

GOVERNOR KATIE HOBBS

STATE OF ARIZONA
★
EXECUTIVE ORDER

Executive Order 2023-25

Facilitating Voter Registration

WHEREAS, the right to vote is fundamental to our democracy; and

WHEREAS, Arizonans must register as prescribed by law to be eligible to vote; and

WHEREAS, voter registration should serve as a safeguard to our elections while remaining accessible to all eligible citizens; and

WHEREAS, at the time of the 2022 General Election, there were approximately one million more Arizonans who were eligible to register to vote than were actually registered; and

WHEREAS, Arizonans may register to vote by completing a paper registration form or by completing an online registration through the Arizona Department of Transportation's Motor Vehicle Department; and

WHEREAS, State Agencies engage with and provide crucial services to millions of Arizonans each day; and

WHEREAS, the Arizona Department of Health Services, Arizona Department of Economic Security, and Arizona Health Care Cost Containment System are formally designated as Voter Registration Assistance Agencies pursuant to 52 U.S.C. § 20506 of the National Voter Registration Act, A.R.S. § 16-140, and the 2019 Elections Procedures Manual, and are required to, among other things, distribute voter registration forms, assist applicants in completing voter registration forms, and accept completed voter registration forms; and

WHEREAS, State Agencies need not be formally designated as Voter Registration Assistance Agencies to provide voter registration forms and information to the citizens and communities they serve; and

WHEREAS, State Agencies should support civic participation by Arizonans; and

WHEREAS, State Agencies have opportunities to better utilize their resources to support voter registration; and

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1, of the Arizona Revised Statutes vest the executive power of the State of Arizona in the Governor, and the Governor supervises the official conduct of all executive and ministerial officers pursuant to A.R.S. § 41-101(A)(1).

NOW, THEREFORE, I, Katie Hobbs, Governor of the State of Arizona, by virtue of the authority vested in me by the Arizona Constitution and the laws of this State, do hereby order and direct as follows:

1. The Arizona Department of Child Safety, Arizona Department of Transportation, Arizona Department of Health Services, Arizona Health Care Cost Containment System, Arizona Department of Veterans' Services, Arizona Department of Administration, Arizona Department of

Corrections, Rehabilitation & Reentry, Arizona Department of Public Safety, Arizona Department of Economic Security, Arizona Department of Juvenile Corrections, Arizona Department of Housing, Arizona Office of Economic Opportunity, and Arizona Department of Revenue shall:


- a. To the greatest extent practicable and permitted by law, include on their public websites a voter registration link that directs users to the Secretary of State's voter registration webpage or to the online voter registration portal at <https://www.servicearizona.com>.
- b. For the above-referenced State Agencies that have regular in-person contact with the public in their daily administration of business, to the greatest extent practicable and permitted by law, make voter registration forms available in conspicuous public locations. State Agencies shall coordinate with the Secretary of State to ensure adequate availability of forms.
 - i. In addition to paper voter registration forms, State Agencies are encouraged to provide opportunities for online voter registration at their public locations (e.g., via an electronic kiosk or QR code directing the public to the online voter registration portal).
 - ii. No State Agency shall be deemed a Public Assistance Agency, Disabilities Agency, or other Voter Registration Assistance Agency pursuant to 52 U.S.C. § 20506 or A.R.S. § 16-140 solely on the basis that it makes voter registration forms available to the public or accepts and transmits completed forms to the Secretary of State or County Recorder.
 1. To the extent a State Agency accepts a completed paper voter registration form from a constituent, the agency shall return or mail the registration to the Secretary of State or appropriate County Recorder within five days of receipt. If received within five days of a registration deadline (i.e., within 7 days of the 29th day before an election), the State Agency shall take reasonable steps to ensure the registration is:
 - a. Delivered to the Secretary of State or appropriate County Recorder before the close of business the day of the registration deadline;
 - b. Postmarked at least 29 days before the election (if delivering to the Secretary of State or appropriate County Recorder by mail); or
 - c. Received by the Secretary of State or appropriate County Recorder via first class mail within five days of the registration deadline, if dated at least 29 days before the election. *See* A.R.S. § 16-134; 2019 Elections Procedures Manual at 31–32.
- c. Identify and evaluate potential opportunities, consistent with Arizona and federal law, to increase access to voter registration. No later than June 30, 2024, each above-referenced State Agency, as well as the Executive Director of the Arizona Lottery, Director of the Industrial Commission of Arizona, and Director of the Arizona State Parks Board, shall provide a report to the Governor and the Secretary of State considering, at a minimum:
 - i. Whether there are opportunities, in addition to those identified in this Executive Order, for the agency at issue to provide voter registration information to the public, including via informational displays, printed materials, State Agency websites, public announcements, and social media posts.
 - ii. Whether there are opportunities, regardless of whether the State Agency qualifies as a Public Assistance Agency, Disabilities Agency, or other Voter Registration

Assistance Agency, to provide voter registration assistance to citizens served by the State Agency.

