FEDERAL ELECTIONS

A registrant who submits an otherwise valid voter registration form to the County Recorder, but without accompanying documentary proof of citizenship, is entitled to be registered as a “federal-only” voter based on the registrant's sworn statement on the voter registration form that he or she is a U.S. citizen. A registrant may become a “federal-only” voter regardless of the type of voter registration submitted, including but not limited to a State Form, Federal Form, Federal Post Card Application (FPCA), Federal Write-In Absentee Ballot (FWAB), or the In-Person MVD voter registration process. A registrant who submits an otherwise valid voter registration form to the County Recorder, but without providing accompanying documentary proof of citizenship, shall be accepted, entered into the database, and registered for federal elections (i.e. made a “federal-only” voter unless and until proof of citizenship is received or acquired), so long as the registrant is not shown to have an F-type license.

A “federal-only” voter shall be upgraded to a “full-ballot” voter if:

- The registrant provides documentary proof of citizenship to the County Recorder by 5:00 p.m. on the Thursday before an election, or
- The County Recorder acquires documentary proof of citizenship on the registrant’s behalf.

1.3 ISSUANCE OF EARLY BALLOTS

If a “federal-only” voter has been issued an early ballot, but becomes a “full-ballot” voter prior to 5:00 p.m. on the Thursday before the election, the voter may:

- Vote the early federal-only ballot; or
- Vote a regular or provisional full ballot during early voting or on Election Day, depending on the procedures implemented by the officer in charge of elections.

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6 A.R.S. § 16-166(H).