

REFERENCE TITLE: elections; canvass; certification; acknowledgment

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

SB 1289

Introduced by
Senator Kavanagh

AN ACT

AMENDING SECTIONS 16-642 AND 16-646, ARIZONA REVISED STATUTES; 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 16-642, 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
6 **ACKNOWLEDGE WITHOUT PREJUDICE THE** canvass **OF** the election as follows:

7 1. The governing board of a county shall meet and **ACKNOWLEDGE**
8 **WITHOUT PREJUDICE THE** canvass **OF THE ELECTION** as follows:

9 (a) For the primary election, not later than the second Monday
10 after the election.

11 (b) For the general election, not later than the third Thursday
12 after the election.

13 2. The secretary of state shall **ACKNOWLEDGE WITHOUT PREJUDICE THE**
14 canvass **OF THE ELECTION** as follows:

15 (a) For the primary election, not later than the third Thursday
16 after the election.

17 (b) For the general election, not later than the third Monday after
18 the election.

19 3. The governing body of a city, town or special district shall
20 meet and **ACKNOWLEDGE WITHOUT PREJUDICE THE** canvass **OF** the election not
21 less than six days and not more than twenty days following the election.

22 B. The governing body of a special district as defined in title 48
23 shall present to the board of supervisors a certified copy **AND AN**
24 **ACKNOWLEDGEMENT WITHOUT PREJUDICE** of the official canvass of the election
25 at the next regularly scheduled meeting of the board of supervisors. For
26 purposes of contesting a special district election as described in section
27 16-673, the canvass is not complete until the presentation to the board of
28 supervisors is made.

29 C. If, at the time of the meeting of the governing body, the
30 returns from any polling place in the election district where the polls
31 were opened and an election held are found to be missing, the
32 **ACKNOWLEDGEMENT WITHOUT PREJUDICE OF THE** canvass **OF THE ELECTION** shall be
33 postponed from day to day until all the returns are received or until six
34 postponements have been had. ~~The~~ **THIS** subsection does not apply to the
35 county board of supervisors' **ACKNOWLEDGEMENT WITHOUT PREJUDICE OF THE**
36 canvass of the primary and general election.

37 Sec. 2. Section 16-646, Arizona Revised Statutes, is amended to
38 read:

39 16-646. Statement, contents and mailing of official canvass

40 A. When the result of the canvass is determined **AND ACKNOWLEDGED**
41 **WITHOUT PREJUDICE AS PRESCRIBED BY SECTION 16-642**, a statement, known and
42 designated as the official canvass, shall be entered on the official
43 record of the election district that ~~shall show~~ **SHOWS**:

44 1. The number of ballots cast in each precinct and in the county.

- 1 2. The number of ballots rejected in each precinct and in the
2 county.
- 3 3. The titles of the offices voted for and the names of the
4 persons, together with the party designation, if any, of each person voted
5 for to fill the offices.
- 6 4. The number of votes by precincts and county received by each
7 candidate.
- 8 5. For each candidate race in each political subdivision prescribed
9 by section 16-204.01, the number of ballots cast and the number of active
10 registered voters in each political subdivision and portion of a political
11 subdivision for which a candidate may be elected.
- 12 6. The numbers and a brief title of each proposed constitutional
13 amendment and each initiated or referred measure voted on.
- 14 7. The number of votes by precincts and county for and against such
15 proposed amendment or measure.
- 16 B. The certified permanent copy of the official canvass for all
17 offices and ballot measures **AND ITS ACKNOWLEDGMENT WITHOUT PREJUDICE BY**
18 **THE CANVASSING BODY**, except offices and ballot measures in a city or town
19 election and nonpartisan election returns, shall be mailed immediately to
20 the secretary of state who shall maintain and preserve it as a permanent
21 public record.
- 22 C. The board of supervisors shall first mail with a postmark or
23 other similar date and time indicator, then deliver electronically a copy
24 of the official canvass for all offices and ballot measures in the primary
25 and general elections to the secretary of state in a uniform electronic
26 computer media format that shall be agreed on between the secretary of
27 state and all county election officials. The uniform format shall be
28 designed to facilitate the computer analysis of election results for
29 offices and ballot measures that are statewide or are common to more than
30 one county. The electronic copy of the official canvass from the board of
31 supervisors is sufficient for the secretary of state to conduct and issue
32 the statewide canvass if the electronic copy includes a scan or other
33 similar evidence that the paper official canvass was mailed before the
34 electronic version was sent.
- 35 D. The certified permanent copy of the official canvass for all
36 offices and ballot measures in a city or town election **AND ITS**
37 **ACKNOWLEDGMENT WITHOUT PREJUDICE BY THE GOVERNING BODY** shall be filed with
38 the appropriate city or town clerk, or in a special district election with
39 the clerk of the board of supervisors, who shall maintain and preserve it
40 as a permanent public record.