- iii. Whether there are opportunities to incorporate additional accessible voter registration options for citizens with disabilities that the State Agency serves. State Agencies are encouraged to review the United States Election Assistance Commission's best practices for accessible voter registration (available at https://www.eac.gov/sites/default/files/bestpractices/Accessibility_Checklist_Voter_Registration.pdf).
 - iv. Whether the State Agency serves a substantial number of citizens who primarily speak or read languages other than English, and whether there are opportunities to promote accessibility of voter registration for such citizens, particularly if the State Agency maintains offices in a jurisdiction covered by the minority language assistance provisions of Section 203 of the Voting Rights Act (covered jurisdictions and languages available at <https://www.justice.gov/media/1183616/dl?inline>). State Agencies are encouraged to review the United States Election Assistance Commission's language access resources (available at <https://www.eac.gov/language-access-resources>).
2. No later than 50 days before each statewide election and again within one week of the voter registration deadline for each statewide election in this State, the Arizona Department of Administration shall notify all State employees of the upcoming registration deadline and provide information on how to register to vote or update an existing registration. All other State entities are encouraged to provide such notice and information to their own employees.
 3. The Arizona Department of Veterans' Services (DVS) shall include on its website information on voter registration eligibility, processes, and resources relevant to veterans, active service members, and their families, including those eligible under the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (P.L. 99-410) and those who have recently become residents of Arizona. DVS is encouraged to review the information compiled by the United States Election Assistance Commission regarding military and overseas voters (available at <https://www.eac.gov/uocava>). Before publishing voter registration information to its website, DVS shall consult with the Arizona Secretary of State's Office to ensure the information is accurate.
 4. To the extent practicable, the Governor's Office on Tribal Relations (GOTR), pursuant to A.R.S. §§ 41-2051(D) and 41-2052(B)(6), shall initiate or assist voter registration programs on tribal land on the request or with the approval of the tribal nation. To the extent practicable, pursuant to A.R.S. § 41-2052(B)(4), GOTR shall provide State Agencies training, information, and best practices for assisting tribal members with voter registration.
 5. The Arizona Department of Corrections, Rehabilitation & Reentry (ADCRR) shall integrate into its reentry programs information on voter registration eligibility, processes, and rights restoration resources. ADCRR shall include on its website voter registration information and rights restoration resources for persons with felony convictions. ADCRR shall consult with the Arizona Secretary of State's Office to ensure the accuracy of information it provides.
 6. The Arizona Department of Economic Security (DES), the Arizona Department of Health Services (DHS), and the Arizona Health Care Cost Containment System (AHCCCS) shall review their existing policies and trainings required under the 2019 or later approved Elections Procedures Manual pursuant to their status as Voter Registration Assistance Agencies, identify areas for improvement, and make any necessary changes to such policies and trainings.


7. The Arizona Strategic Enterprise Technology Office (ASET) shall, in coordination with State Agencies referenced in Section 1 above, evaluate the feasibility of data sharing functionality between those State Agencies and the Arizona Department of Transportation that allows a citizen to import their information to the online voter registration portal when providing all or most required voter registration information to a different State Agency for a purpose other than voter registration. No later than June 30, 2024, ASET shall issue a report identifying State Agencies for which such functionality may be feasible, necessary steps for the implementation of such functionality, and estimated costs and timeframes of such implementation.
 - a. Consideration shall include all State Agencies designated as Voter Registration Assistance Agencies pursuant to the 2019 or later approved Elections Procedures Manual (DES, DHS, and AHCCCS).
 - b. Additional State Agencies shall be considered on the basis of current or anticipated use of webforms that solicit all or most information required for online voter registration.
8. In accordance with A.R.S. § 16-192, as interpreted by Ariz. Op. Atty. Gen. No. I15-002 (2015), no State Agency or State employee providing voter registration information or assistance in the scope of their official duties shall, in any manner that is not impartial or neutral, use State resources to influence an election by supporting or opposing a candidate for nomination or election to public office, the recall of a public officer, a ballot measure, question, or proposition (including any bond, budget, or override election), or the circulation of a petition for recall or a ballot measure, question, or proposition. Further, no State Agency or State employee providing voter registration information or assistance in the scope of their official duties shall, in any manner that is not impartial or neutral, use State resources for the promotion of a political party.
9. Definitions. For the purposes of this Executive Order:
 - a. “Disabilities Agency” means a state agency, division, or office that administers state-funded programs to provide services to persons with disabilities. *See* A.R.S. § 16-140(F)(2); 2019 Elections Procedures Manual at 14.
 - b. “Public Assistance Agency” means a state agency, division, or office that provides cash or in-kind assistance (such as access to medical care or transportation) to low-income or underserved populations. *See* A.R.S. § 16-140(F)(3); 2019 Elections Procedures Manual at 14.
 - c. “Voter Registration Assistance Agency” means any disabilities agency, public assistance agency, or other agency designated pursuant to 52 U.S.C. § 20506 of the National Voter Registration Act, A.R.S. § 16-140, or the Elections Procedures Manual to assist with voter registration.
10. This Executive Order shall not confer any legal rights or remedies upon any person and shall not be used as a basis for legal challenges to any action or inaction of a State Agency, officer, employee, or agent thereof.
11. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, such invalidity does not affect any other provision or application of this Executive Order which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.
12. This Executive Order shall take effect immediately upon signature, and shall remain in effect until repealed, replaced, or rescinded by future Executive Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona


GOVERNOR

DONE at the Capitol in Phoenix on this first day of November in the Year Two Thousand Twenty-Three and of the independence of the United States of America the Two Hundred and Forty-Eighth.

ATTEST:


SECRETARY OF STATE

