

House Engrossed

election procedures manual; authority

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2205

AN ACT

AMENDING SECTION 16-452, ARIZONA REVISED STATUTES; RELATING TO THE CONDUCT
OF ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-452, Arizona Revised Statutes, is amended to
3 read:

4 16-452. Rules; instructions and procedures manual; approval
5 of manual; field check and review of systems;
6 violation; classification

7 A. After consultation with each county board of supervisors or
8 other officer in charge of elections, the secretary of state shall
9 prescribe rules to achieve and maintain the maximum degree of correctness,
10 impartiality, uniformity and efficiency on the procedures for early voting
11 and voting, and of producing, distributing, collecting, counting,
12 tabulating and storing ballots. The secretary of state shall also adopt
13 rules regarding fax transmittal of unvoted ballots, ballot requests, voted
14 ballots and other election materials to and from absent uniformed and
15 overseas citizens and shall adopt rules regarding internet receipt of
16 requests for federal postcard applications prescribed by section 16-543.

17 B. The rules shall be prescribed in an official instructions and
18 procedures manual to be issued not later than December 31 of each
19 odd-numbered year immediately preceding the general election. Before its
20 issuance, the manual shall be approved by the governor and the attorney
21 general. The secretary of state shall submit the manual to the governor
22 and the attorney general not later than October 1 of the year before each
23 general election.

24 C. A person who violates any rule adopted pursuant to this section
25 is guilty of a class 2 misdemeanor.

26 D. The secretary of state shall provide personnel who are experts
27 in electronic voting systems and procedures and in electronic voting
28 system security to field check and review electronic voting systems and
29 recommend needed statutory and procedural changes.

30 E. THE REQUIREMENT TO ADOPT AN OFFICIAL INSTRUCTIONS AND PROCEDURES
31 MANUAL PURSUANT TO THIS SECTION SHALL NOT BE CONSTRUED AS AN EXCESSIVE
32 DELEGATION OF LEGISLATIVE POWERS. THE OFFICIAL INSTRUCTIONS AND
33 PROCEDURES MANUAL HAS THE FORCE OF LAW ONLY FOR THOSE PROVISIONS THAT THE
34 LEGISLATURE HAS SPECIFICALLY AUTHORIZED THE SECRETARY OF STATE TO INCLUDE
35 AND NOT THE SECTIONS INCLUDED PURSUANT TO THE GENERAL GRANT OF AUTHORITY
36 IN SUBSECTION A OF THIS SECTION.