

REFERENCE TITLE: election equipment; security; results; tabulation

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

SB 1570

Introduced by
Senator Townsend

AN ACT

AMENDING TITLE 16, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 16-567; 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 9, Arizona Revised
3 Statutes, is amended by adding section 16-567, to read:

4 16-567. Polling place and voting center equipment; custody;
5 violation; classification

6 A. NOTWITHSTANDING ANY OTHER LAW, ANY VOTING EQUIPMENT THAT IS USED
7 IN A POLLING PLACE OR VOTING CENTER MAY NOT HAVE INTERNET ACCESS AND MUST
8 PROHIBIT ACCESS BY ANY MEANS TO ANY DATA OR RESULTS. IF THE EQUIPMENT HAS
9 AN ACCESSIBLE PORT, THE PORT MUST BE LOCKED WITH A TAMPER-PROOF SEAL AND
10 MUST BE LOGGED IN THE CHAIN OF CUSTODY DOCUMENT WHEN BROKEN OR
11 ACCESSED. THE DELIVERY, USE AND RETURN OF THE EQUIPMENT SHALL BE LOGGED
12 ON A CHAIN OF CUSTODY DOCUMENT SO THAT THE NAME AND SIGNATURE OF EVERY
13 PERSON WHO DELIVERS, RECEIVES, USES AND RETURNS THAT EQUIPMENT IS RECORDED
14 AND RETAINED AS AN OFFICIAL ELECTION RECORD.

15 B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2
16 MISDEMEANOR.

17 Sec. 2. Title 16, chapter 4, article 10, Arizona Revised Statutes,
18 is amended by adding section 16-605, to read:

19 16-605. Counting center equipment; election results; data;
20 custody; violation; classification

21 A. NOTWITHSTANDING ANY OTHER LAW, ANY TABULATION EQUIPMENT THAT IS
22 USED IN A CENTRAL COUNTING CENTER OR OTHER TABULATION CENTER MAY NOT HAVE
23 INTERNET ACCESS AND MUST PROHIBIT ACCESS BY ANY MEANS TO ANY DATA OR
24 RESULTS UNTIL USED BY AUTHORIZED ELECTION PERSONNEL ONLY. IF THE
25 EQUIPMENT HAS AN ACCESSIBLE PORT, THE PORT MUST BE LOCKED WITH A
26 TAMPER-PROOF SEAL AND MUST BE LOGGED IN THE CHAIN OF CUSTODY DOCUMENT WHEN
27 BROKEN OR ACCESSED. ONLY AUTHORIZED PERSONNEL, INCLUDING POLITICAL PARTY
28 OBSERVERS, MAY BE PRESENT AT THE TABULATION OF VOTES. THE USE AND RETURN
29 OF THE EQUIPMENT THAT CONTAINS ELECTION RESULTS AND DATA, INCLUDING ANY
30 REMOVABLE DATA STORAGE DEVICE, SHALL BE LOGGED ON A CHAIN OF CUSTODY
31 DOCUMENT SO THAT THE NAME AND SIGNATURE OF EVERY PERSON WHO DELIVERS,
32 RECEIVES, USES AND RETURNS THE STORAGE DEVICE OR OTHER EQUIPMENT THAT
33 CONTAINS ELECTION DATA AND ELECTION RESULTS IS RECORDED AND RETAINED AS AN
34 OFFICIAL ELECTION RECORD. FOR ANY REMOVABLE STORAGE DEVICE, TWO OBSERVERS
35 WHO ARE NOT MEMBERS OF THE SAME POLITICAL PARTY SHALL BE PRESENT AT ALL
36 TIMES, INCLUDING THE INSERTION AND REMOVAL OF THE DEVICE AND DURING ANY
37 TRANSPORTATION OF THE DEVICE. THE REMOVABLE STORAGE DEVICE MAY NOT BE
38 UNDER THE SOLE CUSTODY AND CONTROL OF ONLY ONE PERSON.

39 B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2
40 MISDEMEANOR.

41 C. NOTWITHSTANDING ANY OTHER LAW, ALL ACTIVITIES AT THE COUNTING
42 CENTER SHALL BE INCLUDED IN A NONSTOP VIDEO THAT IS POSTED TO THE COUNTY'S
43 WEBSITE.