

REFERENCE TITLE: **misplaced ballots; invalidity; misdemeanor; damages**

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

# **SB 1056**

Introduced by  
Senator Townsend

## **AN ACT**

**AMENDING TITLE 16, CHAPTER 4, ARTICLE 10, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 16-605; RELATING TO 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 10, Arizona Revised  
3 Statutes, is amended by adding section 16-605, to read:

4 16-605. Misplaced ballots; ineligibility; damages; violation;  
5 classification

6 A. ANY BALLOTS THAT ARE MISPLACED AND NOT INCLUDED IN THE INITIAL  
7 TALLY AT A POLLING PLACE OR, FOR EARLY AND PROVISIONAL BALLOTS, ARE  
8 MISPLACED AND NOT INCLUDED IN INITIAL TALLIES AT A COUNTING CENTER OR  
9 EARLY ELECTION BOARD ARE INVALID BALLOTS AND SHALL NOT BE COUNTED. A  
10 PERSON WHO MISPLACES A BALLOT AS PRESCRIBED BY THIS SUBSECTION IS GUILTY  
11 OF A CLASS 2 MISDEMEANOR.

12 B. IF A BALLOT IS MISPLACED AND CANNOT BE COUNTED AS PRESCRIBED BY  
13 SUBSECTION A OF THIS SECTION AND IS A PROVISIONAL OR EARLY BALLOT THAT  
14 IDENTIFIES THE VOTER ON THE FACE OF THE AFFIDAVIT OR ENVELOPE, THE VOTER  
15 OF THAT MISPLACED BALLOT MAY FILE AN ACTION FOR DAMAGES AGAINST THE  
16 GOVERNMENTAL BODY ADMINISTERING THE ELECTION FOR THE LOSS OF THE RIGHT TO  
17 VOTE.