

House Engrossed Senate Bill  
voting equipment; ballots; receipt

State of Arizona  
Senate  
Fifty-fifth Legislature  
First Regular Session  
2021

# SENATE BILL 1241

AN ACT

AMENDING SECTIONS 16-112, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-404.01; AMENDING SECTIONS 16-446 AND 16-452, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-453; AMENDING SECTION 16-550, ARIZONA REVISED STATUTES; AMENDING TITLE 16, CHAPTER 4, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-604; AMENDING SECTIONS 16-621 AND 16-624, 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 16-112, Arizona Revised Statutes, is amended to  
3 read:

4 16-112. Driver license voter registration

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

20 B. IN ADDITION TO ALLOWING A PERSON TO REGISTER TO VOTE AS  
21 PRESCRIBED BY SUBSECTION A OF THIS SECTION, THE DEPARTMENT OF  
22 TRANSPORTATION SHALL PROVIDE A PERSON WHO WAS PREVIOUSLY REGISTERED TO  
23 VOTE IN ANOTHER STATE A FORM FOR CANCELING THE PERSON'S PREVIOUS VOTER  
24 REGISTRATION FOR THE OTHER STATE. THE FORM SHALL INCLUDE THE PERSON'S  
25 PREVIOUS ADDRESS IN THE OTHER STATE AND DIRECT THE CHIEF STATE ELECTION  
26 OFFICER IN THE OTHER STATE TO CANCEL THE PERSON'S VOTER REGISTRATION. THE  
27 DEPARTMENT OF TRANSPORTATION SHALL FORWARD THAT PERSON'S FORM FOR VOTER  
28 REGISTRATION CANCELLATION TO THAT STATE'S CHIEF STATE ELECTION OFFICER.

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

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

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

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

1 4. Provide for the manual or electronic generation and transmittal  
2 of voter registrations and provide for electronic generation of changes in  
3 voter registration information, including address, in conformity with the  
4 confidentiality requirements of the national voter registration act of  
5 1993 (P.L. 103-31; 107 Stat. 77; ~~42~~ 52 United States Code ~~section 394~~  
6 SECTIONS 20501 THROUGH 20511).

7 5. PROVIDE FOR TRANSMITTING COMPLETED FORMS FOR CANCELING VOTER  
8 REGISTRATIONS TO THE CHIEF STATE ELECTION OFFICER OF THE STATE IDENTIFIED  
9 BY PERSONS REGISTERING TO VOTE IN THIS STATE AS PRESCRIBED BY SUBSECTION B  
10 OF THIS SECTION.

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

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

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

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

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

30 Sec. 2. Title 16, chapter 4, article 1, Arizona Revised Statutes,  
31 is amended by adding section 16-404.01, to read:

32 16-404.01. Tabulation results; limits

33 NOTWITHSTANDING ANY OTHER LAW, ALL TABULATION RESULTS SHALL REMAIN  
34 IN THIS COUNTRY AND MAY NOT BE TRANSFERRED, TRANSMITTED OR STORED IN ANY  
35 OTHER COUNTRY.

36 Sec. 3. Section 16-446, Arizona Revised Statutes, is amended to  
37 read:

38 16-446. Specifications of electronic voting system

39 A. An electronic voting system consisting of a voting or marking  
40 device in combination with vote tabulating equipment shall provide  
41 facilities for voting for candidates at both primary and general  
42 elections.

1           B. An electronic voting system shall:

2           1. Provide for voting in secrecy when used with voting booths.

3           2. Permit each elector to vote at any election for any person for  
4 any office whether or not nominated as a candidate, to vote for as many  
5 persons for an office as the elector is entitled to vote for and to vote  
6 for or against any question on which the elector is entitled to vote, and  
7 the vote tabulating equipment shall reject choices recorded on the  
8 elector's ballot if the number of choices exceeds the number that the  
9 elector is entitled to vote for the office or on the measure.

10          3. Prevent the elector from voting for the same person more than  
11 once for the same office.

12          4. Be suitably designed for the purpose used and be of durable  
13 construction, and may be used safely, efficiently and accurately in the  
14 conduct of elections and counting ballots.

