

House Engrossed

voter registration; verification; citizenship

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

CHAPTER 99  
**HOUSE BILL 2492**

AN ACT

AMENDING SECTIONS 16-101, 16-112, 16-121 AND 16-121.01, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 16-123 AND 16-127; AMENDING SECTION 16-134, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-143; AMENDING SECTION 16-165, ARIZONA REVISED STATUTES; RELATING TO QUALIFICATION AND REGISTRATION OF ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

Section 1. Section 16-101, Arizona Revised Statutes, is amended to read:

**16-101. Qualifications of registrant; definition**

A. Every resident of ~~the~~ THIS state is qualified to register to vote if ~~he~~ THE RESIDENT:

1. Is a citizen of the United States AND HAS PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166.

2. Will be eighteen years of age or more on or before the date of the regular general election next following his registration.

3. ~~Will have been~~ IS a resident of ~~the~~ THIS state twenty-nine days next preceding the election, except as provided in section 16-126.

4. Is able to write ~~his~~ THE RESIDENT'S name or make ~~his~~ THE RESIDENT'S mark, unless prevented from so doing by physical disability.

5. Has not been convicted of treason or a felony, unless restored to civil rights.

6. Has not been adjudicated an incapacitated person as defined in section 14-5101.

B. For THE purposes of this title, "resident" means an individual who has actual physical presence in this state, or for purposes of a political subdivision actual physical presence in the political subdivision, combined with an intent to remain. A temporary absence does not result in a loss of residence if the individual has an intent to return following his absence. An individual has only one residence for purposes of this title.

Sec. 2. Section 16-112, Arizona Revised Statutes, is amended to read:

**16-112. Driver license voter registration**

A. Every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote ~~shall~~, at the same time and place, SHALL be ~~permitted~~ ALLOWED to register to vote by providing the information prescribed by section 16-152. ~~◆~~ The method used to register voters shall require only the minimum information necessary to prevent duplicate registrations, to enable elections officials to determine voter eligibility and to administer voter registration and election laws. ~~◆~~ A registration form shall be included for a person who is applying for a driver license renewal by mail. ~~◆~~ On ~~completion of~~ COMPLETING a form that contains at least the information prescribed by section 16-121.01; ~~subsection A~~ and that may contain the information prescribed by section 16-152 and on receipt of that form by the county recorder from the department of transportation as prescribed by subsection D of this section, the applicant is presumed to be properly registered to vote. ~~◆~~ That presumption may be rebutted as provided in section 16-121.01; ~~subsection B~~.

B. The director of the department of transportation and the secretary of state shall consult at least every two years regarding voter registration at driver license offices. ~~◆~~ The director of the department of transportation and the secretary of state ~~shall~~, after consultation with all county recorders, SHALL adopt rules to implement a system ~~permitting~~ ALLOWING driver license applicants to register to vote at the same time and place as they apply for driver licenses. ~~◆~~ ~~Such~~ THE rules shall:

1. Bring the license application and voter registration application forms into substantial conformity.

2. ~~Permit~~ ALLOW the transfer of driver license applications, including renewal and change of address, and voter registration information from the department of transportation to the voter registration rolls.

3. Respect all rules and statutes of this state concerning the confidentiality of driver license application information.

4. Provide for the manual or electronic generation and transmittal of voter registrations and provide for electronic generation of changes in voter registration information, including address, in conformity with the confidentiality requirements of the national voter registration act of 1993 (P.L. 103-31; 107 Stat. 77; ~~42~~ 52 United States Code ~~section 394~~ SECTIONS 20501 THROUGH 20511).

C. The department of transportation shall provide to applicants a statement that provides each eligibility requirement for voting, including citizenship, an attestation that the applicant meets each requirement, for the signature of the applicant under penalty of perjury and, in print that is identical to that used in the attestation, the following:

1. A description of the penalties provided by law for the submission of a false voter registration application.

2. A statement that if an applicant declines to register to vote the fact that the applicant has declined to register will remain confidential and will be used only for voter registration purposes.

3. A statement that if an applicant does register to vote the office at which the applicant submits a voter registration application will remain confidential and will be used only for voter registration purposes.

D. The department of transportation shall return or mail completed registrations to the county recorder of the county in which the applicant resides within five days after receipt of a completed registration.

Sec. 3. Section 16-121, Arizona Revised Statutes, is amended to read:

**16-121. Qualified elector; definition**

A. A person who is qualified to register to vote pursuant to section 16-101 and who is properly registered to vote ~~shall~~, if ~~he~~ **THE PERSON** is at least eighteen years of age on or before the date of the election **AND HAS PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166, SHALL** be deemed a qualified elector for any purpose for which such qualification is required by law, except as provided in section 16-126. A person continues to be a qualified elector until that person's registration is canceled pursuant to section 16-165 or until that person does not qualify as a resident as ~~prescribed by~~ **DEFINED IN** section 16-101, subsection B.

