



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

House: MOE DP 6-4-0-0

HB2078: counties; elections; state audits

Sponsor: Representative Diaz, LD 19

Caucus & COW

Overview

Outlines the steps in which an *eligible person* may make a written request for information in specified circumstances, such as irregularities in polling place results or actions taken by a County Recorder that appear to be illegal.

History

Any elector of the state can contest an election due to misconduct of the election board or its members, or on the part of any officer making or participating in a canvass for a state election. ([A.R.S. § 16-672](#)).

Any person may request to examine or be provided with copies, printouts or photographs of any public record during regular office hours. The custodian of such records may require the person requesting the public records to pay in advance for any copying and postage charges ([A.R.S. § 39-121.01](#)).

Provisions

1. Allows any *eligible person* to request an explanation and documentation from the County Recorder or other officer in charge of elections in specified circumstances. (Sec. 1)
2. States that the County Recorder or other officer in charge of elections must reply to the request within 20 days after the request is submitted. (Sec. 1)
3. Stipulates that if the person is not satisfied with the explanation or documentation from the County Recorder or other officer in charge of elections, the person can request additional documentation. (Sec. 1)
4. Allows the *eligible person* to submit a request to the Secretary of State regarding the requests if they are not satisfied with the additional documentation. (Sec. 1)
5. Adds that upon receipt of an *eligible person's* request, the Secretary of State can request additional explanations or documentation from the County Recorder or other officer in charge of elections. (Sec. 1)
6. Mandates that the County Recorder or other officer in charge of elections must respond within 30 days after receiving a request from the Secretary of State. (Sec. 1)
7. Authorizes the Secretary of State to conduct an audit of the County Recorder or other officer in charge of elections following an unsatisfactory response. (Sec. 1)
8. Instructs the County Recorder or other officer in charge of elections to remedy any findings from the Secretary of State's conducted audit within 30 days after receiving the findings. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note

9. Authorizes the Secretary of State to assess a civil penalty of up to \$500 for each unresolved finding against the County Recorder or other officer in charge of elections. (Sec. 1)
10. Defines *eligible person*. (Sec. 1)