15          5. Be provided with means for sealing the voting or marking device  
16 against any further voting after the close of the polls and the last voter  
17 has voted.

18          6. When properly operated, record correctly and count accurately  
19 every vote cast.

20          7. Provide a durable paper document that visually indicates the  
21 voter's selections, that the voter may use to verify the voter's choices,  
22 that may be spoiled by the voter if it fails to reflect the voter's  
23 choices and that permits the voter to cast a new ballot. This paper  
24 document shall be used in manual audits and recounts.

25          8. To the extent practicable, provide for the ballot layout to be  
26 in the same order of arrangement, including rotation, as provided for  
27 paper ballots, except that information may be printed in vertical or  
28 horizontal rows, or in a number of separate pages or screens that are  
29 placed or displayed on the voting device. The titles of offices may be  
30 arranged in vertical columns or in a series of separate pages or screens  
31 and shall be printed above or at the side of the names of candidates so as  
32 to indicate clearly the candidates for each office and the number to be  
33 elected. If there are more candidates for an office than can be printed  
34 in one column or on one ballot page or screen, the ballot shall be clearly  
35 marked that the list of candidates is continued on the following column,  
36 page or screen, and to the extent practicable, the same number of names  
37 shall be printed on each column, page or screen.

38          9. Provide for a color designation for use in the primary election  
39 for each political party represented.

40          10. FOR ANY VOTING LOCATION THAT USES ON-SITE BALLOT TABULATING  
41 EQUIPMENT, ON REQUEST OF THE VOTER, PROVIDE FOR A PAPER RECEIPT TO BE  
42 ISSUED BY THE ELECTRONIC VOTING SYSTEM OR BY AN ELECTION BOARD WORKER TO  
43 THE VOTER AT THE TIME THE VOTER'S BALLOT IS RECEIVED FOR TABULATION. THE  
44 PAPER RECEIPT SHALL STATE WHETHER THE VOTER'S BALLOT WILL BE TABULATED AT  
45 THE VOTING LOCATION OR SECURELY STORED UNTIL THE POLLS CLOSE AND THEN

1 TRANSMITTED TO THE CENTRAL COUNTING PLACE FOR TABULATION. THIS PARAGRAPH  
2 DOES NOT APPLY TO A VOTER WHO VOTES WITH AN EARLY OR PROVISIONAL BALLOT.

3 Sec. 4. Section 16-452, Arizona Revised Statutes, is amended to  
4 read:

5 16-452. Rules; instructions and procedures manual; approval  
6 of manual; field check and review of systems;  
7 violation; classification

8 A. After consultation with each county board of supervisors or  
9 other officer in charge of elections, the secretary of state shall  
10 prescribe rules to achieve and maintain the maximum degree of correctness,  
11 impartiality, uniformity and efficiency on the procedures for early voting  
12 and voting, and of producing, distributing, collecting, counting,  
13 tabulating and storing ballots. The secretary of state shall also adopt  
14 rules regarding fax transmittal of unvoted ballots, ballot requests, voted  
15 ballots and other election materials to and from absent uniformed and  
16 overseas citizens and shall adopt rules regarding internet receipt of  
17 requests for federal postcard applications prescribed by section 16-543.

18 B. The rules shall be prescribed in an official instructions and  
19 procedures manual to be issued not later than December 31 of each  
20 odd-numbered year immediately preceding the general election. Before its  
21 issuance, the manual shall be approved by the governor and the attorney  
22 general. The secretary of state shall submit the manual to the governor  
23 and the attorney general not later than October 1 of the year before each  
24 general election.

25 C. A person who violates any rule adopted pursuant to this section  
26 is guilty of a class 2 misdemeanor.

27 D. IF A PROVISION IN THE INSTRUCTIONS AND PROCEDURES MANUAL  
28 CONFLICTS WITH STATE STATUTE, THE STATE STATUTE PREVAILS.

29 ~~D.~~ E. The secretary of state shall provide personnel who are  
30 experts in electronic voting systems and procedures and in electronic  
31 voting system security to field check and review electronic voting systems  
32 and recommend needed statutory and procedural changes.

