

REFERENCE TITLE: ballots; count; identification number; appropriation

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

# **SB 1271**

Introduced by  
Senator Bolick

AN ACT

AMENDING SECTIONS 16-502, 16-602 AND 16-663, ARIZONA REVISED STATUTES;  
APPROPRIATING MONIES; RELATING TO 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 16-502, Arizona Revised Statutes, is amended to  
3 read:

4 16-502. Form and contents of ballot

5 A. Ballots shall be printed with black ink on white paper of  
6 sufficient thickness to prevent the printing thereon from being  
7 discernible from the back, and the same type shall be used for the names  
8 of all candidates. The ballots shall be headed "official ballot" in  
9 bold-faced plain letters, with a heavy rule above and below the heading.  
10 Immediately below shall be placed the words "type of election, (date of  
11 election)" and the name of the county and state in which the election is  
12 held. The name or number of the precinct in which the election is held  
13 shall be placed on the ballot in a uniform location for all ballots. No  
14 other matter shall be placed or printed at the head of any ballot.  
15 Instructions to the voter on marking the ballot may be printed below the  
16 heading as follows:

17 1. Put a mark according to the instructions next to the  
18 name of each candidate for each office for whom you wish to  
19 vote.

20 2. If you wish to vote for a person whose name is not  
21 printed on the ballot, write such name in the blank space  
22 provided on the ballot and put a mark according to the  
23 instructions next to the name so written.

24 3. Put a mark according to the instructions next to the  
25 word "yes" or "for" for each proposition or question you wish  
26 to be adopted. Put a mark according to the instructions next  
27 to the word "no" or "against" for each proposition or question  
28 you wish not to be adopted.

29 B. Immediately below the ballot instructions shall be placed the  
30 following:

31 Section One  
32 Partisan Ballot

33 C. Immediately below the heading for section one there shall be  
34 placed in columns the names of the candidates of the several political  
35 parties. Next to each candidate's name there shall be printed in  
36 bold-faced letters the name of the political party. At the head of each  
37 column shall be printed the names of the offices to be filled with the  
38 name of each office being of uniform type size. At the head of each  
39 column shall be printed in the following order the names of candidates  
40 for:

41 1. Presidential electors, which shall be in a list and next to the  
42 list shall be printed in bold type the surname of the presidential  
43 candidate, and the surname of the vice presidential candidate who is  
44 seeking election jointly with the presidential candidate shall be listed  
45 directly below the name of the presidential candidate. The indicator for

1 the selection of the presidential and vice presidential candidates shall  
 2 be directly next to the surname of the presidential candidate, and one  
 3 mark directly next to a presidential candidate's surname shall be counted  
 4 as a vote for each elector in the list next to the presidential and vice  
 5 presidential candidates.

6 2. United States senator.

7 3. Representatives in Congress.

8 4. The several state offices.

9 5. The several county and precinct offices.

10 D. The names of candidates for the offices of state senator and  
 11 state representative along with the district number shall be placed within  
 12 the heading of each column to the right of the office name for state  
 13 offices and immediately below the candidates for the office of governor.  
 14 The number of the supervisorial district of which a candidate is a nominee  
 15 shall be printed within the heading of each column to the right of the  
 16 name of the office.

17 E. The lists of the candidates of the several parties shall be  
 18 arranged with the names of the parties in descending order according to  
 19 the votes cast for governor for that county in the most recent general  
 20 election for the office of governor, commencing with the left-hand column.  
 21 In the case of political parties that did not have candidates on the  
 22 ballot in the last general election, such parties shall be listed in  
 23 alphabetical order below the parties that did have candidates on the  
 24 ballot in the last general election. The names of all candidates  
 25 nominated under section 16-341 shall be placed in a single column below  
 26 that of the recognized parties. Next to the name of each candidate, in  
 27 parentheses, shall be printed a three-letter abbreviation that is taken  
 28 from the three words prescribed in the candidate's certificate of  
 29 nomination.

30 F. Immediately below the designation of the office to be voted for  
 31 shall appear the words: "Vote for not more than \_\_\_\_\_" (insert the  
 32 number to be elected).