B. For purposes of subsection A of this section, a person who does not reside at a fixed, permanent or private structure shall be properly registered to vote if that person is qualified pursuant to section 16-101 and if that person's registration address is any of the following places located in this state:

1. A homeless shelter to which the registrant regularly returns.
2. The place at which the registrant is a resident.
3. The county courthouse in the county in which the registrant resides.
4. A general delivery address for a post office covering the location where the registrant is a

resident.

C. A person who is otherwise qualified to register to vote shall not be refused registration or declared not qualified to vote because the person does not live in a permanent, private or fixed structure.

D. ~~As used in~~ **FOR THE PURPOSES OF** this section, "homeless shelter" means a supervised publicly or privately operated shelter designed to provide temporary living accommodations to individuals who lack a fixed, regular and adequate nighttime residence.

Sec. 4. Section 16-121.01, Arizona Revised Statutes, is amended to read:

**16-121.01. Requirements for proper registration; violation; classification**

A. A person is presumed to be properly registered to vote on completion of a registration form as prescribed by section 16-152 that contains at least the name, the residence address or the location, **PROOF OF LOCATION OF RESIDENCE AS PRESCRIBED BY SECTION 16-123**, the date **AND PLACE** of birth and the signature or other statement of the registrant as prescribed by section 16-152, subsection A, paragraph 20 and a checkmark or other appropriate ~~indicator that the person answered~~ **MARK IN THE "yes" BOX NEXT** to the question regarding citizenship. **ANY APPLICATION FOR REGISTRATION, INCLUDING AN APPLICATION ON A FORM PRESCRIBED BY THE UNITED STATES ELECTION ASSISTANCE COMMISSION, MUST CONTAIN A CHECKMARK OR OTHER APPROPRIATE MARK IN THE "YES" BOX NEXT TO THE QUESTION REGARDING CITIZENSHIP AS A CONDITION OF BEING PROPERLY REGISTERED TO VOTE AS EITHER A VOTER WHO IS ELIGIBLE TO VOTE A FULL BALLOT OR A VOTER WHO IS ELIGIBLE TO VOTE ONLY WITH A BALLOT FOR FEDERAL OFFICES.** The completed registration form must also contain the person's Arizona driver license number, the nonoperating identification license number issued pursuant to section 28-3165, the last four digits of the person's social security number or the person's affirmation that if an Arizona driver license number, **A nonoperating identification license number or the last four digits of the person's social security number is not provided, the person does not possess a valid Arizona driver or nonoperating identification license or a social security number and the person is hereby requesting that a unique identifying number be assigned by the secretary of state pursuant to section 16-152, subsection A, paragraph 12, subdivision (c).** **ANY APPLICATION THAT DOES NOT INCLUDE ALL OF THE INFORMATION REQUIRED TO BE ON THE REGISTRATION FORM PURSUANT TO SECTION 16-152 AND ANY APPLICATION THAT IS NOT SIGNED IS INCOMPLETE AND THE**

**COUNTY RECORDER SHALL NOTIFY THE APPLICANT PURSUANT TO SECTION 16-134, SUBSECTION B, AND SHALL NOT REGISTER THE VOTER UNTIL ALL OF THE INFORMATION IS RETURNED.**

**B. The presumption in subsection A of this section may be rebutted only by clear and convincing evidence of any of the following:**

- 1. That the registrant is not the person whose name appears on the register.**
- 2. That the registrant has not resided in this state for twenty-nine days next preceding the election or other event for which the registrant's status as properly registered is in question.**
- 3. That the registrant is not properly registered at an address permitted by section 16-121.**
- 4. That the registrant is not a qualified registrant under section 16-101.**

**C. EXCEPT FOR A FORM PRODUCED BY THE UNITED STATES ELECTION ASSISTANCE COMMISSION, ANY APPLICATION FOR REGISTRATION SHALL BE ACCOMPANIED BY SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED IN SECTION 16-166, SUBSECTION F, AND THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL REJECT ANY APPLICATION FOR REGISTRATION THAT IS NOT ACCOMPANIED BY SATISFACTORY EVIDENCE OF CITIZENSHIP. A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS WHO KNOWINGLY FAILS TO REJECT AN APPLICATION FOR REGISTRATION AS PRESCRIBED BY THIS SUBSECTION IS GUILTY OF A CLASS 6 FELONY. THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL SEND A NOTICE TO THE APPLICANT AS PRESCRIBED IN SECTION 16-134, SUBSECTION B.**