33 Sec. 5. Title 16, chapter 4, article 4, Arizona Revised Statutes,  
34 is amended by adding section 16-453, to read:

35 16-453. Prohibited access to election servers and hard drives

36 A PERSON MAY NOT ACCESS ANY AREA WHERE SERVERS OR HARD DRIVES THAT  
37 CONTAIN ELECTION-RELATED DATA ARE STORED UNLESS THE PERSON IS PREAPPROVED  
38 BY OR DIRECTLY SUPERVISED BY THE COUNTY RECORDER OR OTHER OFFICER IN  
39 CHARGE OF ELECTIONS.

40 Sec. 6. Section 16-550, Arizona Revised Statutes, is amended to  
41 read:

42 16-550. Receipt of voter's ballot; cure period; annual report

43 A. On receipt of the envelope containing the early ballot and the  
44 ballot affidavit, the county recorder or other officer in charge of  
45 elections shall compare the signatures thereon with the signature of the

1 elector on the elector's registration record. If the signature is  
2 inconsistent with the elector's signature on the elector's registration  
3 record, the county recorder or other officer in charge of elections shall  
4 make reasonable efforts to contact the voter, advise the voter of the  
5 inconsistent signature and allow the voter to correct or the county to  
6 confirm the inconsistent signature. The county recorder or other officer  
7 in charge of elections shall allow signatures to be corrected not later  
8 than the fifth business day after a primary, general or special election  
9 that includes a federal office or the third business day after any other  
10 election. If satisfied that the signatures correspond, the recorder or  
11 other officer in charge of elections shall hold the envelope containing  
12 the early ballot and the completed affidavit unopened in accordance with  
13 the rules of the secretary of state.

14 B. The recorder or other officer in charge of elections shall  
15 thereafter safely keep the affidavits and early ballots in the recorder's  
16 or other officer's office until delivered pursuant to section 16-551 and  
17 tallying of ballots shall not begin any earlier than fourteen days before  
18 election day.

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

22 D. AFTER THE EXPIRATION OF THE PERIOD TO CORRECT OR CONFIRM AN  
23 INCONSISTENT SIGNATURE ON A BALLOT AFFIDAVIT AS PRESCRIBED IN SUBSECTION A  
24 OF THIS SECTION AND IF THE VOTER HAS NOT CORRECTED OR CONFIRMED THE  
25 SIGNATURE, THE COUNTY RECORDER SHALL SUBMIT THE VOTER CONTACT INFORMATION,  
26 A COPY OF THE EARLY BALLOT ENVELOPE AND A COPY OF THE VOTER'S SIGNATURE  
27 FROM THE VOTER REGISTRATION RECORDS TO THE COUNTY ATTORNEY OR ATTORNEY  
28 GENERAL FOR POSSIBLE INVESTIGATION. ON REQUEST OF THE COUNTY ATTORNEY OR  
29 ATTORNEY GENERAL, IF THE BALLOT AFFIDAVIT IS SEPARATE FROM THE EARLY  
30 BALLOT ENVELOPE, THE COUNTY RECORDER SHALL PROVIDE THE BALLOT AFFIDAVIT  
31 AND ANY OTHER RELEVANT MATERIALS. ON OR BEFORE FEBRUARY 1 EACH YEAR, THE  
32 COUNTY RECORDER SHALL REPORT THE NUMBER OF REFERRALS TO THE COUNTY  
33 ATTORNEY AND ATTORNEY GENERAL AND SHALL SUBMIT THAT REPORT TO THE  
34 PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND  
35 THE GOVERNOR AND SHALL PROVIDE A COPY TO THE SECRETARY OF STATE.

36 ~~D.~~ E. This section does not apply to:

37 1. A special taxing district that is authorized pursuant to section  
38 16-191 to conduct its own elections.

39 2. A special district mail ballot election that is conducted  
40 pursuant to article 8.1 of this chapter.

