

Senate Engrossed

election equipment; security; results; tabulation

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

SENATE BILL 1570

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, EXCEPT THAT POLL
9 WORKERS MAY USE ELECTRONIC POLLBOOKS TO CHECK IN VOTERS, VERIFY
10 IDENTIFICATION AND DETERMINE THE APPROPRIATE BALLOT STYLE FOR THE VOTER.
11 IF THE EQUIPMENT HAS AN ACCESSIBLE PORT, THE PORT MUST BE LOCKED WITH A
12 TAMPER-PROOF SEAL AND MUST BE LOGGED IN THE CHAIN OF CUSTODY DOCUMENT WHEN
13 BROKEN OR ACCESSED. THE DELIVERY, USE AND RETURN OF THE EQUIPMENT SHALL
14 BE LOGGED ON A CHAIN OF CUSTODY DOCUMENT SO THAT THE NAME AND SIGNATURE OF
15 EVERY PERSON WHO DELIVERS, RECEIVES, USES AND RETURNS THAT EQUIPMENT IS
16 RECORDED AND RETAINED AS AN OFFICIAL ELECTION RECORD.

17 B. A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A
18 CLASS 2 MISDEMEANOR.

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

21 16-605. Counting center equipment; election results; data;
22 custody; violation; classification

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

41 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE ELECTION
42 PROCESS SHALL CONTINUE WITHOUT REGARD TO WHETHER OBSERVERS ARE PRESENT.
43 OBSERVERS SHALL NOT BE ALLOWED IN COUNTY VEHICLES.

1 C. A PERSON WHO KNOWINGLY VIOLATES THIS SECTION IS GUILTY OF A
2 CLASS 2 MISDEMEANOR.
3 D. NOTWITHSTANDING ANY OTHER LAW, ALL ACTIVITIES AT THE COUNTING
4 CENTER SHALL BE INCLUDED IN A NONSTOP VIDEO THAT IS POSTED TO THE COUNTY'S
5 WEBSITE.