**D. WITHIN TEN DAYS AFTER RECEIVING AN APPLICATION FOR REGISTRATION ON A FORM PRODUCED BY THE UNITED STATES ELECTION ASSISTANCE COMMISSION THAT IS NOT ACCOMPANIED BY SATISFACTORY EVIDENCE OF CITIZENSHIP, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL USE ALL AVAILABLE RESOURCES TO VERIFY THE CITIZENSHIP STATUS OF THE APPLICANT AND AT A MINIMUM SHALL COMPARE THE INFORMATION AVAILABLE ON THE APPLICATION FOR REGISTRATION WITH THE FOLLOWING, PROVIDED THE COUNTY HAS ACCESS:**

- 1. THE DEPARTMENT OF TRANSPORTATION DATABASES OF ARIZONA DRIVER LICENSES OR NONOPERATING IDENTIFICATION LICENSES.**
- 2. THE SOCIAL SECURITY ADMINISTRATION DATABASES.**
- 3. THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM, IF PRACTICABLE.**
- 4. A NATIONAL ASSOCIATION FOR PUBLIC HEALTH STATISTICS AND INFORMATION SYSTEMS ELECTRONIC VERIFICATION OF VITAL EVENTS SYSTEM.**
- 5. ANY OTHER STATE, CITY, TOWN, COUNTY OR FEDERAL DATABASE AND ANY OTHER DATABASE RELATING TO VOTER REGISTRATION TO WHICH THE COUNTY RECORDER OR OFFICER IN CHARGE OF ELECTIONS HAS ACCESS, INCLUDING AN ELECTRONIC REGISTRATION INFORMATION CENTER DATABASE.**

**E. AFTER COMPLYING WITH SUBSECTION D OF THIS SECTION, IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MATCHES THE APPLICANT WITH INFORMATION THAT VERIFIES THE APPLICANT IS A UNITED STATES CITIZEN, IS OTHERWISE QUALIFIED AS PRESCRIBED BY SECTION 16-101 AND HAS MET THE OTHER REQUIREMENTS OF THIS SECTION, THE APPLICANT SHALL BE PROPERLY REGISTERED. IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MATCHES THE APPLICANT WITH INFORMATION THAT THE APPLICANT IS NOT A UNITED STATES CITIZEN, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL REJECT THE APPLICATION, NOTIFY THE APPLICANT THAT THE APPLICATION WAS REJECTED BECAUSE THE APPLICANT IS NOT A UNITED STATES CITIZEN AND FORWARD THE APPLICATION TO THE COUNTY ATTORNEY AND ATTORNEY GENERAL FOR INVESTIGATION. IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS IS UNABLE TO MATCH THE APPLICANT WITH APPROPRIATE CITIZENSHIP INFORMATION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL NOTIFY THE APPLICANT THAT THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS COULD NOT VERIFY THAT THE APPLICANT IS A UNITED STATES CITIZEN AND THAT THE APPLICANT**

WILL NOT BE QUALIFIED TO VOTE IN A PRESIDENTIAL ELECTION OR BY MAIL WITH AN EARLY BALLOT IN ANY ELECTION UNTIL SATISFACTORY EVIDENCE OF CITIZENSHIP IS PROVIDED.

F. THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL RECORD THE EFFORTS MADE TO VERIFY AN APPLICANT'S CITIZENSHIP STATUS AS PRESCRIBED IN SUBSECTIONS D AND E OF THIS SECTION. IF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS FAILS TO ATTEMPT TO VERIFY THE CITIZENSHIP STATUS OF AN APPLICANT PURSUANT TO SUBSECTIONS D AND E OF THIS SECTION AND THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS KNOWINGLY CAUSES THE APPLICANT TO BE REGISTERED AND IT IS LATER DETERMINED THAT THE APPLICANT WAS NOT A UNITED STATES CITIZEN AT THE TIME OF REGISTRATION, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS IS GUILTY OF A CLASS 6 FELONY.