33 G. In each column at the right or left of the name of each  
 34 candidate and on the same line there shall be a place for the voter to put  
 35 a mark. Below the name of the last named candidate for each office there  
 36 shall be as many blank lines as there are offices of the same title to be  
 37 filled, with a place for the voter to put a mark. On the blank line the  
 38 voter may write the name of any person for whom the voter desires to vote  
 39 whose name is not printed, and next to the name so written the voter shall  
 40 designate his choice by a mark as in the case of printed names.

41 H. When there are two or more candidates of the same political  
 42 party for the same office, or more than one candidate for a judicial  
 43 office, the names of all such candidates shall be so alternated on the  
 44 ballots used in each election district that the name of each candidate  
 45 shall appear substantially an equal number of times in each possible

location. If there are fewer or the same number of candidates seeking office than the number to be elected, the rotation of names is not required and the names shall be placed in alphabetical order.

I. Immediately below section one of the ballot shall be placed the following:

Section Two  
Nonpartisan Ballot

J. Immediately below the heading for section two shall be placed the names of the candidates for justices of the supreme court, judges of the court of appeals, judges of the superior court standing for retention or rejection pursuant to article VI, section 38, Constitution of Arizona, judges of the superior court standing for election pursuant to article VI, section 12, Constitution of Arizona, school district officials and other nonpartisan officials in a column or in columns without partisan or other designation except the title of office in an order determined by the officer in charge of the election.

K. Immediately below the offices listed in subsection J of this section, the ballot shall contain a separate heading of any nonpartisan office for a vacant unexpired term and shall include the expiration date of the term of the vacated office.

L. All proposed constitutional amendments and other propositions or questions to be submitted to the voters shall be printed immediately below the names of candidates for nonpartisan positions in such order as the secretary of state, or if a city or town election, the city or town clerk, designates. Placement of county and local charter amendments, propositions or questions shall be determined by the officer in charge of the election. Except as provided by section 19-125, each proposition or question shall be followed by the words "yes" and "no" or "for \_\_\_\_\_" and "against \_\_\_\_\_" as the nature of the proposition or question requires, and at the right or left of and next to each of such words shall be a place for the voter to put a mark according to the instructions that is similar in size to those places appearing opposite the names of the candidates, in which the voter may indicate his vote for or against such proposition or question by a mark as defined in section 16-400.

M. Instead of printing the official and descriptive titles or the full text of each measure or question on the official ballot, the officer in charge of elections may print phrases on the official ballot that contain all of the following:

1. The number of the measure in reverse type and at least ~~twelve~~ **point TWELVE-POINT** type.

2. The designation of the measure as prescribed by section 19-125, subsection C or as a question, proposition or charter amendment, followed by the words "relating to..." and inserting the subject.

3. Either the statement prescribed by section 19-125, subsection D that describes the effects of a "yes" vote and a "no" vote or, for other measures, the text of the question or proposition.

4. The words "yes" and "no" or "for" and "against", as may be appropriate and a place for the voter to put a mark.

N. For any ballot printed pursuant to subsection M of this section, the instructions on the official ballot shall direct the voter to the full text of the official and descriptive titles and the questions and propositions as printed on the sample ballot and posted in the polling place.

O. EXCEPT FOR PROVISIONAL BALLOTS, EACH BALLOT SHALL BEAR A UNIQUE IDENTIFICATION NUMBER OR OTHER UNIQUE DESIGNATION AS PRESCRIBED BY SECTION 16-602.

Sec. 2. Section 16-602, Arizona Revised Statutes, is amended to read:

16-602. Removal of ballots from ballot boxes; designated margin; hand counts; vote count verification committee; definition

A. For any primary, special or general election in which the votes are cast:

1. On an electronic voting machine or tabulator, the election judge shall compare the number of votes cast as indicated on the machine or tabulator with the number of votes cast as indicated on the poll list and the number of provisional ballots cast and that information shall be noted in a written report prepared and submitted to the officer in charge of elections along with other tally reports.

