State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023  

HOUSE BILL 2305  

AN ACT  

AMENDING TITLE 16, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-546; RELATING TO CONDUCT OF ELECTIONS.  

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 16, chapter 4, article 8, Arizona Revised Statutes, is amended by adding section 16-546, to read:

16-546. Signature verification; political party observers; challenge review; violation; classification

A. For the avoidance of doubt and notwithstanding any other law, the county recorder and county officer in charge of elections shall allow representatives of the two largest political parties entitled to continued representation on the ballot to observe each stage of the signature verification process for early, provisional and conditional provisional ballots.

B. For the avoidance of doubt, observers shall be allowed to observe from a distance at which they can reasonably and comfortably view the contents of any screens or monitors that are used to display information or other materials related to signature verification.

C. For the avoidance of doubt, an observer may challenge ballot affidavit envelopes that appear to not meet signature standards. Challenged ballot affidavit envelopes must remain unopened and the original ballot affidavit envelope must be sent for review to a bipartisan challenge review board that is appointed by the two largest political parties. The challenge review board must have access to all control signatures in the voter file and must reach a bipartisan agreement on the challenge before the ballot affidavit envelope may be opened and the ballot tabulated.

D. For the avoidance of doubt, if the ballot affidavit envelope fails the challenge review, the ballot affidavit envelope shall be sent as a challenged affidavit envelope to be cured. If the ballot affidavit envelope is cured, the process and means for curing and the name of the curing party must be documented, and the unopened ballot envelope shall be returned to the challenge review board for final confirmation.

E. For the avoidance of doubt, the county recorder and county officer in charge of elections shall maintain chain of custody documentation that is documented at each stage of the signature and affidavit verification process, including by each signature verification work station, and by all employees and observers involved in each phase of review and shall provide for full and clear visibility of all signatures, including reference signatures, ballot affidavit envelope images, batch numbers, ballot numbers and voter identification. The county recorder and county officer in charge of elections shall maintain complete lists of all challenged ballots daily, and the challenge logs must be made available daily to any political party and all candidates on request.

F. A person who violates this section is guilty of a class 5 felony, and the county attorney has a nondiscretionary duty to file the charge, and any sentence imposed by a court shall comply with statutory guidelines for sentencing.