

REFERENCE TITLE: election returns; canvass; review

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1287

Introduced by
Senator Kaiser

AN ACT

AMENDING SECTIONS 16-642 AND 16-644, ARIZONA REVISED STATUTES; RELATING TO
THE OFFICIAL CANVASS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-642, Arizona Revised Statutes, is amended to
3 read:

4 16-642. Canvass of election; postponements

5 A. The governing body holding an election shall meet and canvass
6 the election not less than six days nor more than twenty days following
7 the election.

8 B. The governing body of a special district as defined in title 48
9 shall present to the board of supervisors a certified copy of the official
10 canvass of the election at the next regularly scheduled meeting of the
11 board of supervisors. For purposes of contesting a special district
12 election as described in section 16-673, the canvass is not complete until
13 the presentation to the board of supervisors is made.

14 C. If, at the time of the meeting of the governing body, the
15 returns from any polling place in the election district where the polls
16 were opened and an election held are found to be missing OR IN QUESTION,
17 the canvass shall be postponed from day to day until THE GOVERNING BODY
18 HAS TO ITS SATISFACTION EXAMINED all the returns ~~are received~~ AND
19 ASCERTAINED THE FACTS WHICH THE RETURNS DISCLOSE or until six
20 postponements have been had.

21 Sec. 2. Section 16-644, Arizona Revised Statutes, is amended to
22 read:

23 16-644. Effect of want of form in precinct returns

24 No list, tally, certificates or endorsement returned from any
25 precinct shall be set aside or rejected for want of form, or for not being
26 strictly in accordance with the explicit provisions of this title, if they
27 can be clearly understood, nor shall any declaration of result, commission
28 or certificate be ~~withheld or denied by reason of any defect or~~
29 ~~informality~~ ISSUED in making the returns of the election in any precinct,
30 if the facts which the returns should disclose ~~can~~ CANNOT be definitely
31 ascertained.