

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HOUSE BILL 2032

AN ACT

AMENDING SECTIONS 16-550 AND 16-621, ARIZONA REVISED STATUTES; RELATING TO ELECTIONS AND ELECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-550, Arizona Revised Statutes, is amended to
3 read:

4 16-550. Receipt of voter's ballot

5 A. ~~Upon~~ ON receipt of the envelope containing the early ballot and
6 the completed affidavit, the county recorder or other officer in charge of
7 elections shall compare the signatures thereon with the signature of the
8 elector on ~~his~~ THE ELECTOR'S registration form. If satisfied that the
9 signatures correspond, the recorder or other officer in charge of
10 elections shall hold them unopened in accordance with the rules of the
11 secretary of state.

12 B. The recorder or other officer in charge of elections shall
13 thereafter safely keep the affidavits and early ballots in his office
14 until delivered pursuant to section 16-551 and tallying of ballots shall
15 not begin any earlier than ~~seven~~ FOURTEEN days before election day.

16 C. The county recorder shall send a list of all voters who were
17 issued early ballots to the election board of the precinct in which the
18 voter is registered.

19 Sec. 2. Section 16-621, Arizona Revised Statutes, is amended to
20 read:

21 16-621. Proceedings at the counting center

22 A. All proceedings at the counting center shall be under the
23 direction of the board of supervisors or other officer in charge of
24 elections and shall be conducted in accordance with the approved
25 instructions and procedures manual provided for in section 16-452 under
26 the observation of representatives of each political party and the public.
27 The proceedings at the counting center may also be observed by up to three
28 additional people representing a candidate for nonpartisan office, or
29 representing a political committee in support of or in opposition to a
30 ballot measure, proposition or question. A draw by lot shall determine
31 which three groups or candidates shall have representatives participate in
32 the observation at the counting center. Persons representing a candidate
33 for nonpartisan office or persons or groups representing a political
34 committee in support of or in opposition to a ballot measure, proposition
35 or question, who are interested in participating in the observation, shall
36 notify the officer in charge of elections of their desire to be included
37 in the draw ~~no~~ NOT later than ~~ten~~ THREE days before the ~~election~~ POSTED
38 DATE FOR THE LOGIC AND ACCURACY TEST. After the deadline to receive
39 submissions from the interested persons or groups, but ~~prior to seven days~~
40 before the ~~election~~ FIRST DAY ON WHICH THE TABULATING BEGINS, the county
41 officer in charge of elections shall draw by lot, from the list of those
42 who expressed interest, three persons or groups and those selected shall
43 be notified and allowed to observe the proceedings at the counting center.
44 If a group is selected they may alter who represents that group for
45 different days of observation but on any given observation day a selected

1 group shall not send more than one observer. A group may rotate an
2 observer throughout the day. ~~No persons except~~ ONLY those PERSONS WHO ARE
3 authorized ~~for the purpose~~ TO PROCESS OR COUNT BALLOTS AND BALLOT
4 MATERIALS shall touch any ballot or ballot card or return. All persons
5 who are engaged in processing and counting of the ballots shall be
6 qualified electors, shall be deputized in writing and shall take an oath
7 that they will faithfully perform their assigned duties. There shall be
8 no preferential counting of ballots for the purpose of projecting the
9 outcome of the election. If any ballot, including any ballot received
10 from early voting, is damaged or defective so that it cannot properly be
11 counted by the automatic tabulating equipment, a true duplicate copy shall
12 be made of the damaged ballot in the presence of witnesses and substituted
13 for the damaged ballot. All duplicate ballots shall be clearly labeled
14 "duplicate" and shall bear a serial number which shall be recorded on the
15 damaged or defective ballot.

16 B. If for any reason it becomes impracticable to count all or a
17 part of the ballots with tabulating equipment, the officer in charge of
18 elections may direct that they be counted manually, following as far as
19 practicable the provisions governing the counting of paper ballots.

20 C. For any statewide, county or legislative election, the county
21 recorder or officer in charge of elections shall provide for a live video
22 recording of the custody of all ballots while the ballots are present in a
23 tabulation room in the counting center. The live video recording shall
24 include date and time indicators and shall be linked to the secretary of
25 state's website. The secretary of state shall post links to the video
26 coverage for viewing by the public. The county recorder or officer in
27 charge of elections shall record the video coverage of the ballots at the
28 counting center and shall retain those recordings as a public record for
29 at least as long as the challenge period for the general election. If the
30 live video feed is disrupted or disabled, the recorder or officer in
31 charge of elections is not liable for the disruption but shall attempt to
32 reinstate video coverage as soon as is practicable. Any disruption in
33 video coverage shall not affect or prevent the continued tabulation of
34 ballots. This subsection is contingent on legislative appropriation.

35 D. The county recorder or other officer in charge of elections
36 shall maintain records that record the chain of custody for all election
37 equipment and ballots during early voting through the completion of
38 provisional voting tabulation.