1           Sec. 7. Title 16, chapter 4, article 10, Arizona Revised Statutes,  
2 is amended by adding section 16-604, to read:

3           16-604. Tabulation equipment, removable external devices and  
4                   removable data storage devices; chain of custody;  
5                   violation; classification; definition

6           A. NOTWITHSTANDING ANY OTHER LAW:

7           1. ANY TABULATION EQUIPMENT THAT IS USED IN A POLLING PLACE OR  
8 VOTING CENTER SHALL NOT HAVE INTERNET OR REMOTE ACCESS AT ANY TIME,  
9 INCLUDING BEFORE, DURING OR AFTER AN ELECTION. EXTERNAL DEVICES THAT  
10 ALLOW FOR INTERNET, WI-FI OR REMOTE ACCESS SHALL NOT BE CONNECTED TO ANY  
11 TABULATION EQUIPMENT THAT IS USED IN A POLLING PLACE OR VOTING CENTER AT  
12 ANY TIME, INCLUDING BEFORE, DURING OR AFTER AN ELECTION.

13           2. THE DELIVERY, USE AND RETURN OF ANY EQUIPMENT, REMOVABLE  
14 EXTERNAL DEVICES AND REMOVABLE DATA STORAGE DEVICES USED TO TABULATE OR  
15 STORE ELECTION DATA, INCLUDING BALLOT IMAGES AND ADJUDICATED BALLOT  
16 IMAGES, AND ANY COPIES OF THE REMOVABLE EXTERNAL DEVICES AND REMOVABLE  
17 DATA STORAGE DEVICES, INCLUDING CONNECTING ANY REMOVABLE EXTERNAL DEVICES,  
18 SHALL BE LOGGED ON A CHAIN OF CUSTODY DOCUMENT SO THAT THE NAME AND  
19 SIGNATURE OF EVERY PERSON WHO DOES ANY OF THE FOLLOWING IS RECORDED AND  
20 RETAINED AS AN OFFICIAL ELECTION RECORD:

21           (a) DELIVERS, RECEIVES, USES AND RETURNS THE EQUIPMENT, REMOVABLE  
22 EXTERNAL DEVICE OR REMOVABLE DATA STORAGE DEVICE.

23           (b) CONNECTS A REMOVABLE EXTERNAL DEVICE OR REMOVABLE DATA STORAGE  
24 DEVICE.

25           (c) SECURES THE EQUIPMENT, REMOVABLE EXTERNAL DEVICE OR REMOVABLE  
26 DATA STORAGE DEVICE DURING ELECTION DAY.

27           3. ONCE COUNTING BEGINS AT THE COUNTING CENTER, IF AN APPROVED  
28 OBSERVER FROM A POLITICAL PARTY IS PRESENT AS PRESCRIBED BY SECTION 16-  
29 621, SUBSECTION A, THE OBSERVER SHALL BE ALLOWED TO HAVE A REASONABLE VIEW  
30 OF THE CONNECTION AND REMOVAL OF ANY REMOVABLE EXTERNAL DEVICE, REMOVABLE  
31 DATA STORAGE DEVICE OR COMPUTER SCREEN UNTIL THE ELECTION DATA IS  
32 OFFICIALLY RECORDED OR THE REMOVABLE DEVICE IS STORED SECURELY AND, TO THE  
33 FULLEST EXTENT POSSIBLE, A REASONABLE VIEW OF THE PROCEEDINGS AT THE  
34 COUNTING CENTER. FOR THE PURPOSE OF THIS PARAGRAPH, "REASONABLE VIEW"  
35 MEANS A VIEW FROM A DISTANCE THAT DOES NOT IMPEDE OR INTERFERE WITH THE  
36 PERFORMANCE OF THE ELECTION WORKER'S DUTIES AND THAT DOES NOT ALLOW THE  
37 DISCLOSURE OF SENSITIVE DATA OR INFORMATION.

38           4. ALL REMOVABLE DATA STORAGE DEVICES SHALL BE SECURED WITH A  
39 TAMPER-EVIDENT SEAL THAT CONTAINS A UNIQUE SERIAL NUMBER THAT IS RECORDED  
40 AND CONFIRMED ON A CHAIN OF CUSTODY DOCUMENT.

