

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

CHAPTER 275

# HOUSE BILL 2722

AN ACT

AMENDING SECTION 16-515, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-515, Arizona Revised Statutes, is amended to  
3 read:

4 16-515. "Seventy-five foot limit" notices; posting; violation;  
5 classification

6 A. Except as prescribed in this section and section 16-580, a person  
7 shall not be allowed to remain inside the seventy-five foot limit while the  
8 polls are open, except for the purpose of voting, and except the election  
9 officials, one representative at any one time of each political party  
10 represented on the ballot who has been appointed by the county chairman of  
11 that political party and the challengers allowed by law, ~~and no~~  
12 ~~electioneering materials may be displayed~~ and no electioneering may occur  
13 within the seventy-five foot limit. Voters having cast their ballots shall  
14 promptly move outside the seventy-five foot limit.

15 B. The board of supervisors shall furnish, with the ballots for each  
16 polling place, three notices, printed in letters not less than two inches  
17 high, with the heading: "Seventy-five foot limit" and underneath that  
18 heading the following:

19 No person shall be allowed to remain inside these limits while  
20 the polls are open, except for the purpose of voting, and except  
21 the election officials, one representative at any one time of  
22 each political party represented on the ballot who has been  
23 appointed by the county chairman of such political party, and  
24 the challengers allowed by law. Voters having cast their  
25 ballots shall at once retire without the seventy-five foot  
26 limit. A person violating any provision of this notice is  
27 guilty of a class 2 misdemeanor.

28 C. A minor voting in a simulated election at a polling place is  
29 subject to the same seventy-five foot limit restrictions prescribed for a  
30 voter. Persons supervising or working in a simulated election in which  
31 minors vote may remain within the seventy-five foot limit of the polling  
32 place. The inspector for the polling place shall exercise authority over all  
33 election and simulated election related activities at the polling place.

34 D. For an election that is held by an Indian tribe and that is held at  
35 a polling place at the same time and on the same date as any other election,  
36 the following apply:

37 1. A person who is voting is subject to the same seventy-five foot  
38 limit restrictions prescribed for other voters.

39 2. An election official for the tribal election may remain within the  
40 seventy-five foot limit for the polling place.

41 E. With the permission of the voter, a minor may enter and remain  
42 within the seventy-five foot limit in order to accompany a voter into a  
43 polling place, an on-site early voting facility and a voting booth while the  
44 voter is voting.

1 F. NOTWITHSTANDING ANY OTHER LAW, AN ELECTION OFFICIAL, A  
2 REPRESENTATIVE OF A POLITICAL PARTY WHO HAS BEEN APPOINTED BY THE COUNTY  
3 CHAIRMAN OF THAT POLITICAL PARTY OR A CHALLENGER WHO IS AUTHORIZED BY LAW TO  
4 BE WITHIN THE SEVENTY-FIVE FOOT LIMIT AS PRESCRIBED BY THIS SECTION SHALL NOT  
5 WEAR, CARRY OR DISPLAY MATERIALS THAT IDENTIFY OR EXPRESS SUPPORT FOR OR  
6 OPPOSITION TO A CANDIDATE, A POLITICAL PARTY OR ORGANIZATION, A BALLOT  
7 QUESTION OR ANY OTHER POLITICAL ISSUE AND SHALL NOT ELECTIONEER WITHIN THE  
8 SEVENTY-FIVE FOOT LIMIT OF A POLLING PLACE.

9 ~~F.~~ G. Any person violating this section is guilty of a class 2  
10 misdemeanor.

11 ~~G.~~ H. For the purposes of this section, ~~+~~

12 ~~1. "Electioneering" means a demonstration of express~~ ELECTIONEERING  
13 OCCURS WHEN AN INDIVIDUAL KNOWINGLY, INTENTIONALLY, BY VERBAL EXPRESSION AND  
14 IN ORDER TO INDUCE OR COMPEL ANOTHER PERSON TO VOTE IN A PARTICULAR MANNER OR  
15 TO REFRAIN FROM VOTING EXPRESSES support for or opposition to a candidate who  
16 appears on the ballot in that election, a ballot question that appears on the  
17 ballot in that election or a political party with one or more candidates who  
18 appear on the ballot in that election. ~~, and includes any use of a~~  
19 ~~candidate's or political party's name or a ballot measure's name or numeric~~  
20 ~~designation and any verbal expressions of opposition or support.~~

21 ~~2. "Electioneering materials" means written or printed material or~~  
22 ~~items, including articles of clothing, that express support for or opposition~~  
23 ~~to a candidate who appears on the ballot in that election, a ballot question~~  
24 ~~that appears on the ballot in that election or a political party with one or~~  
25 ~~more candidates who appear on the ballot in that election.~~

APPROVED BY THE GOVERNOR APRIL 17, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2012.

Passed the House March 5, 2012

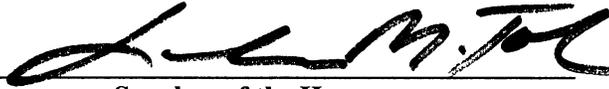
Passed the Senate April 12, 2012

by the following vote: 40 Ayes,

by the following vote: 20 Ayes,

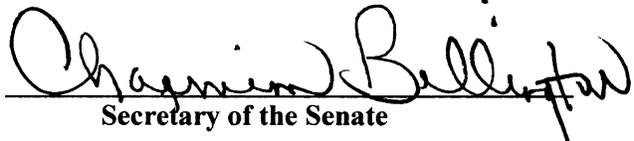
18 Nays, 2 Not Voting

10 Nays, 0 Not Voting

  
Speaker of the House

  
President of the Senate

  
Chief Clerk of the House

  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

12 day of April, 2012

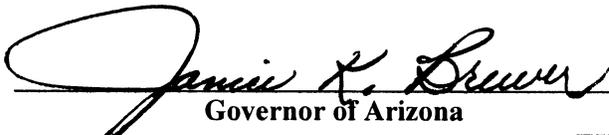
at 3:50 o'clock P M.

  
Secretary to the Governor

Approved this 17<sup>th</sup> day of

April

at 11:31 o'clock A M.

  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 17<sup>th</sup> day of April, 2012

at 3:36 o'clock P M.

  
Secretary of State

H.B. 2722