

Senate Engrossed

~~early ballots; registration signatures; curing~~  
(now: election systems; software; timekeeping; requirements)

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

# SENATE BILL 1568

AN ACT

AMENDING SECTION 16-449, ARIZONA REVISED STATUTES; AMENDING TITLE 16,  
CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION  
16-449.01; RELATING TO ELECTION EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 16-449, Arizona Revised Statutes, is amended to  
3 read:

4 16-449. Required test of equipment and programs; notice;  
5 procedures manual

6 A. Within the period of time before the election day prescribed by  
7 the secretary of state in the instructions and procedures manual adopted  
8 pursuant to section 16-452, the board of supervisors or other ~~election~~  
9 officer in charge OF ELECTIONS, or for an election involving state or  
10 federal candidates, the secretary of state, shall ~~have~~ TEST the automatic  
11 tabulating equipment and programs ~~tested~~ to ascertain that the equipment  
12 and programs will correctly count the votes cast for all offices and on  
13 all measures AND THAT ANY INTERNAL CLOCKS AND TIMEKEEPING FUNCTIONS COMPLY  
14 WITH SECTION 16-449.01. Public notice of the time and place of the test  
15 shall be given at least forty-eight hours ~~prior thereto~~ BEFORE THE TEST by  
16 publication once in one or more daily or weekly newspapers published in  
17 the town, city or village using such equipment, if a newspaper is  
18 published ~~therein~~ IN THE TOWN, CITY OR VILLAGE, otherwise in a newspaper  
19 of general circulation ~~therein~~ IN THE AREA AFFECTED. The test shall be  
20 observed by at least two election inspectors, who shall not be of the same  
21 political party, and shall be open to representatives of the political  
22 parties, candidates, the press and the public. The test shall be  
23 conducted by processing a preaudited group of ballots so marked as to  
24 record a predetermined number of valid votes for each candidate and on  
25 each measure and shall include for each office one or more ballots that  
26 have votes in excess of the number allowed by law in order to test the  
27 ability of the automatic tabulating equipment and programs to reject such  
28 votes. THE TEST ALSO SHALL INCLUDE VERIFICATION THAT THE INTERNAL CLOCKS  
29 OF THE EQUIPMENT AND PROGRAMS ARE SET AND MAINTAINED AS PRESCRIBED BY  
30 SECTION 16-449.01 AND THAT ANY DEVIATION IS CORRECTED AND RETESTED. If  
31 any error is detected, the cause ~~therefor~~ FOR THE ERROR shall be  
32 ascertained and corrected and an errorless count shall be made before the  
33 automatic tabulating equipment and programs are approved. A copy of a  
34 revised program shall be filed with the secretary of state within  
35 forty-eight hours after the revision is made. If the error was created by  
36 automatic tabulating equipment malfunction, a report shall be filed with  
37 the secretary of state within forty-eight hours after the correction is  
38 made, stating the cause and the corrective action taken. The test shall  
39 be repeated immediately before the start of the official count of the  
40 ballots in the same manner as set forth ~~above~~ IN THIS SUBSECTION. After  
41 the completion of the count, the programs used and the ballots shall be  
42 sealed, retained and disposed of as provided for paper ballots.

43 B. Electronic ballot tabulating systems shall be tested for logic  
44 and accuracy within seven days before their use for early balloting  
45 pursuant to the instructions and procedures manual for electronic voting

1 systems that is adopted by the secretary of state as prescribed by section  
2 16-452. The instructions and procedures manual shall include procedures  
3 for the handling of ballots, the electronic scanning of ballots and any  
4 other matters necessary to ensure the maximum degree of correctness,  
5 impartiality and uniformity in the administration of an electronic ballot  
6 tabulating system.

7 C. Notwithstanding subsections A and B of this section, if a county  
8 uses accessible voting equipment to mark ballots and that accessible  
9 voting equipment does not independently tabulate or tally votes, the  
10 secretary of state in cooperation with the county officer in charge of  
11 elections may designate a single date to test the logic and accuracy of  
12 both the accessible voting equipment and electronic ballot tabulating  
13 systems.

14 Sec. 2. Title 16, chapter 4, article 4, Arizona Revised Statutes,  
15 is amended by adding section 16-449.01, to read:

16 16-449.01. Election systems and software; time accuracy  
17 requirements; violation; classification;  
18 definitions

19 A. BEFORE THEIR USE DURING AN ELECTION PERIOD, ALL ELECTION SYSTEMS  
20 AND SOFTWARE SHALL HAVE THEIR CLOCKS AND INTERNAL TIMEKEEPING FUNCTIONS  
21 SET TO AND MAINTAINED AT THE ACCURATE CURRENT TIME, WITHIN SIXTY SECONDS  
22 OF THE OFFICIAL TIME AS PROVIDED BY THE NATIONAL INSTITUTE OF STANDARDS  
23 AND TECHNOLOGY AND AS ADJUSTED FOR THE APPROPRIATE TIME ZONES IN THIS  
24 STATE. THIS SECTION APPLIES THROUGHOUT THE ELECTION PERIOD AND INCLUDES  
25 ALL TIMESTAMPS THAT ARE GENERATED FOR LOGS, RECORDS, AFFIDAVITS, CURE  
26 PERIODS, BALLOT ISSUANCE AND BALLOT PROCESSING AND FOR TEST AND AUDIT  
27 PURPOSES.

