

Senate Engrossed House Bill

~~voter lists; images; voting records~~
(now: voting; images; records; contests; audits)

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

HOUSE BILL 2780

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-407.04; AMENDING SECTIONS 16-673 AND 41-1278, ARIZONA REVISED STATUTES; REPEALING SECTION 41-1279.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2021, CHAPTER 405, SECTION 25; AMENDING SECTION 41-1279.03, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2019, CHAPTER 3, SECTION 11; AMENDING SECTION 41-1279.04, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 7, ARTICLE 10.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1279.08; REPEALING SECTION 41-1279.08, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; 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 1, Arizona Revised
3 Statutes, is amended by adding section 16-407.04, to read:

4 16-407.04. Voter lists; ballot images; cast vote record;
5 ballot storage; violation; classification;
6 definitions

7 A. NOTWITHSTANDING ANY OTHER LAW:

8 1. NOT LATER THAN TEN DAYS BEFORE THE PRIMARY AND GENERAL ELECTION,
9 THE COUNTY RECORDER SHALL SUBMIT TO THE SECRETARY OF STATE, WHO SHALL
10 IMMEDIATELY MAKE AVAILABLE TO THE PUBLIC BY WAY OF AN ONLINE DATABASE OR
11 WEB PORTAL, A LIST OF ALL VOTERS WHO ARE REGISTERED TO VOTE IN THE
12 ELECTION. THE LIST SHALL BE LIMITED TO THE VOTERS' NAMES, YEARS OF BIRTH,
13 STREET ADDRESSES AND PRECINCT NUMBERS AND SHALL INCLUDE PERSONS WHO ARE ON
14 THE INACTIVE VOTER LIST, EXCEPT THAT THE COUNTY RECORDER SHALL LIST ONLY
15 THE NUMBER OF VOTERS BY PRECINCT WHOSE NAMES AND ADDRESSES ARE PROTECTED
16 PURSUANT TO SECTIONS 11-483 AND 11-484 OR WHO ARE ENROLLED IN THE ADDRESS
17 CONFIDENTIALITY PROGRAM ESTABLISHED PURSUANT TO SECTION 41-162. THE
18 SECRETARY OF STATE SHALL PROVIDE ACCESS TO THE ONLINE DATABASE OR WEB
19 PORTAL ON THE SECRETARY OF STATE'S WEBSITE AND SHALL NOT PUBLISH A VOTER'S
20 PERSONAL IDENTIFYING INFORMATION.

21 2. AFTER THE PRIMARY AND GENERAL ELECTION AND NOT LATER THAN
22 FORTY-EIGHT HOURS AFTER THE DELIVERY OF THE OFFICIAL COUNTY CANVASS, THE
23 COUNTY RECORDER OR OTHER COUNTY OFFICER IN CHARGE OF ELECTIONS SHALL
24 SUBMIT TO THE SECRETARY OF STATE WHO SHALL IMMEDIATELY MAKE AVAILABLE TO
25 THE PUBLIC BY WAY OF AN ONLINE DATABASE OR WEB PORTAL IN A CONVENIENT
26 DOWNLOADABLE FORMAT ALL OF THE FOLLOWING:

27 (a) A LIST OF ALL PERSONS WHO VOTED IN THE ELECTION, LIMITED TO
28 THEIR NAMES, YEARS OF BIRTH, STREET ADDRESSES AND PRECINCT NUMBERS, AND
29 THEIR METHOD OF VOTING. THE COUNTY RECORDER OR OTHER COUNTY OFFICER IN
30 CHARGE OF ELECTIONS SHALL NOT SUBMIT TO THE SECRETARY OF STATE PERSONAL
31 IDENTIFYING INFORMATION AND SHALL LIST ONLY THE NUMBER OF VOTERS BY
32 PRECINCT WHOSE NAMES AND ADDRESSES ARE PROTECTED OR CONFIDENTIAL PURSUANT
33 TO SECTION 11-483, 11-484 OR 41-162.