2. WITHOUT REGARD TO THE SYSTEM OR METHOD THAT IS USED TO PRODUCE OR TABULATE BALLOTS, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL MAINTAIN A COUNT OF THE NUMBER OF PHYSICAL BALLOTS THAT ARE PRINTED AND THE NUMBER OF BALLOTS THAT ARE OTHERWISE GENERATED IN THE FOLLOWING CATEGORIES, INCLUDING THE AMOUNT OF ANY OVERLAP IN THOSE CATEGORIES:

- (a) EARLY BALLOTS.
- (b) REGULAR BALLOTS.
- (c) PROVISIONAL BALLOTS.
- (d) FEDERAL-ONLY BALLOTS.
- (e) BALLOTS GENERATED IN AN ELECTRONIC FORM THAT IS ITEMIZED BY THE CATEGORIES PRESCRIBED IN THIS PARAGRAPH.

3. AS EARLY BALLOTS ARE ORDERED, PRINTED, SPOILED AND CAST, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS SHALL POST THE INFORMATION PRESCRIBED BY PARAGRAPH 2 OF THIS SUBSECTION ON THE COUNTY'S WEBSITE AS SOON AS PRACTICABLE BUT NOT LATER THAN WITHIN TWO CALENDAR DAYS.

1 B. BALLOTS THAT ARE USED IN AN ELECTION IN THIS STATE SHALL BE  
2 EITHER:

3 1. INDIVIDUALLY NUMBERED CONSECUTIVELY, BEGINNING WITH THE NUMERAL  
4 ONE, OR MAY BE NUMBERED USING AN ALPHANUMERIC COMBINATION, AND SHALL BE  
5 NUMBERED IN A MANNER THAT LINKS A SPECIFIC NUMERIC RANGE OF BALLOTS TO BE  
6 LINKED TO A SPECIFIC VOTING LOCATION. THESE BALLOTS SHALL BE DISTRIBUTED  
7 TO VOTERS NONSEQUENTIALLY TO PRESERVE BALLOT SECRECY.

8 2. PRENUMBERED AND DIVIDED INTO BATCHES OF AT LEAST TWO HUNDRED  
9 BALLOTS EACH FOR EACH ELECTION. EACH BATCH OF BALLOTS SHALL BE ASSIGNED  
10 TO AN ELECTION AND, WITHIN THAT ELECTION, ASSIGNED TO A VOTING LOCATION.  
11 THE RANGE OF BALLOTS THAT IS USED FOR AN ELECTION SHALL BE RECORDED ON A  
12 MASTER LOG THAT IS PUBLICLY AVAILABLE, AND THE ELECTION JURISDICTION SHALL  
13 TRACK WHICH BALLOTS ARE DISTRIBUTED TO EACH VOTING LOCATION.

14 C. THE OFFICER IN CHARGE OF THE ELECTION SHALL CHOOSE ONE OF THE  
15 BALLOT DESIGNATION METHODS PRESCRIBED BY SUBSECTION B OF THIS SECTION TO  
16 USE AND SHALL EITHER USE BLANK BALLOT STOCK WITH PREPRINTED NUMBERS OR USE  
17 A METHOD OF INDIVIDUALLY NUMBERING THE BALLOTS DURING THE PRINTING  
18 PROCESS. BALLOT PRINTING EQUIPMENT SHALL BE CONFIGURED TO PROVIDE FOR  
19 TRACKING OF BALLOTS. FOR BALLOTS THAT ARE GENERATED IN AN ELECTRONIC FORM  
20 AND THAT ARE SUBSEQUENTLY DUPLICATED, THE OFFICER IN CHARGE OF ELECTIONS  
21 SHALL PROVIDE FOR THE DUPLICATE BALLOT TO BE NUMBERED BY USING ONE OF THE  
22 BALLOT DESIGNATION METHODS PRESCRIBED BY SUBSECTION B OF THIS SECTION.

23 D. SUBSECTIONS A, B AND C OF THIS SECTION DO NOT AUTHORIZE A METHOD  
24 FOR PRINTING OR OTHERWISE GENERATING BALLOTS THAT IS NOT OTHERWISE  
25 PROVIDED FOR BY LAW.

26 E. THE OFFICER IN CHARGE OF ELECTIONS SHALL ENSURE THAT EACH BALLOT  
27 CAST IN AN ELECTION, WITHOUT REGARD TO THE TYPE, CONTAINS A UNIQUE  
28 IDENTIFIER SUCH AS A SERIAL NUMBER.

