

REFERENCE TITLE: governing body; election canvass; access

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1392

Introduced by
Senator Kavanagh

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 11, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-642.01; 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. Title 16, chapter 4, article 11, Arizona Revised
3 Statutes, is amended by adding section 16-642.01, to read:

4 16-642.01. Governing body; canvass; access; limitation;
5 enforcement; violation; classification;
6 definition

7 A. FOR ANY GOVERNING BODY THAT MEETS AND CANVASSES AN ELECTION AS
8 PRESCRIBED BY SECTION 16-642, BEFORE THE CANVASS OCCURS, THE GOVERNING
9 BODY SHALL HAVE ACCESS TO ANY LOCATION IN WHICH ELECTION MATERIALS ARE
10 CREATED, HANDLED, PROCESSED, TABULATED OR STORED WITH RESPECT TO THE
11 SPECIFIC ELECTION THAT IS BEING CANVASSED, INCLUDING ALL OF THE FOLLOWING:

12 1. ELECTION HEADQUARTERS AND TABULATION CENTERS.

13 2. BALLOT STORAGE OR CUSTODY FACILITIES.

14 3. VOTER REGISTRATION AND EARLY BALLOT PROCESSING SITES.

15 4. ANY OTHER LOCATIONS THAT ARE DESIGNATED BY THE COUNTY RECORDER,
16 AN ELECTIONS DIRECTOR OR ANY OTHER ELECTION ADMINISTRATOR OR THE SECRETARY
17 OF STATE FOR ELECTION ACTIVITY.

18 B. THE GOVERNING BODY'S ACCESS PRESCRIBED BY SUBSECTION A OF THIS
19 SECTION INCLUDES THE RIGHT TO DO ALL OF THE FOLLOWING:

20 1. OBSERVE ELECTION PROCEDURES IN PERSON.

21 2. EXAMINE AND COPY RELEVANT DOCUMENTS, REPORTS AND DIGITAL
22 RECORDS.

23 3. RECEIVE REASONABLE ASSISTANCE FROM ELECTION OFFICIALS TO LOCATE
24 AND INTERPRET MATERIALS THAT ARE RELEVANT TO THE CERTIFICATION AND CANVASS
25 OF THE ELECTION.

26 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, THE
27 GOVERNING BODY:

28 1. MAY NOT DISRUPT THE CONDUCT OF THE ELECTION OR VIOLATE VOTER
29 PRIVACY, BALLOT SECRECY OR SECURITY PROTOCOLS THAT ARE ESTABLISHED UNDER
30 STATE OR FEDERAL LAW.

31 2. SHALL COMPLY WITH ALL SECURITY CLEARANCES, IDENTIFICATION AND
32 NONDISCLOSURE REQUIREMENTS THAT ARE REASONABLY IMPOSED BY ELECTION
33 OFFICIALS FOR THE PROTECTION OF CONFIDENTIAL INFORMATION.

34 D. THE GOVERNING BODY MAY DESIGNATE EMPLOYEES OR AGENTS OF THE
35 GOVERNING BODY TO ASSIST IN CONDUCTING ANY OF THE ACTIVITIES PRESCRIBED BY
36 THIS SECTION FOR THE GOVERNING BODY.

37 E. THIS SECTION DOES NOT AUTHORIZE THE ALTERATION, DUPLICATION OR
38 REMOVAL OF ELECTION MATERIALS EXCEPT AS OTHERWISE PROVIDED BY LAW OR COURT
39 ORDER.

40 F. A GOVERNING BODY THAT IS DENIED ACCESS PRESCRIBED BY THIS
41 SECTION WITH RESPECT TO AN ELECTION THAT THE GOVERNING BODY WILL CANVASS
42 MAY APPLY TO THE SUPERIOR COURT FOR INJUNCTIVE AND OTHER RELIEF TO COMPEL
43 COMPLIANCE WITH THIS SECTION. THE ATTORNEY GENERAL MAY BRING A CIVIL
44 ACTION TO ENFORCE THIS SECTION.

- 1 G. A VIOLATION OF THIS SECTION IS A CLASS 2 MISDEMEANOR.
- 2 H. FOR THE PURPOSES OF THIS SECTION, "ELECTION MATERIALS" MEANS ALL
- 3 RECORDS, DOCUMENTS, EQUIPMENT, DIGITAL FILES, LOGS, CHAIN OF CUSTODY
- 4 REPORTS, BALLOTS AND VOTE TABULATION DEVICES AND ANY OTHER ITEMS THAT ARE
- 5 USED IN THE ADMINISTRATION, TABULATION OR VERIFICATION OF AN ELECTION.