

REFERENCE TITLE: ballots; categories; count; identification number

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1375**

Introduced by  
Senators Bolick: Bennett, Borrelli, Farnsworth, Gowan, Hoffman, Kavanagh;  
Representatives Jones, McGarr, Montenegro, Parker J, Wilmeth

AN ACT

AMENDING SECTIONS 16-502, 16-602 AND 16-663, 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 16-502, Arizona Revised Statutes, is amended to  
3 read:

4 16-502. Form and contents of ballot

5 A. Ballots shall be printed with black ink on white paper of  
6 sufficient thickness to prevent the printing thereon from being  
7 discernible from the back, and the same type shall be used for the names  
8 of all candidates. The ballots shall be headed "official ballot" in  
9 bold-faced plain letters, with a heavy rule above and below the heading.  
10 Immediately below shall be placed the words "type of election, (date of  
11 election)" and the name of the county and state in which the election is  
12 held. The name or number of the precinct in which the election is held  
13 shall be placed on the ballot in a uniform location for all ballots. No  
14 other matter shall be placed or printed at the head of any ballot.  
15 Instructions to the voter on marking the ballot may be printed below the  
16 heading as follows:

17 1. Put a mark according to the instructions next to the  
18 name of each candidate for each office for whom you wish to  
19 vote.

20 2. If you wish to vote for a person whose name is not  
21 printed on the ballot, write such name in the blank space  
22 provided on the ballot and put a mark according to the  
23 instructions next to the name so written.

24 3. Put a mark according to the instructions next to the  
25 word "yes" or "for" for each proposition or question you wish  
26 to be adopted. Put a mark according to the instructions next  
27 to the word "no" or "against" for each proposition or question  
28 you wish not to be adopted.

29 B. Immediately below the ballot instructions shall be placed the  
30 following:

31 Section One  
32 Partisan Ballot

33 C. Immediately below the heading for section one there shall be  
34 placed in columns the names of the candidates of the several political  
35 parties. Next to each candidate's name there shall be printed in  
36 bold-faced letters the name of the political party. At the head of each  
37 column shall be printed the names of the offices to be filled with the  
38 name of each office being of uniform type size. At the head of each  
39 column shall be printed in the following order the names of candidates  
40 for:

41 1. Presidential electors, which shall be in a list and next to the  
42 list shall be printed in bold type the surname of the presidential  
43 candidate, and the surname of the vice presidential candidate who is  
44 seeking election jointly with the presidential candidate shall be listed  
45 directly below the name of the presidential candidate. The indicator for

1 the selection of the presidential and vice presidential candidates shall  
2 be directly next to the surname of the presidential candidate, and one  
3 mark directly next to a presidential candidate's surname shall be counted  
4 as a vote for each elector in the list next to the presidential and vice  
5 presidential candidates.

6 2. United States senator.

7 3. Representatives in Congress.

8 4. The several state offices.

9 5. The several county and precinct offices.

10 D. The names of candidates for the offices of state senator and  
11 state representative along with the district number shall be placed within  
12 the heading of each column to the right of the office name for state  
13 offices and immediately below the candidates for the office of governor.  
14 The number of the supervisorial district of which a candidate is a nominee  
15 shall be printed within the heading of each column to the right of the  
16 name of the office.

17 E. The lists of the candidates of the several parties shall be  
18 arranged with the names of the parties in descending order according to  
19 the votes cast for governor for that county in the most recent general  
20 election for the office of governor, commencing with the left-hand column.  
21 In the case of political parties that did not have candidates on the  
22 ballot in the last general election, such parties shall be listed in  
23 alphabetical order below the parties that did have candidates on the  
24 ballot in the last general election. The names of all candidates  
25 nominated under section 16-341 shall be placed in a single column below  
26 that of the recognized parties. Next to the name of each candidate, in  
27 parentheses, shall be printed a three-letter abbreviation that is taken  
28 from the three words prescribed in the candidate's certificate of  
29 nomination.

30 F. Immediately below the designation of the office to be voted for  
31 shall appear the words: "Vote for not more than \_\_\_\_\_" (insert the  
32 number to be elected).