29 F. THE COUNTY RECORDER OR ANY OTHER OFFICER IN CHARGE OF ELECTIONS  
30 SHALL NOT MAINTAIN, OR CAUSE TO BE MAINTAINED, A DATABASE OF UNIQUE  
31 IDENTIFIERS THAT LINKS A VOTER TO THE VOTER'S BALLOT.

32 G. THE COUNTY RECORDER OR ANY OTHER OFFICER IN CHARGE OF ELECTIONS  
33 SHALL NOT TRANSCRIBE, OR CAUSE TO BE TRANSCRIBED, A UNIQUE IDENTIFIER IN  
34 ANY FORM OR MANNER OTHER THAN THE METHODS PRESCRIBED BY SUBSECTION B OF  
35 THIS SECTION AND AS NECESSARY TO EFFECTUATE THE INTENT OF THIS SECTION.

36 H. THE COUNTY RECORDER OR ANY OTHER OFFICER IN CHARGE OF ELECTIONS  
37 SHALL NOT REQUIRE A VOTER TO REVEAL A UNIQUE IDENTIFIER.

38 I. A PERSON SHALL NOT ASK A VOTER TO INVOLUNTARILY REVEAL A UNIQUE  
39 IDENTIFIER.

40 J. THIS SECTION APPLIES TO ALL PRIMARY, GENERAL AND PRESIDENTIAL  
41 PREFERENCE ELECTIONS. UNIQUE IDENTIFIERS MAY BE USED IN OTHER ELECTIONS  
42 ACCORDING TO THE ELECTION'S REQUIREMENTS.

43 ~~B.~~ K. For each countywide primary, special, general and  
44 presidential preference election, the county officer in charge of the  
45 election shall conduct a hand count at one or more secure facilities. The

1 hand count shall be conducted as prescribed by this section and in  
2 accordance with hand count procedures established by the secretary of  
3 state in the official instructions and procedures manual adopted pursuant  
4 to section 16-452. The hand count is not subject to the live video  
5 requirements of section 16-621, subsection D, but the party  
6 representatives who are observing the hand count may bring their own video  
7 cameras in order to record the hand count. The recording shall not  
8 interfere with the conduct of the hand count and the officer in charge of  
9 the election may prohibit from recording or remove from the facility  
10 persons who are taking actions to disrupt the count. The sole act of  
11 recording the hand count does not constitute sufficient grounds for the  
12 officer in charge of the election to prohibit observers from recording or  
13 to remove them from the facility. The hand count shall be conducted in  
14 the following order:

15 1. At least two percent of the precincts in that county, or two  
16 precincts, whichever is greater, shall be selected at random from a pool  
17 consisting of every precinct in that county. The county political party  
18 chairperson for each political party that is entitled to continued  
19 representation on the state ballot or the chairperson's designee shall  
20 conduct the selection of the precincts to be hand counted. The precincts  
21 shall be selected by lot without the use of a computer, and the order of  
22 selection by the county political party chairpersons shall also be by  
23 lot. The selection of the precincts shall not begin until all ballots  
24 voted in the precinct polling places have been delivered to the central  
25 counting center. The unofficial vote totals from all precincts shall be  
26 made public before selecting the precincts to be hand counted. Only the  
27 ballots cast in the polling places and ballots from direct recording  
28 electronic machines shall be included in the hand counts conducted  
29 pursuant to this section. Provisional ballots, conditional provisional  
30 ballots and write-in votes shall not be included in the hand counts and  
31 the early ballots shall be grouped separately by the officer in charge of  
32 elections for purposes of a separate manual audit pursuant to subsection  
33 ~~F~~ 0 of this section.

34 2. The races to be counted on the ballots from the precincts that  
35 were selected pursuant to paragraph 1 of this subsection for each primary,  
36 special and general election shall include up to five contested races.  
37 After the county recorder or other officer in charge of elections  
38 separates the primary ballots by political party, the races to be counted  
39 shall be determined by selecting by lot without the use of a computer from  
40 those ballots as follows:

41 (a) For a general election, one statewide ballot measure, unless  
42 there are no measures on the ballot.

43 (b) One contested statewide race for statewide office.

44 (c) One contested race for federal office, either United States  
45 senate or United States house of representatives. If the United States

1 house of representatives race is selected, the names of the candidates may  
2 vary among the sampled precincts.