Sec. 5. Title 16, chapter 1, article 2, Arizona Revised Statutes, is amended by adding sections 16-123 and 16-127, to read:

**16-123. Proof of location of residence**

EXCEPT FOR PERSONS WHO REGISTER PURSUANT TO SECTION 16-103, A PERSON WHO REGISTERS TO VOTE SHALL PROVIDE AN IDENTIFYING DOCUMENT THAT ESTABLISHES PROOF OF LOCATION OF RESIDENCE. ANY OF THE IDENTIFYING DOCUMENTS PRESCRIBED IN SECTION 16-579, SUBSECTION A, PARAGRAPH 1 CONSTITUTES SATISFACTORY PROOF OF LOCATION OF RESIDENCE. COMPLIANCE WITH THIS SECTION DOES NOT SATISFY THE RESIDENCY REQUIREMENTS IN SECTION 16-101 OR 16-593 AND ONLY CONSTITUTES CONFIRMATION OF THE ADDRESS ON THE APPLICANT'S APPLICATION AT THE TIME OF REGISTRATION. A VALID AND UNEXPIRED ARIZONA DRIVER LICENSE OR NONOPERATING IDENTIFICATION NUMBER THAT IS PROPERLY VERIFIED BY THE COUNTY RECORDER SATISFIES THE REQUIREMENTS OF THIS SECTION.

**16-127. Federal only voters; early ballot; eligibility; exemption**

**A. NOTWITHSTANDING ANY OTHER LAW:**

1. A PERSON WHO HAS REGISTERED TO VOTE AND WHO HAS NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP AS PRESCRIBED BY SECTION 16-166, SUBSECTION F IS NOT ELIGIBLE TO VOTE IN PRESIDENTIAL ELECTIONS.

2. A PERSON WHO HAS NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION 16-166, SUBSECTION F AND WHO IS ELIGIBLE TO VOTE ONLY FOR FEDERAL OFFICES IS NOT ELIGIBLE TO RECEIVE AN EARLY BALLOT BY MAIL.

B. THIS SECTION DOES NOT APPLY TO AN ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT (P.L. 99-410; 100 STAT. 924; 52 UNITED STATES CODE SECTION 20310), AS AMENDED BY THE RONALD W. REAGAN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005 (P.L. 108-375).

Sec. 6. Section 16-134, Arizona Revised Statutes, is amended to read:

**16-134. Return of registrations made outside office of county recorder; incomplete or illegible forms**

A. A county recorder shall authorize persons to accept registration forms, shall designate places for receipt of registration forms and shall designate additional locations for distribution of voter registration forms. Public assistance agencies and disabilities agencies as defined in section 16-140 shall return or mail completed voter registrations to the county recorder of the county in which the applicant resides within five days after receipt of those registrations.

B. If the information on the registration form is incomplete or illegible and the county recorder is not able to process the registration form, the county recorder shall notify the applicant within ten business days of receipt of the registration form, shall specify the missing or illegible information and, if the missing or illegible information includes any of the information prescribed by section 16-121.01, subsection A OR C, shall state that the registration cannot be completed until the information is supplied. If the missing or illegible information is supplied before 7:00 p.m. on election day, that person is deemed to have been registered on the date the registration was first received.

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

1. The form is postmarked twenty-nine days or more before an election and is received by the county recorder by 7:00 p.m. on the day of that election.

2. The registration is dated twenty-nine days or more before an election and is received by the county recorder by first class mail within five days after the last day to register to vote in that election.

D. The date of registration entered for registration forms that are received by the county recorder from persons, groups or agencies that are not authorized to accept registrations pursuant to subsection A of this section and that do not bear a legible postmark date or an otherwise reliable date shall be the date that those forms are received by the county recorder.

Sec. 7. Title 16, chapter 1, article 3, Arizona Revised Statutes, is amended by adding section 16-143, to read:

**16-143. Federal only voters; attorney general; investigation; report**

A. THE SECRETARY OF STATE AND EACH COUNTY RECORDER SHALL MAKE AVAILABLE TO THE ATTORNEY GENERAL A LIST OF ALL INDIVIDUALS WHO ARE REGISTERED TO VOTE AND WHO HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION 16-166 AND SHALL PROVIDE, ON OR BEFORE OCTOBER 31, 2022, THE APPLICATIONS OF INDIVIDUALS WHO ARE REGISTERED TO VOTE AND WHO HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION 16-166.

B. THE ATTORNEY GENERAL SHALL USE ALL AVAILABLE RESOURCES TO VERIFY THE CITIZENSHIP STATUS OF THE APPLICANT AND AT A MINIMUM SHALL COMPARE THE INFORMATION AVAILABLE ON THE APPLICATION FOR REGISTRATION WITH THE FOLLOWING:

1. THE DEPARTMENT OF TRANSPORTATION DATABASES OF ARIZONA DRIVER LICENSES OR NONOPERATING IDENTIFICATION LICENSES.

2. THE SOCIAL SECURITY ADMINISTRATION DATABASES.

3. THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM, IF PRACTICABLE.

4. A NATIONAL ASSOCIATION FOR PUBLIC HEALTH STATISTICS AND INFORMATION SYSTEMS ELECTRONIC VERIFICATION OF VITAL EVENTS SYSTEM.

