



Arizona State Senate

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Statement

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FOR IMMEDIATE RELEASE



Secretary of State Hobbs uses the Elections Procedures Manual to create law rather than administer law

"Secretary of State Hobbs is required to develop the Elections Procedures Manual, after consultation with each County Board of Supervisors or election official, to prescribe the rules to maintain the maximum degree of correctness and uniformity in the administration of our elections. The rules included in this manual are intended to implement the laws enacted by the Legislature to govern our elections. The current draft of the manual has been submitted to Governor Ducey and Attorney General Brnovich for their approval by December 31, 2019.

When administrators of the law use their rulemaking authority to circumvent the Legislature it undermines the will of the public. During my time at the Legislature I have been an advocate to prevent our regulatory agencies from abusing their rulemaking authority to adversely impact our business community, and now it seems to be happening with the exercise of our most fundamental right, voting.

It has been brought to my attention, after the recent passage of several election law reforms, that the manual goes beyond maintaining the maximum correctness and uniformity of elections. For example, last year legislation was unanimously passed to provide consistency among the counties on the method to cure inconsistent signatures on early ballots. However, Secretary Hobbs has included, in the manual, missing signatures as a form of inconsistent signature, when the law does not. Further, the early ballot envelope includes a disclaimer that missing signatures will not be counted.

Today I introduced [SB 1014](#), legislation that will require the Elections Procedures Manual to be approved by the Governor's Regulatory Review Council rather than being approved by the Governor and Attorney General. This will provide a better forum to allow public input in the administration of elections.

I am also preparing legislation to prohibit the curing of mail-in ballots that are received by county election officials without the required signature on the early ballot affidavit. This legislation will codify the long standing and current practice of not accepting ballots that are unsigned. As Democratic Pima County Recorder F. Ann Rodriguez points out, curing missing signatures should be debated at the Legislature."

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