41           B. THE OFFICER IN CHARGE OF ELECTIONS MAY ESTABLISH SECURITY  
42 PROCEDURES FOR THE OBSERVATION OF EACH TABULATING PROCESS WHICH MAY  
43 INCLUDE LIMITING THE NUMBER OF OBSERVERS IN EACH ROOM AND PROHIBITING  
44 OBSERVERS FROM RESTRICTED AREAS AND OFFICIAL COUNTY VEHICLES.

1 C. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2  
2 MISDEMEANOR.

3 Sec. 8. Section 16-621, Arizona Revised Statutes, is amended to  
4 read:

5 16-621. Proceedings at the counting center; violation;  
6 classification

7 A. All proceedings at the counting center shall be under the  
8 direction of the board of supervisors or other officer in charge of  
9 elections and shall be conducted in accordance with the approved  
10 instructions and procedures manual issued pursuant to section 16-452 under  
11 the observation of representatives of each political party and the public.  
12 The proceedings at the counting center may also be observed by up to three  
13 additional people representing a candidate for nonpartisan office, or  
14 representing a political committee in support of or in opposition to a  
15 ballot measure, proposition or question. A draw by lot shall determine  
16 which three groups or candidates shall have representatives participate in  
17 the observation at the counting center. Persons representing a candidate  
18 for nonpartisan office or persons or groups representing a political  
19 committee in support of or in opposition to a ballot measure, proposition  
20 or question, who are interested in participating in the observation, shall  
21 notify the officer in charge of elections of their desire to be included  
22 in the draw not later than seventeen days before the election. After the  
23 deadline to receive submissions from the interested persons or groups, but  
24 prior to fourteen days before the election, the county officer in charge  
25 of elections shall draw by lot, from the list of those that expressed  
26 interest, three persons or groups and those selected shall be notified and  
27 allowed to observe the proceedings at the counting center. If a group is  
28 selected the group may alter who represents that group for different days  
29 of observation but on any given observation day a selected group shall not  
30 send more than one observer. A group may rotate an observer throughout  
31 the day. Only those persons who are authorized for the purpose shall  
32 touch any ballot or ballot card or return. All persons who are engaged in  
33 processing and counting of the ballots shall be qualified electors, shall  
34 be deputized in writing BY SIGNING A SWORN STATEMENT OR AFFIDAVIT and  
35 shall take an oath that they will faithfully perform their assigned  
36 duties. There shall be no preferential counting of ballots for the  
37 purpose of projecting the outcome of the election. If any ballot,  
38 including any ballot received from early voting, is damaged or defective  
39 so that it cannot properly be counted by the automatic tabulating  
40 equipment, a true duplicate copy shall be made of the damaged or defective  
41 ballot in the presence of witnesses and substituted for the damaged or  
42 defective ballot. All duplicate ballots created pursuant to this  
43 subsection shall be clearly labeled "duplicate" and shall bear a serial  
44 number that shall be recorded on the damaged or defective ballot. AT THE  
45 COMPLETION OF THE DUPLICATE BALLOTS, EACH MEMBER OF THE DUPLICATION BOARD



1 SHALL SIGN A DUPLICATION LOG ATTESTING THAT TO THE BEST OF THE MEMBER'S  
2 ABILITY THE DUPLICATE COPY IS A TRUE DUPLICATE COPY OF THE ORIGINAL  
3 BALLOT.

4 B. If the counting center automatic tabulating equipment includes  
5 an electronic vote adjudication feature that has been certified for use as  
6 prescribed by section 16-442 and the board of supervisors or officer in  
7 charge of elections authorizes the use of this feature at the counting  
8 center, all of the following apply:

9 1. The electronic vote adjudication feature shall be included in  
10 the tabulation system logic and accuracy testing prescribed by section  
11 16-449.

12 2. The board of supervisors or officer in charge of elections shall  
13 appoint an electronic vote adjudication board that consists of two judges  
14 who are overseen by an inspector, with the two judges equally divided  
15 between the two largest political parties as prescribed by section 16-531,  
16 subsection D to adjudicate and submit for tabulation a ballot that is read  
17 by the tabulation machine as blank in order to determine if voter intent  
18 is clear on a portion or all of the ballot, or any portion of any ballot  
19 as prescribed by section 16-610 or 16-611, or to tally write-in choices as  
20 prescribed by section 16-612.