3 (d) One contested race for state legislative office, either state  
4 house of representatives or state senate. In either case, the names of  
5 the candidates may vary among the sampled precincts.

6 (e) If there are fewer than four contested races resulting from the  
7 selections made pursuant to subdivisions (a) through (d) of this paragraph  
8 and if there are additional contested federal, statewide or legislative  
9 races or ballot measures, additional contested races shall be selected by  
10 lot not using a computer until four races have been selected or until no  
11 additional contested federal, statewide or legislative races or ballot  
12 measures are available for selection.

13 (f) If there are no contested races as prescribed by this  
14 paragraph, a hand count shall not be conducted for that precinct for that  
15 election.

16 3. For the presidential preference election, select by lot two  
17 percent of the polling places designated and used pursuant to section  
18 16-248 and perform the hand count of those ballots.

19 4. For the purposes of this section, a write-in candidacy in a race  
20 does not constitute a contested race.

21 5. In elections in which there are candidates for president, the  
22 presidential race shall be added to the four categories of hand counted  
23 races.

24 6. Each county chairperson of a political party that is entitled to  
25 continued representation on the state ballot or the chairperson's designee  
26 shall select by lot the individual races to be hand counted pursuant to  
27 this section.

28 7. Political party designees who are selected pursuant to this  
29 paragraph shall perform the hand count under the supervision of the county  
30 officer in charge of elections. The county officer in charge of elections  
31 shall provide compensation for those selected to perform the hand count,  
32 not to include travel, meal or lodging expenses. The hand count shall not  
33 proceed unless the political parties provide the officer in charge of  
34 elections in writing a sufficient number of persons pursuant to this  
35 paragraph by 5:00 p.m. on the Thursday preceding the election and a  
36 sufficient number of persons prescribed by this paragraph arrive to  
37 perform the hand count. Political party designees shall be selected to  
38 perform the hand count as follows:

39 (a) The county chairperson of each political party shall designate  
40 and provide to both the county officer in charge of elections and the  
41 state party chairperson the number of hand count board members as  
42 designated by the county officer in charge of elections. If the county  
43 party chairperson fails to designate a sufficient number of hand count  
44 board workers, the state party chairperson shall designate qualified  
45 electors to be hand count board workers. If the county PARTY chairpersons



1 and the state party chairpersons fail to designate a sufficient number of  
2 hand count board workers, the highest-ranking official holding a statewide  
3 office of each political party shall designate qualified electors to be  
4 hand count board workers. For the purposes of this subdivision, the  
5 ranking of officials holding statewide office shall be governor, secretary  
6 of state, attorney general, state treasurer, superintendent of public  
7 instruction, corporation commissioners in order of seniority, mine  
8 inspector, senate majority and minority leaders and house of  
9 representatives majority and minority leaders.

10 (b) The political parties shall provide to the county officer in  
11 charge of elections in writing the names of those persons intending to  
12 participate in the hand count at the audited precincts not later than  
13 5:00 p.m. on the second Tuesday preceding the election.

14 (c) If the total number of hand count board workers provided by all  
15 parties is less than the number designated by the county officer in charge  
16 of elections, the county officer in charge of elections shall notify the  
17 parties of the shortage not later than 9:00 a.m. on the second Wednesday  
18 preceding the election and the political parties have until 9:00 a.m. on  
19 the second Thursday preceding the election to provide the county officer  
20 in charge of elections with an additional list of qualified electors who  
21 are willing to participate in the hand count.

22 (d) The county officer in charge of elections shall distribute the  
23 list provided pursuant to subdivision (c) of this paragraph to the county  
24 chairperson and state chairperson of each recognized political party in  
25 the county and state not later than 5:00 p.m. on the second Friday  
26 preceding the election.

27 (e) The selection of persons to perform the hand count shall ensure  
28 that not more than seventy-five percent of the persons conducting the hand  
29 count are members of the same political party.

30 (f) The county recorder or county officer in charge of elections  
31 may prohibit persons from participating in the hand count if the persons  
32 are taking actions to disrupt the count or are unable to perform the  
33 duties as assigned.

34 8. If a political party is not represented by a designated  
35 chairperson within a county, the state chairperson for that political  
36 party, or a person designated by the state chairperson, may perform the  
37 actions required by the county chairperson as specified in this section.