34 (b) THE CAST VOTE RECORDS IN A SORTABLE FORMAT.

35 3. IN ORDER TO RECEIVE ACCESS TO THE DATABASE OR WEB PORTAL
36 PURSUANT TO THIS SECTION, A PERSON SHALL PROVIDE THE PERSON'S NAME, EMAIL
37 ADDRESS, TELEPHONE NUMBER AND STREET ADDRESS TO THE SECRETARY OF
38 STATE. ANY PERSON WHO RECEIVES ACCESS TO THE DATABASE OR WEB PORTAL FROM
39 THE SECRETARY OF STATE SHALL NOT PROVIDE INFORMATION DERIVED FROM THE
40 DATABASE OR WEB PORTAL TO ANY OTHER PERSON WHO HAS NOT RECEIVED ACCESS
41 FROM THE SECRETARY OF STATE. A PERSON REQUESTING ACCESS TO THE DATABASE
42 OR WEB PORTAL SHALL CONFIRM THAT THE PERSON WILL NOT PROVIDE INFORMATION
43 DERIVED FROM THE DATABASE OR WEB PORTAL TO AN UNAUTHORIZED PERSON. A
44 PERSON WHO VIOLATES THIS PARAGRAPH IS GUILTY OF A CLASS 1 MISDEMEANOR.

1 4. THE OFFICER IN CHARGE OF ELECTIONS SHALL ENSURE THAT PAPER
2 BALLOTS ARE STORED IN A MANNER THAT ALLOWS FOR CONVENIENT RETRIEVAL.

3 5. A PERSON SHALL NOT USE FOR COMMERCIAL PURPOSES INFORMATION
4 DERIVED FROM THE ONLINE DATABASE OR WEB PORTAL PURSUANT TO THIS SECTION.
5 THE TOTAL NUMBER OF PROTECTED VOTERS SHALL BE INCLUDED ON THE LISTS
6 PRESCRIBED BY THIS SECTION WITHOUT INCLUDING ANY NAMES, ADDRESSES OR OTHER
7 INFORMATION FOR THOSE PROTECTED VOTERS.

8 B. ANY PERSON MAY VIEW, DOWNLOAD OR PRINT ONE OR MORE ONLINE
9 DIGITAL COPIES OF BALLOT IMAGES BUT SHALL NOT ALTER THE CONTENTS OF AN
10 IMAGE OR A CAST VOTE RECORD FROM THE DATABASE. A PERSON WHO VIOLATES THIS
11 SUBSECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

12 C. FOR THE PURPOSES OF THIS SECTION:

13 1. "CAST VOTE RECORDS" MEANS ELECTRONIC RECORDS OF THE VOTERS'
14 SELECTIONS AS CAPTURED BY A TABULATION DEVICE FROM A BALLOT OR A BALLOT
15 IMAGE THAT CANNOT BE LINKED TO A SPECIFIC VOTER.

16 2. "PERSONAL IDENTIFYING INFORMATION" MEANS THE VOTER'S MONTH AND
17 DAY OF BIRTH, DRIVER LICENSE NUMBER, NONOPERATING IDENTIFICATION LICENSE
18 NUMBER, SOCIAL SECURITY NUMBER OR PORTION OF THAT NUMBER, AS APPLICABLE,
19 INDIAN CENSUS NUMBER, FATHER'S NAME, MOTHER'S MAIDEN NAME, STATE AND
20 COUNTRY OF BIRTH AND THE RECORDS THAT CONTAIN A VOTER'S SIGNATURE AND A
21 VOTER'S EMAIL ADDRESS.

