

October 29, 2024



VIA EMAIL

The Honorable Warren Petersen Senate President
c/o Rusty Crandell, Deputy General Counsel
Arizona State Senate
1700 W Washington Street
Phoenix, Arizona 85007
RCrandell@azleg.gov

The Honorable Ben Toma
Speaker of the Arizona House of Representatives
c/o Linley Wilson, General Counsel
Arizona House of Representatives
1700 W Washington Street
Phoenix, Arizona 85007
BToma@azleg.gov
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Re: Report due under A.R.S. § 16-165(M)

Dear President Petersen and Speaker Toma,

Laws 2022, Ch. 370 requires the Secretary of State report the following information to the Legislature after each quarter.

I. The number of deaths reported to the secretary of state by the department of health services, the number of voter registration cancellation notices issued by the secretary of state to the county recorders as a result of those reports and the number of registrations canceled as a result of those notices.

- Number of deaths reported from 7/1/2024 – 9/30/2024: 18,348. The Arizona Department of Health Services provides the Secretary of State a record of the death of a resident of the state, but not everyone who is included in that list is a registered voter.
- Number of voter registration cancellation noticesⁱ: 10,167
- Number of registrations canceled due to those noticesⁱⁱ: 8,419

II. The number of persons reported to the secretary of state who have been issued a driver license or the equivalent of an Arizona nonoperating identification license in another state, the number of notices sent pursuant to subsection F of this section and the number of voter registrations that have been placed in inactive status and the number of voter registrations that have been canceled as a result of those notices.

- Number of persons reportedⁱⁱⁱ: 33,106
- Number of notices: 22
- Number of voter registrations placed in inactive status: 6
- Number of voter registrations that have been canceled^{iv}: 7

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III. The number of persons who have stated on a jury questionnaire that the person is not a United States citizen, the number of notices sent pursuant to subsection A, paragraph 10 of this section and the number of registrations that have been canceled as a result of those notices.

- Number of persons who have stated on jury questionnaire that the person is not a U.S. citizen: 1,014
- Number of notices: 1
- Number of registrations that have been canceled^v: 1

IV. The number of persons who have stated on a jury questionnaire that the person is not a resident of the county, the number of notices sent pursuant to A.R.S. § 16-165(A)(9)(b) of this section and the number of registrations that have been canceled as a result of those notices.

- Number of persons who have stated on jury questionnaire that the person is not a resident: 3,306
- Number of notices: 352
- Number of registrations that have been canceled^{vi}: 17

V. The number of registrations on the inactive voter list that have been canceled pursuant to A.R.S. § 16-165(A)(7)^{vii}: 14

Sincerely,

A handwritten signature in green ink that reads "Adrian Fontes". The signature is stylized, with the first letters of the first and last names being large and prominent.

Adrian Fontes
Arizona Secretary of State



ⁱ The state department of health services provides monthly information about deaths of Arizona resident. Because not all residents are registered to vote, the number of cancelations and notices will be fewer than the total number of deaths reported.

ⁱⁱ For the purpose of verifying deceased resident records against the statewide voter registration database, the county recorder shall conduct an individualized inquiry and determine whether the decedents information is a “true match”. [EPM, Ch. 1, Section IX\(A\)\(1\)\(b\), at 37](#). “The County Recorder shall send a letter confirming the cancellation to the registrant’s mailing address on record, with instructions to contact the County Recorder if the cancellation was in error.” Accordingly, to verify identity of the decedent, the number of cancellation notices may exceed the number of registrations canceled when the verification of death is pending.

ⁱⁱⁱ For persons who have been issued an out-of-state license, the Secretary of State shall provide County Recorders a list of registered voters who have been issued an out-of-state license within 10 days of receipt. A.R.S. § 16-165(F). “If there is a true match, the County Recorder shall send each person a notice by forwardable mail. The notice shall inform the person that failure to return the form within ninety (90) days will result in the person's registration being placed in inactive status.” [EPM, Ch. 1, Section IX\(C\)\(3\), at 44-45](#).

^{iv} Systematic cancellations within 90 days of a primary or general election is prohibited under the NVRA. [EPM, Ch. 1, Section IX\(D\) & \(E\) at 45-48](#).

^v A County Recorder must complete any program to systematically cancel registration records at least 90 days before a primary or general election. 52 U.S.C. § 20507(c)(2)(A). Systematic programs include the cancellation of records through the NVRA process described in Chapter 1, Section IX(D). Systematic programs also include potential cancellation of records based on periodic summary reports from jury commissioners or jury managers. [EPM, Ch. 1, Section IX\(E\) at 48](#).

^{vi} A County Recorder must complete any program to systematically cancel registration records at least 90 days before a primary or general election. 52 U.S.C. § 20507(c)(2)(A). Systematic programs include the cancellation of records through the NVRA process described in Chapter 1, Section IX(D). Systematic programs also include potential cancellation of records based on periodic summary reports from jury commissioners or jury managers. [EPM, Ch. 1, Section IX\(E\) at 48](#).

^{vii} A voter registration may be canceled through the NVRA process if the registrant: (1) Does not timely respond to the Final Notice by submitting a new registration form or otherwise update their voter registration address with the County Recorder; and (2) Fails to vote in any election in two federal/statewide general election cycles following the Final Notice. A.R.S. § 16-165(A)(7); A.R.S. § 16-166(E); 52 U.S.C. § 20507(b)(2), (d)(1)(B), (d)(2). [EPM, Ch. 1, Section IX\(D\)\(1\) at 47](#).