



## Key Facts About Arizona's HB2492

*House Bill 2492 restores voter-approved proof-of-citizenship requirements when registering to vote in Arizona's elections.*

### VERIFYING CITIZENSHIP FOR EVERY VOTER

- Recently passed by the Arizona legislature and signed into law, House Bill 2492 is designed to restore and enhance safeguards in the voter registration process.
- In 2004, Arizona voters passed Proposition 200 to require proof of citizenship when registering to vote. Two decades of court decisions and consent decrees have whittled away the state's ability to ensure those voting in its elections are citizens.
  - As a result, more than ten thousand people voted in Arizona's 2020 election who had never proven their citizenship.
- House Bill 2492 will reestablish requirements for Arizonans to submit documentary proof of citizenship in order to vote in state and presidential elections.
- For voters who do not provide documentation when registering using the federal form, HB 2492 requires county officials to "use all available resources" to verify citizenship.
  - This includes searching databases such as the federal Systematic Alien Verification for Entitlements (SAVE) program. Georgia officials recently [announced](#) 1,600 potential non-citizen applicants had been identified using SAVE.
  - If this check is inconclusive, HB 2492 still permits individuals to vote in congressional elections.

### FOLLOWING ESTABLISHED PRECEDENT

- House Bill 2492 is perfectly in line with Supreme Court precedent set down in *Arizona v. Inter-Tribal Council* and consistent with the National Voter Registration Act.
- The Supreme Court has found that states are required to accept and use the federal voter registration form and cannot impose additional requirements beyond what the form asks for.
- Congress' power is not absolute. The Constitution gives Congress some power to "alter" state voting processes for congressional elections, but not for presidential or state elections.
- Therefore, states can require proof of citizenship to vote in state elections or use information such as public records to identify ineligible noncitizens.
- Following that precedent, the bill allows federal form applicants whose citizenship cannot be verified to vote in congressional elections.
- This arrangement falls squarely in line with Arizona's power under the Electors Clause of the Constitution.

### NO BURDEN ON ARIZONANS OR PUBLIC OFFICIALS

- The general public widely supports reserving voting exclusively for citizens.
- Contrary to claims, Arizonans who are already registered to vote will not need to re-register.
  - Even if a voter first registered before Proposition 200 and has not shown proof of citizenship, the bill "grandfathers" them in.
- New registrants can easily prove citizenship using a wide range of common and easily obtainable forms of ID, including a driver's license number, naturalization documents, birth certificates, tribal enrollment numbers, and more.
- The bill imposes no greater burden on election officials, either. Administrators are already supposed to verify voter eligibility when registering individuals to vote, including using database checks like those called for in the bill.