5. ANY OTHER STATE, CITY, TOWN, COUNTY OR FEDERAL DATABASE AND ANY OTHER DATABASE RELATING TO VOTER REGISTRATION TO WHICH THE COUNTY RECORDER OR OFFICER IN CHARGE OF ELECTIONS HAS ACCESS, INCLUDING AN ELECTRONIC REGISTRATION INFORMATION CENTER DATABASE.

C. THE SECRETARY OF STATE SHALL PROVIDE THE ATTORNEY GENERAL ACCESS TO THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM FOR THE PURPOSES OF THIS SECTION.

D. THE ATTORNEY GENERAL SHALL PROSECUTE INDIVIDUALS WHO ARE FOUND TO NOT BE UNITED STATES CITIZENS PURSUANT TO SECTION 16-182.

E. THE ATTORNEY GENERAL SHALL SUBMIT A REPORT TO THE SECRETARY OF STATE, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON OR BEFORE MARCH 31, 2023 DETAILING ALL FINDINGS RELATING TO THE CITIZENSHIP STATUS OF INDIVIDUALS WHO ARE REGISTERED TO VOTE AND WHO HAVE NOT PROVIDED SATISFACTORY EVIDENCE OF CITIZENSHIP PURSUANT TO SECTION 16-166.

Sec. 8. Section 16-165, Arizona Revised Statutes, is amended to read:

**16-165. Causes for cancellation**

A. The county recorder shall cancel a registration:

1. At the request of the person registered.

2. When the county recorder knows of the death of the person registered.

3. If the person has been adjudicated an incapacitated person as defined in section 14-5101.

4. When the person registered has been convicted of a felony, and the judgment of conviction has not been reversed or set aside.♦ The county recorder shall cancel the registration on receipt of

notice of a felony conviction from the court or from the secretary of state or when reported by the elector on a signed juror questionnaire that is completed pursuant to section 21-314.

5. On production of a certified copy of a judgment directing a cancellation to be made.

6. Promptly after the election if the person registered has applied for a ballot pursuant to section 16-126.

7. When a person has been on the inactive voter list and has not voted during the time periods prescribed in section 16-166, subsection C.

8. 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 return a new registration form within twenty-nine days after the county recorder mails notification of the need to complete and return a new registration form with current information.

9. When the county recorder receives written information from the person registered that the person has a change of address outside the county.

**10. WHEN THE COUNTY RECORDER RECEIVES AND CONFIRMS INFORMATION THAT THE PERSON REGISTERED IS NOT A UNITED STATES CITIZEN.**

B. If the county recorder cancels a registration pursuant to subsection A, paragraph 8 of this section, the county recorder shall send the person notice that the registration has been cancelled and a registration form with the information described in section 16-131, subsection C attached to the form.

C. When proceedings in the superior court or the United States district court result in a person being declared incapable of taking care of himself and managing his property, and for whom a guardian of the person and estate is appointed, result in such person being committed as an insane person or result in a person being convicted of a felony, the clerk of the superior court in the county in which those proceedings occurred shall file with the secretary of state an official notice of that fact. The secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person on the register. Such notice shall name the person covered, shall give the person's date and place of birth if available, the person's social security number, if available, the person's usual place of residence, the person's address and the date of the notice, and shall be filed with the recorder of the county where the person last resided.

D. Each month the department of health services shall transmit to the secretary of state without charge a record of the death of every resident of the state reported to the department within the preceding month. This record shall include only the name of the decedent, the decedent's date of birth, the decedent's date of death, the decedent's social security number, if available, the decedent's usual legal residence at the time of death and, if available, the decedent's father's name or mother's maiden name. The secretary of state shall use the record for the sole purpose of canceling the names of deceased persons from the statewide voter registration database. In addition, the department of health services shall annually provide to the secretary of state from the statewide electronic death registration system without charge a record of all deaths of residents of this state that are reported to the department of health services. The records transmitted by the department of health services shall include only the name of the decedent, the decedent's date of birth, the decedent's social security number, if available, the decedent's usual legal residence at the time of death and, if available, the decedent's father's name or mother's maiden name. The secretary of state shall compare the records of deaths with the statewide voter registration database. Public access to the records is prohibited. Use of information from the records for purposes other than those required by this section is prohibited. The name of each deceased person shall promptly be canceled from the statewide voter registration database and the secretary of state shall notify the appropriate county recorder and the recorder shall cancel the name of the person from the register.

**Sec. 9. Severability**

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.





**APPROVED BY THE GOVERNOR MARCH 30, 2022.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 30, 2022.**