



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.C.R. 1037

~~presidential electors; constitutional appointments~~  
(NOW: elections; systems; equipment)

Purpose

Prohibits an operating component of a voting system from being used or purchased in Arizona for casting, recording and tabulating ballots for a federal office unless outlined requirements are met.

Background

All components of a voting system must be certified by the Secretary of State (SOS) prior to use in any election for federal, state or county office. The SOS must appoint a three-member committee to investigate and test various types of vote recording and tabulating machines or devices that may be used for elections. The committee must submit recommendations to the SOS, who makes final adoption of the types, makes and models of elections machines and devices to be certified for use in Arizona. After consultation with the committee, the SOS must adopt standards for the loss of certification for elections machines and devices. The SOS may revoke the certification of any voting system or device if the person or firm: 1) installs, uses or allows the use of a voting system or device that is not certified for use or approved for experimental use in Arizona; or 2) uses or includes hardware, firmware or software in a version that is not certified for use or approved for experimental use in a certified voting system or device. Elections machines and devices may only be used in Arizona at any federal, state or county office if the machines and devices have been tested and approved by a laboratory that is accredited pursuant to the federal Help America Vote Act of 2002 ([A.R.S. § 16-442](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits an operating component of a voting system from being used or purchased as the primary method for casting, recording and tabulating ballots used in Arizona for federal office unless:
  - a) the components have been designed, manufactured, integrated and assembled in the United States using trusted suppliers and processes accredited by the Defense Microelectronics Activity as prescribed by the U.S. Department of Defense;

- b) the source code for the voting system is open source and the source code used in any computerized voting machine for federal elections is made available for the public; and
- c) the ballot images and system log files from each tabulator are recorded on a secure write-once, read-many media with a clear chain of custody and posted on the SOS's website free of charge to the public within 24 hours after the polls close.

2. Requires the Legislature to transmit the resolution to the Secretary of State.

Amendments Adopted by Committee

- Adopted the strike-everything amendment.

Senate Action

ELEC            2/13/23    DPA/SE    5-3-0

Prepared by Senate Research

March 6, 2023

AN/CS/slp