33 G. In each column at the right or left of the name of each  
34 candidate and on the same line there shall be a place for the voter to put  
35 a mark. Below the name of the last named candidate for each office there  
36 shall be as many blank lines as there are offices of the same title to be  
37 filled, with a place for the voter to put a mark. On the blank line the  
38 voter may write the name of any person for whom the voter desires to vote  
39 whose name is not printed, and next to the name so written the voter shall  
40 designate his choice by a mark as in the case of printed names.

41 H. When there are two or more candidates of the same political  
42 party for the same office, or more than one candidate for a judicial  
43 office, the names of all such candidates shall be so alternated on the  
44 ballots used in each election district that the name of each candidate  
45 shall appear substantially an equal number of times in each possible

1 location. If there are fewer or the same number of candidates seeking  
2 office than the number to be elected, the rotation of names is not  
3 required and the names shall be placed in alphabetical order.

4 I. Immediately below section one of the ballot shall be placed the  
5 following:

6 Section Two  
7 Nonpartisan Ballot

8 J. Immediately below the heading for section two shall be placed  
9 the names of the candidates for justices of the supreme court, judges of  
10 the court of appeals, judges of the superior court standing for retention  
11 or rejection pursuant to article VI, section 38, Constitution of Arizona,  
12 judges of the superior court standing for election pursuant to article VI,  
13 section 12, Constitution of Arizona, school district officials and other  
14 nonpartisan officials in a column or in columns without partisan or other  
15 designation except the title of office in an order determined by the  
16 officer in charge of the election.

17 K. Immediately below the offices listed in subsection J of this  
18 section, the ballot shall contain a separate heading of any nonpartisan  
19 office for a vacant unexpired term and shall include the expiration date  
20 of the term of the vacated office.

21 L. All proposed constitutional amendments and other propositions or  
22 questions to be submitted to the voters shall be printed immediately below  
23 the names of candidates for nonpartisan positions in such order as the  
24 secretary of state, or if a city or town election, the city or town clerk,  
25 designates. Placement of county and local charter amendments,  
26 propositions or questions shall be determined by the officer in charge of  
27 the election. Except as provided by section 19-125, each proposition or  
28 question shall be followed by the words "yes" and "no" or "for \_\_\_\_\_" and  
29 "against \_\_\_\_\_" as the nature of the proposition or question requires,  
30 and at the right or left of and next to each of such words shall be a  
31 place for the voter to put a mark according to the instructions that is  
32 similar in size to those places appearing opposite the names of the  
33 candidates, in which the voter may indicate his vote for or against such  
34 proposition or question by a mark as defined in section 16-400.

35 M. Instead of printing the official and descriptive titles or the  
36 full text of each measure or question on the official ballot, the officer  
37 in charge of elections may print phrases on the official ballot that  
38 contain all of the following:

39 1. The number of the measure in reverse type and at least ~~twelve~~  
40 ~~point~~ TWELVE-POINT type.

41 2. The designation of the measure as prescribed by section 19-125,  
42 subsection C or as a question, proposition or charter amendment, followed  
43 by the words "relating to..." and inserting the subject.

1           3. Either the statement prescribed by section 19-125, subsection D  
2 that describes the effects of a "yes" vote and a "no" vote or, for other  
3 measures, the text of the question or proposition.

4           4. The words "yes" and "no" or "for" and "against", as may be  
5 appropriate and a place for the voter to put a mark.

6           N. For any ballot printed pursuant to subsection M of this section,  
7 the instructions on the official ballot shall direct the voter to the full  
8 text of the official and descriptive titles and the questions and  
9 propositions as printed on the sample ballot and posted in the polling  
10 place.

11           O. EACH BALLOT SHALL BEAR A UNIQUE IDENTIFICATION NUMBER OR OTHER  
12 UNIQUE DESIGNATION AS PRESCRIBED BY SECTION 16-602.

13           Sec. 2. Section 16-602, Arizona Revised Statutes, is amended to  
14 read:

15           16-602. Removal of ballots from ballot boxes; ballot  
16 designation methods; designated margin; hand  
17 counts; vote count verification committee

18           A. For any primary, special or general election in which the votes  
19 are cast EITHER:

20           1. On an electronic voting machine or tabulator, the election judge  
21 shall compare the number of votes cast as indicated on the machine or  
22 tabulator with the number of votes cast as indicated on the poll list and  
23 the number of provisional ballots cast and that information shall be noted  
24 in a written report prepared and submitted to the officer in charge of  
25 elections along with other tally reports.