22 Sec. 2. Section 16-673, Arizona Revised Statutes, is amended to
23 read:

24 16-673. Statement of contest; verification; filing

25 A. The elector contesting a state election ~~shall~~, within ~~five~~ SEVEN
26 days after completion of the canvass of the election and declaration of
27 the result ~~thereof~~ by the secretary of state or by the governor, SHALL
28 file in the court in which the contest is commenced a statement in writing
29 setting forth:

30 1. The name and residence of the ~~party~~ PERSON contesting the
31 election, and that ~~he~~ THE PERSON is an elector of the state and county in
32 which ~~he~~ THE PERSON resides.

33 2. The name of the person whose right to the office is contested,
34 or the title of the measure, ~~or~~ constitutional amendment, ~~or~~ or other
35 proposition as it appeared ~~upon~~ ON the official ballot.

36 3. The office the election to which is contested.

37 4. The particular grounds of the contest.

38 B. The statement shall be verified by the affidavit of the
39 contestor that ~~he~~ THE CONTESTOR believes the matters and things ~~therein~~
40 contained IN THE STATEMENT are true.

1 Sec. 3. Section 41-1278, Arizona Revised Statutes, is amended to
2 read:

3 41-1278. Definitions

4 In this article, unless the context otherwise requires:

5 1. "Committee" means the joint legislative audit committee.

6 2. "ELECTION INTEGRITY AUDIT" MEANS AN AUDIT OF LIMITED SCOPE FOR
7 THE PURPOSE OF ENSURING THE ACCURACY AND RELIABILITY OF SPECIFIC ELECTIONS
8 PROCESSES, INCLUDING REVIEW OF PREELECTION AND POSTELECTION ACTIVITIES FOR
9 ELECTIONS CONDUCTED PURSUANT TO TITLE 16 AND EXCLUDING ELECTIONS HELD BY A
10 SPECIAL TAXING DISTRICT THAT IS ESTABLISHED PURSUANT TO TITLE 48 FOR THE
11 PURPOSE OF PROTECTING OR PROVIDING SERVICES TO AGRICULTURAL LANDS OR CROPS
12 AND THAT IS AUTHORIZED TO CONDUCT ELECTIONS PURSUANT TO TITLE 48.

13 ~~2.~~ 3. "Investigation" means an inquiry into specified acts or
14 allegations of impropriety, malfeasance or nonfeasance in the obligation,
15 expenditure, receipt or use of public ~~funds~~ MONIES of this state or into
16 specified financial transactions or practices ~~which~~ THAT may involve such
17 impropriety, malfeasance or nonfeasance.

18 ~~3.~~ 4. "Performance audit" means an audit ~~which~~ THAT determines
19 with regard to the purpose, functions and duties of the audited agency all
20 of the following:

21 (a) Whether the audited agency is managing or ~~utilizing~~ USING its
22 resources, including public ~~funds~~ MONIES of this state, personnel,
23 property, equipment and space, in an economical and efficient manner.

24 (b) Causes of inefficiencies or uneconomical practices, including
25 inadequacies in management information systems, internal and
26 administrative procedures, organizational structure, use of resources,
27 allocation of personnel, purchasing policies and equipment.

28 (c) Whether the desired results are being achieved.

29 (d) Whether objectives established by the legislature or other
30 authorizing body are being met.

31 ~~4.~~ 5. "Special audit" means an audit of limited scope.

32 ~~5.~~ 6. "Special research request" means research and analysis of
33 issues or questions that are designated as a special research request by
34 the committee, but does not include a performance audit, financial audit,
35 compliance audit, procedural review, special audit, investigation or
36 evaluation required by law.

37 ~~6.~~ 7. "State agency" means all departments, agencies, boards,
38 commissions, institutions and instrumentalities of this state.

39 Sec. 4. Repeal

40 Section 41-1279.03, Arizona Revised Statutes, as amended by Laws
41 2021, chapter 405, section 25, is repealed.

1 Sec. 5. Section 41-1279.03, Arizona Revised Statutes, as amended by
2 Laws 2019, chapter 3, section 11, is amended to read:

3 41-1279.03. Powers and duties

4 A. The auditor general shall:

5 1. Prepare an audit plan for approval by the committee and report
6 to the committee the results of each audit and investigation and other
7 reviews conducted by the auditor general.

