

Fiscal Note

BILL # SB 1083

TITLE: elections; recount margin

SPONSOR: Ugenti-Rita

STATUS: Senate Engrossed

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Description

The bill would modify the recount margin for candidate elections and ballot measures (initiatives, referendum and constitutional amendments).

Estimated Impact

We estimate the bill would increase state costs by approximately \$443,000 per additional statewide election recount required under the bill. This estimate would apply to statewide elections for candidates or ballot measures.

The state would also incur any costs for other state election recounts, such as legislative elections, as statute requires these recount costs to also be paid by the state.

To the extent recounts would be triggered in local elections, the actual cost may be higher. However, any local election recount expenses are paid by the respective local government.

Analysis

A.R.S. § 16-661 currently mandates an automatic recount when a primary or general election canvass of returns shows a margin that is smaller than the following amounts (with the calculation producing the lower recount threshold used):

- 1) 0.1% of the votes cast for the relevant 2 candidates or ballot measure
- 2) 200 votes for state office when more than 25,000 votes were cast; 50 votes for state offices when fewer than 25,000 votes were cast; 200 votes for ballot measures; 50 votes for legislative elections; or 10 votes for a local office.

The automatic recount provisions have historically not applied to elections for certain political subdivisions, such as fire district boards and school district governing boards.

The bill would change the recount threshold to a margin of 0.5% for all elections, except for special district elections.

Any recount that falls under the new threshold would be subject to the state's existing recount process, as the bill does not modify the method of recount. Under that process, votes are recounted on an electronic tabulating system with the recount results being considered final unless further vote discrepancies are observed.

The Secretary of State's Office indicated they do not have an estimate for the cost of a specific recount. We reached out to the Arizona Association of Counties for their perspective regarding the cost of the proposed legislation. To date, 9 of the 15 counties have reported a cost per recount of \$387,900 in aggregate. Prorating this amount for the other 6 counties would yield an additional cost of \$55,100, for a total statewide recount cost of \$443,000.

To the extent that multiple races in an election require a recount, costs would be significantly higher than \$443,000 if each recount involves a separate process, including a new round of computer programming and ballot tabulation.

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Local Government Impact

A.R.S. § 16-666 provides that the recount of votes for a state office or ballot measure are paid for by the state. Any local election recount expenses are paid by the respective local government. While local governments may see an increase in expenses related to recounts for local elections, we do not have sufficient data to provide an estimate of these costs.

4/13/21