



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

VETOED

AMENDED

FACT SHEET FOR S.B. 1471

ballot tabulation; hand count comparison

Purpose

Requires, by September 1, 2023, the officer in charge of elections in a county with a population of 2,000,000 persons or more to randomly select 400 random ballots and recount all races and allows the officer in charge of elections in a county with a population of 400,000 persons or more to elect to participate in the hand count comparison.

Background

The county officer in charge of elections must conduct a hand count for each countywide primary, special, general and presidential preference election. The hand count must be conducted pursuant to statute and in accordance with procedures established by the Secretary of State (SOS) in the Elections Procedures Manual (EPM). The hand count must be conducted on at least the greater of two percent of the precincts in the county or two precincts. Only ballots cast in polling places and ballots from direct recording electronic machines are included in the hand counts ([A.R.S. § 16-602](#)).

The EPM stipulates that each vote center is considered a precinct or polling location in counties that use vote centers and requires the county officer in charge of elections to conduct a hand count on at least two percent of vote centers or two vote centers, whichever is greater ([EPM, Ch. 11 \(IV\)](#)). A recount of the vote is required when the canvass of returns in a primary or general election has a margin separating candidates or ballot measures of less than or equal to the lesser of: 1) one-tenth of one percent for candidates or ballot measures; or 2) between 10 and 200 votes, depending on the type of office or ballot measure ([A.R.S. § 16-662](#)). After the recount is conducted, the results must be presented in the appropriate superior court, which must announce the results and enter an order setting forth its determination ([A.R.S. § 16-665](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires, by September 1, 2023, the officer in charge of elections for a county with a population of 2,000,000 persons or more to randomly select 400 ballots from four election precincts in the county from the ballot test decks used for logic and accuracy testing for the 2022 general election and recount all races.
2. Allows, by September 1, 2023, the officer in charge of elections for a county with a population of 400,000 persons or more to elect to participate in the hand count comparison.

3. Requires the recount to include the use of duplication boards, adjudication boards and other functions generally used or required in ballot tabulations.
4. Requires the hand count boards to consist of volunteers who are members of the three largest political parties in Arizona.
5. Requires, for the recount teams, the team to include a member of at least two different political parties on each team.
6. Requires the county treasurer to provide the specified ballots to the officer in charge of elections.
7. Requires the county officer in charge of elections to separately process the 2022 general ballots by:
 - a) counting the actual ballots through a county ballot tabulator and keep the results of the tabulation confidential until a hand count is complete;
 - b) photocopying the actual ballots and hand count the photocopies while the officer in charge of elections calculates the speed of the hand count; and
 - c) comparing the tabulator total with the hand count total for each precinct, if the ballots must be retabulated with a different tabulator and the hand count photocopies must be recounted with different hand counters.
8. Requires, after determining the average number of ballots counted for each hand count team, the officer in charge of elections to estimate how many persons working 16 hours each day would be required to hand count all the ballots cast in the November 2022 election.
9. Requires the officer in charge of elections to report the results of the tabulations and calculations and provide the report to:
 - a) the Governor;
 - b) the President of the Senate;
 - c) the Speaker of the House of Representatives;
 - d) the county recorder; and
 - e) file a copy of the report with the SOS.
10. Repeals the requirements relating to the recount on March 1, 2024.
11. Contains a statement of legislative intent.
12. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Decreases, from 2,000,000 persons to 400,000 persons, the population threshold for a county required to randomly select four election precincts and recount all races for the 2022 general election.
2. Eliminates the threshold that triggers a retabulation of a hand count comparison of the 2022 general election.
3. Requires the officer in charge of elections to select 400 ballots randomized by precincts, rather than 100 ballots from each of the four randomly selected election precincts.

4. Adds a statement of legislative intent.

Amendments Adopted by the House of Representatives

1. Increases, from 400,000 persons to 2,000,000 persons, the population threshold for a county required to randomly select four election precincts and recount all races for the 2022 general election.
2. Allows the officer in charge of elections in a county with a population of 400,000 persons or more to elect to participate in the hand count comparison.
3. Modifies the statement of legislative intent.

Governor's Veto Message

The Governor indicates in her [veto message](#) that the 2022 election is settled and that it is time to start working on the problems facing everyday Arizonans.

Senate Action

ELEC	2/13/23	DP	5-3-0
3 rd Read	3/1/23		16-12-2
Final Read	6/13/23		16-12-2

House Action

MOE	3/29/23	DPA	6-4-0-0
3 rd Read	5/15/23		31-27-1-0-1

Vetoed by the Governor on 6/20/23

Prepared by Senate Research
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AN/slp