8 2. Conduct or cause to be conducted ~~at least biennial~~ ANNUAL
9 financial and compliance audits of financial transactions and accounts
10 kept by or for all state agencies subject to the FEDERAL single audit ~~act~~
11 ~~of 1984 (P.L. 98-502)~~ REQUIREMENTS. The audits shall be conducted in
12 accordance with generally accepted governmental auditing standards and
13 accordingly shall include tests of the accounting records and other
14 auditing procedures as may be considered necessary in the
15 circumstances. The audits shall include the issuance of suitable reports
16 as required by the FEDERAL single audit ~~act of 1984 (P.L. 98-502)~~
17 REQUIREMENTS so that the legislature, the federal government and others
18 will be informed as to the adequacy of financial statements of ~~the~~ THIS
19 state in compliance with generally accepted ~~governmental~~ accounting
20 principles and to determine whether this state has complied with laws and
21 regulations that may have a material effect on the financial statements
22 and on major federal assistance programs.

23 3. Perform procedural reviews for all state agencies at times
24 determined by the auditor general. These reviews may include evaluation
25 of administrative and accounting internal controls and reports on these
26 reviews.

27 4. Perform special research requests, special audits and related
28 assignments as designated by the committee and conduct performance audits,
29 special audits, special research requests and investigations of any state
30 agency, whether created by the constitution or otherwise, as may be
31 requested by the committee.

32 5. Annually on or before the fourth Monday of December, prepare a
33 written report to the governor and to the committee that contains a
34 summary of activities for the previous fiscal year.

35 6. In the tenth year and in each fifth year thereafter in which a
36 transportation excise tax is in effect in a county as provided in section
37 42-6106 or 42-6107, conduct a performance audit that:

38 (a) Reviews past expenditures and future planned expenditures of
39 the transportation excise revenues and determines the impact of the
40 expenditures in solving transportation problems within the county and, for
41 a transportation excise tax in effect in a county as provided in section
42 42-6107, determines whether the expenditures of the transportation excise
43 revenues comply with section 28-6392, subsection B.

44 (b) Reviews projects completed to date and projects to be completed
45 during the remaining years in which a transportation excise tax is in

1 effect. Within six months after each review period, the auditor general
2 shall present a report to the speaker of the house of representatives and
3 the president of the senate detailing findings and making recommendations.

4 (c) Reviews, determines, reports and makes recommendations to the
5 speaker of the house of representatives and the president of the senate
6 whether the distribution of ARIZONA highway user revenues complies with
7 title 28, chapter 18, article 2.

8 7. If requested by the committee, conduct performance audits of
9 counties and incorporated cities and towns receiving ARIZONA highway user
10 revenue fund monies pursuant to title 28, chapter 18, article 2 to
11 determine whether the monies are being spent as provided in section
12 28-6533, subsection B.

13 8. Perform special audits designated pursuant to law if the auditor
14 general determines that there are adequate monies appropriated for the
15 auditor general to complete the audit. If the auditor general determines
16 the appropriated monies are inadequate, the auditor general shall notify
17 the committee.

