



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1478

elections; county supervisors; ballot; markers

Purpose

Prohibits a county board of supervisors (county BOS) from requiring the use of a specific marking on a paper ballot and providing the use of a pen that creates visible marks on the reverse side of a paper ballot or that may damage or spoil a ballot.

Background

A county BOS is responsible for the administration of elections within the county, including establishing, abolishing and changing election precincts, appointing inspectors and judges of elections, canvassing election returns, declaring the election results and issuing election certificates ([A.R.S. § 11-251](#)). A county BOS must provide voting or marking devices, voting booths, ballots, early ballots, ballot boxes and other supplies as required ([A.R.S. § 16-405](#)). A county BOS must also supply paper signature rosters or at least two electronic pollbook systems for each polling place ([A.R.S. § 16-511](#)).

A *mark* is a character or symbol which is distinguishable and noticeable to a reasonable person but which does not identify or reveal the voter in a primary, general or special election ([A.R.S. §16-400](#)). If a ballot is spoiled at a polling place and a voter must obtain a new ballot, the inspector and one of the judges must write on the back of the ballot the words *spoiled* and return it to the county BOS or persons from whom the ballot was originally received ([A.R.S. § 16-585](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits, in elections for which a county BOS is responsible, a county BOS from:
 - a) requiring that a specific marking pen be used on paper ballots; and
 - b) providing for the use on ballots any pen that creates visible marks on the reverse side of the paper ballot or that otherwise may damage or spoil a ballot.
2. Makes a conforming change.
3. Becomes effective on the general effective date.

Prepared by Senate Research
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MH/MF/slp