

House Engrossed  
election lawsuits; settlements; approvals

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HOUSE BILL 2378

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 16-410.01; RELATING TO 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 1, Arizona Revised  
3 Statutes, is amended by adding section 16-410.01, to read:

4 16-410.01. Election litigation; settlements; approval

5 A. IF A PROPOSED SETTLEMENT OF AN ELECTION-RELATED CIVIL ACTION BY  
6 THE SECRETARY OF STATE MATERIALLY AFFECTS A COUNTY RECORDER OR OTHER  
7 OFFICER IN CHARGE OF ELECTIONS, THE SECRETARY OF STATE MAY NOT SETTLE OR  
8 OTHERWISE COMPROMISE THAT CIVIL ACTION WITHOUT CONSULTING THE COUNTY  
9 RECORDERS OR OTHER OFFICERS IN CHARGE OF ELECTIONS OF THIS STATE. A  
10 COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY OBJECT TO THE  
11 SETTLEMENT BASED ON THE DIFFICULTY OR IMPRACTICABILITY OF THE REQUIREMENTS  
12 OF THE SETTLEMENT AND MAY DEMONSTRATE OR OTHERWISE PROVIDE EVIDENCE  
13 REGARDING THAT DIFFICULTY OR IMPRACTICABILITY WITH RESPECT TO THE COUNTY  
14 RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS. IF THE EVIDENCE  
15 PROVIDED BY THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS IS  
16 SUFFICIENT, THE SECRETARY OF STATE'S SETTLEMENT MAY NOT BE APPROVED  
17 WITHOUT THE CONSENT OF THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF  
18 ELECTIONS.

19 B. A COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF ELECTIONS MAY  
20 JOIN IN ANY CIVIL ACTION PRESCRIBED BY SUBSECTION A OF THIS SECTION.