18 9. Establish a schoolwide audit team in the office of the auditor
19 general to conduct performance audits and monitor school districts to
20 determine the percentage of every dollar spent in the classroom by the
21 school district. Each school district shall prominently post on its
22 website home page a copy of its profile pages that displays the percentage
23 of every dollar spent in the classroom by that school district from the
24 most recent status report issued by the auditor general pursuant to this
25 paragraph. The performance audits shall determine whether school
26 districts that receive monies from the Arizona English language learner
27 fund established by section 15-756.04 and the statewide compensatory
28 instruction fund established by section 15-756.11 comply with title 15,
29 chapter 7, article 3.1. The auditor general shall determine, through
30 random selection, the school districts to be audited each year, subject to
31 review by the joint legislative audit committee. A school district that
32 is subject to an audit pursuant to this paragraph shall notify the auditor
33 general in writing whether the school district agrees or disagrees with
34 the findings ~~and recommendations~~ of the audit and whether the school
35 district will implement the ~~findings and~~ recommendations, implement
36 modifications to the ~~findings and~~ recommendations or refuse to implement
37 the ~~findings and~~ recommendations. The school district shall submit to the
38 auditor general a written status report on the implementation of the audit
39 ~~findings and recommendations every six months for two years after~~ AT THE
40 REQUEST OF THE AUDITOR GENERAL WITHIN THE TWO-YEAR PERIOD FOLLOWING THE
41 ISSUANCE OF an audit conducted pursuant to this paragraph. The auditor
42 general shall review the school district's progress toward implementing
43 the ~~findings and~~ recommendations of the audit ~~every six months after~~
44 ~~receipt of the district's status report for two years~~ AND PROVIDE STATUS
45 REPORTS OF THESE REVIEWS TO THE JOINT LEGISLATIVE AUDIT COMMITTEE DURING

1 THIS TWO-YEAR PERIOD. The auditor general may review a school district's
2 progress beyond this two-year period for recommendations that have not yet
3 been implemented by the school district. ~~The auditor general shall~~
4 ~~provide a status report of these reviews to the joint legislative audit~~
5 ~~committee.~~ The school district shall participate in any hearing scheduled
6 during this review period by the joint legislative audit committee or by
7 any other legislative committee designated by the joint legislative audit
8 committee.

9 10. Annually review per diem compensation and reimbursement of
10 expenses for employees of this state and members of a state board,
11 commission, council or advisory committee by judgmentally selecting
12 samples and evaluating the propriety of per diem compensation and expense
13 reimbursements.

14 11. PERFORM ELECTION INTEGRITY AUDITS AS PRESCRIBED IN SECTION
15 41-1279.08.

16 B. The auditor general may:

17 1. Subject to approval by the committee, adopt rules necessary to
18 administer the duties of the office.

19 2. Hire consultants to conduct the studies required by subsection
20 A, paragraphs 6 and 7 of this section.

21 C. If approved by the committee, the auditor general may charge a
22 reasonable fee for the cost of performing audits or providing accounting
23 services for auditing federal funds, special audits or special services
24 requested by political subdivisions of this state. Monies collected
25 pursuant to this subsection shall be deposited in the audit services
26 revolving fund.

27 D. The department of transportation, THE TRANSPORTATION EXCISE TAX
28 RECIPIENT AND the board of supervisors of a county that has approved a
29 county transportation excise tax as provided in section 42-6106 or 42-6107
30 and the governing bodies of counties, cities and towns receiving ARIZONA
31 highway user revenue fund monies shall cooperate with and provide
32 necessary information to the auditor general or the auditor general's
33 consultant.

34 E. The department of transportation OR THE TRANSPORTATION EXCISE
35 TAX RECIPIENT shall reimburse the auditor general as follows, and the
36 auditor general shall deposit the reimbursed monies in the audit services
37 revolving fund:

38 1. For the cost of conducting the studies or hiring a consultant to
39 conduct the studies required by subsection A, paragraph 6, subdivisions
40 (a) and (b) of this section, from monies collected pursuant to a county
41 transportation excise tax levied pursuant to section 42-6106 or 42-6107.

42 2. For the cost of conducting the studies or hiring a consultant
43 pursuant to subsection A, paragraph 6, subdivision (c) and paragraph 7 of
44 this section, from the Arizona highway user revenue fund.