21 3. The electronic vote adjudication process used by the electronic  
22 vote adjudication board shall provide for:

23 (a) A method to track and account for the original ballot and the  
24 digital duplicate of the ballot created by the electronic vote  
25 adjudication feature that includes a serial number on the digital image  
26 that can be used to track electronic vote adjudication board actions. ALL  
27 DATA STORAGE DEVICES THAT ARE USED TO ACCOUNT FOR THE ORIGINAL BALLOT AND  
28 THE DIGITAL DUPLICATE OF THE BALLOT SHALL BE LOGGED ON A CHAIN OF CUSTODY  
29 DOCUMENT. IF AN APPROVED OBSERVER FROM A POLITICAL PARTY IS PRESENT AS  
30 PRESCRIBED BY SUBSECTION A OF THIS SECTION, THE OBSERVER SHALL BE ALLOWED  
31 TO VIEW THE DATA STORAGE DEVICE WHILE THE DEVICE IS NOT SECURELY LOCKED  
32 AND STORED.

33 (b) The creation and retention of comprehensive logs of all digital  
34 duplication and adjudication actions performed by an electronic vote  
35 adjudication board.

36 (c) The retention of the original ballot and the digital duplicate  
37 of the ballot.

38 C. If for any reason it becomes impracticable to count all or a  
39 part of the ballots with tabulating equipment, the officer in charge of  
40 elections may direct that they be counted manually, following ~~as far as~~  
41 ~~practicable~~ the provisions governing the counting of paper ballots.

42 D. For any statewide, county or legislative election, the county  
43 recorder or officer in charge of elections shall provide for a live video  
44 recording of the custody of all ballots while the ballots are present in a  
45 tabulation room in the counting center. The live video recording shall

1 include date and time indicators and shall be linked to the secretary of  
2 state's website. The secretary of state shall post links to the video  
3 coverage for viewing by the public. The county recorder or officer in  
4 charge of elections shall record the video coverage of the ballots at the  
5 counting center and shall retain those recordings as a public record for  
6 at least as long as the challenge period for the general election. If the  
7 live video feed is disrupted or disabled, the recorder or officer in  
8 charge of elections is not liable for the disruption but shall attempt to  
9 reinstate video coverage as soon as is practicable. Any disruption in  
10 video coverage shall not affect or prevent the continued tabulation of  
11 ballots. This subsection is contingent on legislative appropriation.

12 E. The county recorder or other officer in charge of elections  
13 shall maintain records that record the chain of custody for all election  
14 equipment, REMOVABLE DATA STORAGE DEVICES, HARD DRIVES, SERVERS and  
15 ballots during early voting through the completion of provisional voting  
16 tabulation.

17 F. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2  
18 MISDEMEANOR.

19 Sec. 9. Section 16-624, Arizona Revised Statutes, is amended to  
20 read:

21 16-624. Disposition of official returns and ballots

22 A. After the canvass has been completed, the officer in charge of  
23 elections shall deposit the package or envelope containing the ballots in  
24 a secure facility managed by the county treasurer, who shall keep it  
25 unopened and unaltered for twenty-four months for elections for a federal  
26 office or for six months for all other elections, at which time ~~he~~ THE  
27 COUNTY TREASURER shall destroy it without opening or examining the  
28 contents.

29 ~~B. Irregular ballots shall be preserved for six months after the~~  
30 ~~election and the packages containing them may be opened and the contents~~  
31 ~~examined only upon an order of court. At the expiration of such time, the~~  
32 ~~ballots may be disposed of in the discretion of the officer or board~~  
33 ~~having charge of them.~~

34 ~~C.~~ B. The officer in charge of elections shall produce the other  
35 packages or envelopes before the board of supervisors when it is in  
36 session for the purpose of canvassing the returns.

37 ~~D.~~ C. If a recount is ordered or a contest begun within six  
38 months, the county treasurer may be ordered by the court to deliver to ~~it~~  
39 THE COURT the packages or envelopes containing the ballots, and thereupon  
40 they shall be in the custody and control of the court.