

REFERENCE TITLE: election procedures manual; submittals

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1217

Introduced by
Senator Shope

AN ACT

AMENDING SECTION 16-452, ARIZONA REVISED STATUTES; 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. Section 16-452, Arizona Revised Statutes, is amended to
3 read:

4 16-452. Rules; instructions and procedures manual; approval
5 of manual; field check and review of systems;
6 violation; classification

7 A. After consultation with each county board of supervisors, COUNTY
8 RECORDER ~~OR~~ AND other ~~officer~~ OFFICERS in charge of elections, the
9 secretary of state shall prescribe rules to achieve and maintain the
10 maximum degree of correctness, impartiality, uniformity and efficiency on
11 the procedures for early voting and voting, and of producing,
12 distributing, collecting, counting, tabulating and storing ballots. The
13 secretary of state shall also adopt rules regarding fax transmittal of
14 unvoted ballots, ballot requests, voted ballots and other election
15 materials to and from absent uniformed and overseas citizens and shall
16 adopt rules regarding internet receipt of requests for federal postcard
17 applications prescribed by section 16-543.

18 B. The rules shall be prescribed in an official instructions and
19 procedures manual to be issued not later than December 31 of each
20 odd-numbered year immediately preceding the general election. Before its
21 issuance, THE SECRETARY OF STATE SHALL POST THE DRAFT MANUAL ON THE
22 SECRETARY OF STATE'S WEBSITE, PROVIDE AN OPPORTUNITY FOR SUBMITTING PUBLIC
23 COMMENT ON THE DRAFT MANUAL AND POST THOSE COMMENTS ON THE SECRETARY OF
24 STATE'S WEBSITE. The DRAFT manual shall be approved by the governor and
25 the attorney general. The secretary of state shall submit the DRAFT
26 manual to the governor and the attorney general not later than October 1
27 of the year before each general election.

28 C. IF THE GOVERNOR OR THE ATTORNEY GENERAL, OR BOTH, FAIL TO
29 APPROVE THE DRAFT MANUAL BY DECEMBER 31 OF THE YEAR BEFORE THE GENERAL
30 ELECTION OR THE SECRETARY OF STATE DOES NOT SUBMIT A DRAFT MANUAL FOR
31 APPROVAL, THE MOST RECENTLY APPROVED OFFICIAL INSTRUCTIONS AND PROCEDURES
32 MANUAL REMAINS IN EFFECT. BEGINNING IN JANUARY OF THE EVEN-NUMBERED YEAR,
33 IF A NEW MANUAL IS NOT ISSUED AND APPROVED, THE SECRETARY OF STATE SHALL
34 PROVIDE AN ANNOTATED VERSION OF THE PREVIOUS OFFICIAL MANUAL THAT REFLECTS
35 ANY NEW OR REVISED LAWS AND APPLICABLE COURT DECISIONS. THE SECRETARY OF
36 STATE SHALL CONTINUE TO PROVIDE AN ANNOTATED VERSION OF THE PREVIOUS
37 OFFICIAL MANUAL EACH YEAR UNTIL A NEW MANUAL IS APPROVED.

38 ~~C.~~ D. A person who violates any rule adopted pursuant to this
39 section is guilty of a class 2 misdemeanor.

40 ~~D.~~ E. The secretary of state shall provide personnel who are
41 experts in electronic voting systems and procedures and in electronic
42 voting system security to field check and review electronic voting systems
43 and recommend needed statutory and procedural changes.