



September 7, 2024

Via email

Hon. Kris Mayes
Arizona Attorney General
2005 North Central Avenue
Phoenix, AZ 85004

Re: Request for Attorney General Opinion on the *Mi Familia Vota v. Fontes* case

Dear Attorney General Mayes:

Following the U.S. Supreme Court's ruling on August 22, 2024, which stayed the district court's injunction of A.R.S. § 16-121.01(C), the Arizona Secretary of State requests the Attorney General issue a formal Attorney General opinion on the following questions:

1. If an applicant submits a state voter registration form without DPOC, should the County Recorder perform the standard HAVA check to query the AZMVD database for DPOC prior to rejecting the form? If the applicant is otherwise eligible to register to vote and DPOC is obtained via the HAVA check, is the County Recorder required to register the applicant as a "full-ballot" voter?
2. If a County Recorder rejects a state voter registration form pursuant to A.R.S. § 16-121.01(C) and notifies the applicant that DPOC is missing pursuant to A.R.S. § 16-134(B), and if the applicant then provides DPOC, will the date of registration relate back to the original voter registration date?
3. Pursuant to A.R.S. § 16-134(B), County Recorders must give applicants until 7:00 pm on Election Day to provide DPOC to cure and complete their voter registration. But the LULAC Consent decree provided that DPOC must be provided no later than 5:00 p.m. on the Thursday before the election. What is the deadline by which the County Recorders must allow the applicant to supply DPOC for an incomplete voter registration?

Thank you for your consideration of this matter.

Sincerely,



Lisa M. Marra
State Election Director

For

Adrian Fontes
Arizona Secretary of State