38 ~~C.~~ L. If the randomly selected races result in a difference in any  
39 race that is less than the designated margin when compared to the  
40 electronic tabulation of those same ballots, the results of the electronic  
41 tabulation constitute the official count for that race. If the randomly  
42 selected races result in a difference in any race that is equal to or  
43 greater than the designated margin when compared to the electronic  
44 tabulation of those same ballots, a second hand count of those same  
45 ballots and races shall be performed. If the second hand count results in

1 a difference in any race that is less than the designated margin when  
2 compared to the electronic tabulation for those same ballots, the  
3 electronic tabulation constitutes the official count for that race. If  
4 the second hand count results in a difference in any race that is equal to  
5 or greater than the designated margin when compared to the electronic  
6 tabulation for those same ballots, the hand count shall be expanded to  
7 include a total of twice the original number of randomly selected  
8 precincts. Those additional precincts shall be selected by lot without  
9 the use of a computer.

10 ~~D.~~ M. In any expanded count of randomly selected precincts, if the  
11 randomly selected precinct hand counts result in a difference in any race  
12 that is equal to or greater than the designated margin when compared to  
13 the electronic tabulation of those same ballots, the final hand count  
14 shall be extended to include the entire jurisdiction for that race. If  
15 the jurisdictional boundary for that race would include any portion of  
16 more than one county, the final hand count shall not be extended into the  
17 precincts of that race that are outside of the county that is conducting  
18 the expanded hand count. If the expanded hand count results in a  
19 difference in that race that is less than the designated margin when  
20 compared to the electronic tabulation of those same ballots, the  
21 electronic tabulation constitutes the official count for that race.

22 ~~E.~~ N. If a final hand count is performed for an entire  
23 jurisdiction for a race, the final hand count shall be repeated for that  
24 race until a hand count for that race for the entire jurisdiction results  
25 in a count that is identical to one other hand count for that race for the  
26 entire jurisdiction and that hand count constitutes the official count for  
27 that race.

28 ~~F.~~ O. After the electronic tabulation of early ballots and at one  
29 or more times selected by the chairperson of the political parties  
30 entitled to continued representation on the ballot or the chairperson's  
31 designee, the chairpersons or the chairpersons' designees shall randomly  
32 select one or more batches of early ballots that have been tabulated to  
33 include at least one batch from each machine used for tabulating early  
34 ballots and those ballots shall be securely sequestered by the county  
35 recorder or officer in charge of elections along with their unofficial  
36 tally reports for a postelection manual audit. The chairpersons or the  
37 chairpersons' designees shall randomly select from those sequestered early  
38 ballots a number equal to one percent of the total number of early ballots  
39 cast or five thousand early ballots, whichever is less. From those  
40 randomly selected early ballots, the county officer in charge of elections  
41 shall conduct a manual audit of the same races that are being hand counted  
42 pursuant to subsection ~~B.~~ K of this section. If the manual audit of the  
43 early ballots results in a difference in any race that is equal to or  
44 greater than the designated margin when compared to the electronically  
45 tabulated results for those same early ballots, the manual audit shall be

1 repeated for those same early ballots. If the second manual audit results  
2 in a difference in that race that is equal to or greater than the  
3 designated margin when compared to the electronically tabulated results  
4 for those same early ballots, the manual audit shall be expanded only for  
5 that race to a number of additional early ballots equal to one percent of  
6 the total early ballots cast or an additional five thousand ballots,  
7 whichever is less, to be randomly selected from the batch or batches of  
8 sequestered early ballots. If the expanded early ballot manual audit  
9 results in a difference for that race that is equal to or greater than the  
10 designated margin when compared to any of the earlier manual counts for  
11 that race, the manual counts shall be repeated for that race until a  
12 manual count results in a difference in that race that is less than the  
13 designated margin. If at any point in the manual audit of early ballots  
14 the difference between any manual count of early ballots is less than the  
15 designated margin when compared to the electronic tabulation of those  
16 ballots, the electronic tabulation shall be included in the canvass and no  
17 further manual audit of the early ballots shall be conducted.