1 Sec. 6. Section 41-1279.04, Arizona Revised Statutes, is amended to
2 read:

3 41-1279.04. Authority to examine records; violation; classification

4 A. The auditor general or the auditor general's authorized
5 representatives, in ~~the performance of~~ PERFORMING official duties, shall
6 have access to, ~~EMPLOYEES~~ and authority to examine, ~~any and all~~ books,
7 accounts, reports, vouchers, correspondence files and other records, bank
8 accounts, criminal history record information as defined in section
9 41-1701 AND IN ACCORDANCE WITH SECTION 41-1750, ~~money~~ MONIES and other
10 property of any state agency, board, commission, department, institution,
11 program, advisory council or committee or political subdivision of this
12 state, whether created by the constitution or otherwise, or such documents
13 and property of a contractor relating to a contract with this state
14 pursuant to the provisions of section 35-214. ~~It is the duty of~~ Any
15 officer or employee of any such agency or political subdivision, having
16 such records under the officer's or employee's control, ~~to permit~~ SHALL
17 ALLOW access to and examination of the records on the request of the
18 auditor general or the auditor general's authorized representative.

19 B. ~~For the purpose of complying with section 41-1279.03, subsection~~
20 ~~A, paragraphs 4 and 9,~~ The auditor general or the auditor general's
21 authorized representative, in ~~the performance of~~ PERFORMING official
22 duties, may attend executive sessions of the governing body of any state
23 agency or ~~school district~~ ENTITY in this state THAT IS SUBJECT TO TITLE
24 38, CHAPTER 3, ARTICLE 3.1.

25 C. For the purpose of auditing the department of revenue, the
26 auditor general and the auditor general's authorized representatives have
27 access to state tax returns, except that a report of the auditor general
28 shall not violate the confidentiality of state tax laws.

29 D. FOR THE PURPOSE OF ELECTION INTEGRITY AUDITS, THE AUDITOR
30 GENERAL AND THE AUDITOR GENERAL'S AUTHORIZED REPRESENTATIVES SHALL HAVE
31 ACCESS TO BOTH OF THE FOLLOWING:

32 1. ANY PERSONNEL AND DATA FROM THE COUNTY RECORDER'S OFFICE AND ANY
33 COUNTY ELECTIONS DEPARTMENT, THE DEPARTMENT OF TRANSPORTATION AND THE
34 SECRETARY OF STATE, WHICH SHALL INCLUDE ACCESS TO ELECTRONIC DATA OR ANY
35 SUCH DATA AND PROPERTY FROM A THIRD PARTY, THAT THE AUDITOR GENERAL DEEMS
36 NECESSARY TO PERFORM THE DUTIES PRESCRIBED IN SECTION 41-1279.08,
37 INCLUDING VOTER REGISTRATION DATA. THIS DATA SHALL BE PROVIDED IN THE
38 MANNER AND FORMAT PRESCRIBED BY THE AUDITOR GENERAL.

39 2. POLLING PLACES, VOTING CENTERS AND CENTRAL COUNTING CENTERS.

40 E. ALL OFFICERS OF ANY STATE AGENCY, BOARD, COMMISSION, DEPARTMENT,
41 INSTITUTION, PROGRAM, ADVISORY COUNCIL OR COMMITTEE OR POLITICAL
42 SUBDIVISION OF THIS STATE SHALL PROVIDE REASONABLE AND NEEDED FACILITIES
43 FOR AUDITOR GENERAL STAFF AND SHALL MAKE RECORDS AVAILABLE IN THE FORM AND
44 AT THE TIME PRESCRIBED.

1 ~~D.~~ F. Any officer or person who knowingly fails or refuses to
2 ~~permit such~~ ALLOW access and examination PURSUANT TO THIS SECTION OR WHO
3 OTHERWISE KNOWINGLY OBSTRUCTS OR MISLEADS THE AUDITOR GENERAL IN THE
4 EXECUTION OF THE AUDITOR GENERAL'S DUTIES is guilty of a class
5 ~~2-misdemeanor~~ 6 FELONY.