28 B. FOR ELECTION SYSTEMS AND SOFTWARE UNDER THEIR RESPECTIVE  
29 STATUTORY AUTHORITY AND DUTIES, THE BOARD OF SUPERVISORS, OR OTHER OFFICER  
30 IN CHARGE OF ELECTIONS, AND THE COUNTY RECORDER, SHALL:

31 1. SET AND VERIFY COMPLIANCE WITH SUBSECTION A OF THIS SECTION  
32 DURING PREELECTION PREPARATION, PROGRAMMING, DATA ENTRY, SYSTEM SETUP AND  
33 VOTER REGISTRATION ACTIVITIES.

34 2. VERIFY COMPLIANCE AS PART OF EACH REQUIRED TEST AND REVIEW OF  
35 EQUIPMENT AND ELECTION SYSTEMS AND SOFTWARE, INCLUDING ALL OF THE  
36 FOLLOWING:

37 (a) LOGIC AND ACCURACY TESTING PRESCRIBED BY SECTION 16-449.

38 (b) ANY COMPATIBILITY REVIEWS FOR VOTER REGISTRATION SYSTEMS UNDER  
39 SECTION 16-168.

40 (c) ANY SECURITY REVIEWS FOR VOTER REGISTRATION SYSTEMS UNDER  
41 SECTION 16-168.

42 3. MAINTAIN AND REVERIFY TIME ACCURACY DURING THE ELECTION PERIOD,  
43 INCLUDING ON ELECTION DAY AND DURING CENTRAL COUNTING, EARLY BALLOT  
44 PROCESSING, SIGNATURE VERIFICATION AND ALL OTHER PROCESSES PRESCRIBED BY  
45 THIS SECTION.

1           4. PERFORM AND DOCUMENT A FINAL TIME ACCURACY VERIFICATION AS PART  
2 OF POSTELECTION PROCEDURES, INCLUDING FOR THE CANVASS AND ANY AUDITS,  
3 RECOUNTS AND CHAIN OF CUSTODY REVIEWS IN WHICH TIMESTAMPS ARE MATERIAL.  
4           C. THE SECRETARY OF STATE SHALL INCLUDE PROCEDURES FOR ALL  
5 VERIFICATIONS REQUIRED BY SUBSECTION B OF THIS SECTION IN THE INSTRUCTIONS  
6 AND PROCEDURES MANUAL ADOPTED PURSUANT TO SECTION 16-452, INCLUDING  
7 METHODS, FREQUENCY AND RESPONSIBLE PERSONNEL AND ANY CORRECTIVE ACTIONS  
8 FOR NONCOMPLIANCE.  
9           D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2  
10 MISDEMEANOR.  
11           E. FOR THE PURPOSES OF THIS SECTION:  
12           1. "ELECTION PERIOD" MEANS THE TIME FROM INITIAL PREPARATION,  
13 PROGRAMMING AND DATA ENTRY FOR AN ELECTION THROUGH THE FINAL CANVASS,  
14 CERTIFICATION OF RESULTS AND COMPLETION OF ANY REQUIRED POSTELECTION AUDIT  
15 OR RECOUNT.  
16           2. "ELECTION SYSTEM AND SOFTWARE":  
17           (a) MEANS ALL HARDWARE, SOFTWARE, DATABASES, ELECTRONIC POLLBOOKS,  
18 VOTER REGISTRATION SYSTEMS, SIGNATURE VERIFICATION SYSTEMS, EARLY BALLOT  
19 PROCESSING EQUIPMENT, ACCESSIBLE VOTING DEVICES, AUTOMATIC TABULATING  
20 EQUIPMENT, ELECTRONIC VOTING SYSTEMS, VOTE RECORDING DEVICES, BALLOT  
21 SCANNERS, BALLOT PRINTERS, ELECTION MANAGEMENT SYSTEMS AND STATEWIDE VOTER  
22 REGISTRATION DATABASE INTERFACES.  
23           (b) INCLUDES ANY OTHER TECHNOLOGY USED TO REGISTER VOTERS, PROCESS  
24 BALLOTS, RECORD VOTES, TABULATE RESULTS, VERIFY SIGNATURES, GENERATE LOGS,  
25 TRACK CHAIN OF CUSTODY, CONDUCT AUDITS AND CERTIFY ELECTION OUTCOMES IN AN  
26 ELECTION CONDUCTED PURSUANT TO THIS TITLE.