18 ~~G.~~ P. During any hand count of early ballots, the county officer  
19 in charge of elections and election board workers shall attempt to  
20 determine the intent of the voter in casting the ballot.

21 ~~H.~~ Q. Notwithstanding any other law, the county officer in charge  
22 of elections shall retain custody of the ballots for purposes of  
23 performing any required hand counts and the officer shall provide for  
24 security for those ballots.

25 ~~I.~~ R. The hand counts prescribed by this section shall begin  
26 within twenty-four hours after the closing of the polls and shall be  
27 completed before the canvassing of the election for that county. The  
28 county shall make available on the county's website the results of those  
29 hand counts and shall provide the results to the secretary of state, who  
30 shall make those results publicly available on the secretary of state's  
31 website.

32 ~~J.~~ S. For any county in which a hand count has been expanded to  
33 all precincts in the jurisdiction, the secretary of state shall make  
34 available the escrowed source code for that county to the superior  
35 court. The superior court shall appoint a special master to review the  
36 computer software. The special master shall have expertise in software  
37 engineering, shall not be affiliated with an election software vendor nor  
38 with a candidate, shall sign and be bound by a nondisclosure agreement  
39 regarding the source code itself and shall issue a public report to the  
40 court and to the secretary of state regarding the special master's  
41 findings on the reasons for the discrepancies. The secretary of state  
42 shall consider the reports for purposes of reviewing the certification of  
43 that equipment and software for use in this state.

~~K.~~ T. The vote count verification committee is established in the office of the secretary of state and all of the following apply:

1. ~~At least thirty days before the 2006 primary election,~~ The secretary of state shall appoint seven persons to the committee, not more than three of whom are members of the same political party.

2. Members of the committee shall have expertise in any two or more of the areas of advanced mathematics, statistics, random selection methods, systems operations or voting systems.

3. A person is not eligible to be a committee member if that person has been affiliated with or received any income in the preceding five years from any person or entity that provides election equipment or services in this state.

4. The vote count verification committee shall meet and establish one or more designated margins to be used in reviewing the hand counting of votes as required pursuant to this section. The committee shall review and consider revising the designated margins every two years for use in the applicable elections. The committee shall provide the designated margins to the secretary of state at least ten days before the primary election and at least ten days before the general election, and the secretary of state shall make that information publicly available on the secretary of state's website.

5. Members of the vote count verification committee are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2. The committee is a public body and its meetings are subject to title 38, chapter 3, article 3.1 and its reports and records are subject to title 39, chapter 1.

U. FOR THE PURPOSES OF THIS SECTION, "INVOLUNTARY" MEANS DISCLOSURE THAT IS MOTIVATED BY HOPE OF FINANCIAL GAIN, THREAT OF FINANCIAL PENALTY OR THREAT OF PHYSICAL HARM.

Sec. 3. Section 16-663, Arizona Revised Statutes, is amended to read:

16-663. Recount of votes; method

A. The superior court to which the facts requiring a recount are certified shall promptly make and enter an order requiring a recount of the votes cast for such office, measure or proposal. The recount shall be conducted in accordance with the laws pertaining to contests of elections.

B. A court-ordered recount of votes that were cast and tabulated on electronic voting equipment shall be pursuant to section 16-664. While the recount is being conducted, and for legislative, statewide and federal candidate races only, the county chairpersons of the political parties entitled to continued representation on the ballot or the chairperson's designee shall select at random without the use of a computer five percent of the precincts for the recounted race for a hand count, and if the results of that hand count when compared to the electronic tabulation of that same race are less than the designated margins calculated pursuant to

1 section 16-602, the recount is complete and the electronic tabulation is  
2 the official result. If the hand count results in a difference that is  
3 equal to or greater than the designated margin for that race, the  
4 procedures established in section 16-602, subsections ~~C, D, E and F~~ L, M,  
5 N AND O apply. The hand count conducted pursuant to this section may  
6 begin before the machine tabulation of ballots for the court-ordered  
7 recount is complete.

8 Sec. 4. Transfer of monies; secretary of state

9 The sum of \$6,000,000 is transferred from the appropriation made to  
10 the state treasurer by Laws 2022, chapter 313, section 130 in fiscal year  
11 2025-2026 to the secretary of state for distribution to counties to defray  
12 the costs of compliance with this act.