6 G. THE ATTORNEY GENERAL SHALL SUPERVISE THE PROSECUTION OF ALL
7 OFFENDERS UNDER THIS SECTION.

8 Sec. 7. Title 41, chapter 7, article 10.1, Arizona Revised Statutes,
9 is amended by adding section 41-1279.08, to read:

10 41-1279.08. Auditor general; election integrity audits; duties

11 A. THE AUDITOR GENERAL SHALL ESTABLISH AN AUDIT TEAM TO PERFORM
12 ELECTION INTEGRITY PROCESS AUDITS OF COUNTY RECORDERS' OFFICES AND COUNTY
13 ELECTIONS DEPARTMENTS.

14 B. EACH ELECTION CYCLE, THE AUDITOR GENERAL SHALL CONDUCT AN
15 ELECTION INTEGRITY AUDIT OF AT LEAST ONE ARIZONA COUNTY THE AUDITOR
16 GENERAL CHOOSES THROUGH RANDOM SELECTION THAT EXAMINES AT LEAST ONE AREA
17 WITHIN THE FOLLOWING TOPICS:

18 1. VOTER REGISTRATION, MAINTENANCE OF VOTER REGISTRATION ROLLS AND
19 MAINTENANCE OF THE ACTIVE EARLY VOTING LIST.

20 2. EARLY BALLOT PROCESSING AND SIGNATURE VERIFICATION PROCESSING,
21 INCLUDING THE SEPARATION OF EARLY BALLOTS INTO BATCHES OR OTHER GROUPINGS,
22 BALLOT DROP BOX SECURITY AND EARLY BALLOT ELECTION PROCESSING BOARDS.

23 3. TABULATION OF BALLOTS, INCLUDING BALLOT ADJUDICATION AND
24 DUPLICATION, SECURITY ISSUES WHILE TABULATING AND LOGIC AND ACCURACY
25 TESTING AND ADMINISTRATION.

26 4. POLLING PLACE ADMINISTRATION, VOTING CENTER ADMINISTRATION,
27 CENTRAL COUNTING CENTER ADMINISTRATION AND CHAIN OF CUSTODY OF BALLOTS,
28 EQUIPMENT AND REMOVABLE STORAGE DEVICES.

29 C. THE AUDITOR GENERAL MAY MAKE RECOMMENDATIONS TO THE COUNTIES,
30 THE SECRETARY OF STATE AND THE LEGISLATURE TO ADDRESS FINDINGS IDENTIFIED
31 IN THE ELECTION INTEGRITY AUDITS.

32 D. A COUNTY SUBJECT TO AN ELECTION INTEGRITY AUDIT PURSUANT TO THIS
33 SECTION SHALL NOTIFY THE AUDITOR GENERAL IN WRITING WHETHER THE COUNTY
34 BOARD OF SUPERVISORS OR COUNTY RECORDER, OR BOTH, AGREE OR DISAGREE WITH
35 THE FINDINGS OF THE ELECTION INTEGRITY AUDIT AND WHETHER THE COUNTY BOARD
36 OF SUPERVISORS OR COUNTY RECORDER, OR BOTH, WILL IMPLEMENT THE
37 RECOMMENDATIONS, IMPLEMENT MODIFICATIONS TO THE RECOMMENDATIONS OR REFUSE
38 TO IMPLEMENT THE RECOMMENDATIONS. THE COUNTY SHALL SUBMIT TO THE AUDITOR
39 GENERAL WRITTEN STATUS REPORTS ON THE IMPLEMENTATION OF THE ELECTION
40 INTEGRITY AUDIT RECOMMENDATIONS AT THE REQUEST OF THE AUDITOR GENERAL
41 WITHIN THE TWO-YEAR PERIOD FOLLOWING THE ISSUANCE OF THE ELECTION
42 INTEGRITY AUDIT PURSUANT TO THIS SECTION. THE AUDITOR GENERAL SHALL
43 REVIEW THE COUNTY'S PROGRESS TOWARD IMPLEMENTING THE RECOMMENDATIONS OF
44 THE ELECTION INTEGRITY AUDIT FOR UP TO TWO YEARS. THE AUDITOR GENERAL MAY

1 REVIEW THE COUNTY'S PROGRESS BEYOND THIS TWO-YEAR PERIOD FOR
2 RECOMMENDATIONS THAT HAVE NOT YET BEEN IMPLEMENTED.

3 E. THE AUDITOR GENERAL SHALL REPORT ANY ELECTION INTEGRITY AUDIT
4 FINDINGS AND RECOMMENDATIONS AND THE STATUS OF A COUNTY'S PROGRESS TOWARDS
5 IMPLEMENTING RECOMMENDATIONS TO THE PRESIDENT OF THE SENATE, THE SPEAKER
6 OF THE HOUSE OF REPRESENTATIVES, THE JOINT LEGISLATIVE AUDIT COMMITTEE,
7 THE GOVERNOR, THE SECRETARY OF STATE AND THE ATTORNEY GENERAL.

8 F. A COUNTY SUBJECT TO AN ELECTION INTEGRITY AUDIT SHALL POST THE
9 AUDIT REPORT AND STATUS REPORT OF PROGRESS TOWARD IMPLEMENTING
10 RECOMMENDATIONS ON ITS WEBSITE FOR TWENTY-FOUR MONTHS AND SHALL
11 PARTICIPATE IN ANY HEARING RELATED TO THE ELECTION INTEGRITY AUDIT
12 SCHEDULED BY THE JOINT LEGISLATIVE AUDIT COMMITTEE.

13 Sec. 8. Delayed repeal

14 Section 41-1279.08, Arizona Revised Statutes, as added by this act,
15 is repealed from and after December 31, 2029.

16 Sec. 9. 2022 general election ballot image database pilot
17 program; delayed repeal

18 A. The secretary of state shall establish a 2022 general election
19 ballot image database pilot program. After the November 2022 general
20 election and not later than forty-eight hours after the official county
21 canvass, the county recorder or other county officer in charge of
22 elections shall submit all ballot images of ballots cast in the November
23 2022 general election to the secretary of state, who shall immediately
24 make the images available to the public by way of an online database or
25 web portal in a convenient downloadable format.

26 B. The secretary of state shall require a person seeking to access
27 the ballot image database or web portal pursuant to this section to
28 provide the person's name, email address, telephone number and street
29 address. Any person who receives access to the ballot image database or
30 web portal shall not provide information derived from the database or web
31 portal to any other person who has not received access from the secretary
32 of state. A person requesting access to the database or web portal shall
33 confirm that the person will not provide information derived from the
34 database or web portal to an unauthorized person. A person who violates
35 this subsection is subject to the criminal penalty prescribed in section
36 16-407.04, Arizona Revised Statutes, as added by this act.

37 C. The secretary of state shall provide access to the database or
38 web portal to persons who meet the requirements of this section for
39 twenty-four months following the November 2022 general election.

40 D. The county recorder or other county officer in charge of
41 elections shall provide for an identifying indicator to be linked to
42 ballots or ballot images, or both, that when combined with access to the
43 cast vote records pursuant to section 16-407.04, Arizona Revised Statutes,
44 as added by this act, allows a person a reasonable basis to independently

1 confirm tabulation results. An identifying indicator shall not be linked
2 to a voter.

3 E. The county officer in charge of elections shall ensure that
4 paper ballots are stored in a manner that allows for convenient retrieval.

5 F. The secretary of state, county recorder or other county officer
6 in charge of elections is not liable for any personal identifying
7 information, handwritten statements or other notations made or provided by
8 the voter that are included in the ballot images.

9 G. This section is repealed from and after December 31, 2024.