26           2. WITHOUT REGARD TO THE SYSTEM OR METHOD USED TO PRODUCE OR  
27 TABULATE BALLOTS, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF  
28 ELECTIONS SHALL MAINTAIN A COUNT OF THE NUMBER OF PHYSICAL BALLOTS THAT  
29 ARE PRINTED AND THE NUMBER OF BALLOTS THAT ARE OTHERWISE GENERATED IN THE  
30 FOLLOWING CATEGORIES, INCLUDING THE AMOUNT OF ANY OVERLAP IN THOSE  
31 CATEGORIES, AND, AS EARLY BALLOTS ARE ORDERED, PRINTED, SPOILED AND CAST  
32 PROVISIONALLY, SHALL POST THAT INFORMATION ON THE COUNTY'S WEBSITE IN REAL  
33 TIME:

- 34           (a) EARLY BALLOTS.
- 35           (b) REGULAR BALLOTS.
- 36           (c) PROVISIONAL BALLOTS.
- 37           (d) FEDERAL-ONLY BALLOTS.
- 38           (e) BALLOTS GENERATED IN AN ELECTRONIC FORM, ITEMIZED BY THE  
39 CATEGORIES PRESCRIBED IN THIS PARAGRAPH.

40           B. BALLOTS THAT ARE USED IN AN ELECTION IN THIS STATE SHALL COMPLY  
41 WITH EITHER OF THE FOLLOWING:

42           1. THE BALLOTS SHALL BE INDIVIDUALLY NUMBERED CONSECUTIVELY,  
43 BEGINNING WITH THE NUMERAL 1, AND SHALL BE NUMBERED AND USED IN A MANNER  
44 THAT ALLOWS A SPECIFIC NUMERIC RANGE OF BALLOTS TO BE LINKED TO A SPECIFIC

1 VOTING LOCATION. THESE BALLOTS SHALL BE DISTRIBUTED TO VOTERS  
2 NONSEQUENTIALLY TO PRESERVE BALLOT SECRECY.

3 2. THE BALLOTS SHALL BE PRENUMBERED AND SHALL BE DIVIDED INTO  
4 BATCHES OF AT LEAST TWO HUNDRED BALLOTS EACH FOR EACH ELECTION. EACH  
5 BATCH OF BALLOTS SHALL BE ASSIGNED TO AN ELECTION AND, WITHIN THAT  
6 ELECTION, ASSIGNED TO A VOTING LOCATION. THE RANGE OF BALLOTS USED FOR AN  
7 ELECTION SHALL BE RECORDED ON A MASTER LOG, WHICH SHALL BE PUBLICLY  
8 AVAILABLE, AND THE JURISDICTION SHALL TRACK WHICH BALLOTS ARE DISTRIBUTED  
9 TO EACH VOTING LOCATION.

10 C. THE OFFICER IN CHARGE OF THE ELECTION SHALL CHOOSE WHICH BALLOT  
11 DESIGNATION METHOD TO USE AND SHALL EITHER USE BLANK BALLOT STOCK WITH  
12 PREPRINTED NUMBERS OR USE A METHOD OF INDIVIDUALLY NUMBERING THE BALLOTS  
13 DURING THE PRINTING PROCESS.

14 D. SUBSECTIONS A, B AND C OF THIS SECTION DO NOT AUTHORIZE A METHOD  
15 FOR PRINTING OR OTHERWISE GENERATING BALLOTS THAT IS NOT OTHERWISE  
16 PROVIDED FOR BY LAW.

17 ~~B.~~ E. For each countywide primary, special, general and  
18 presidential preference election, the county officer in charge of the  
19 election shall conduct a hand count at one or more secure facilities. The  
20 hand count shall be conducted as prescribed by this section and in  
21 accordance with hand count procedures established by the secretary of  
22 state in the official instructions and procedures manual adopted pursuant  
23 to section 16-452. The hand count is not subject to the live video  
24 requirements of section 16-621, subsection D, but the party  
25 representatives who are observing the hand count may bring their own video  
26 cameras in order to record the hand count. The recording shall not  
27 interfere with the conduct of the hand count and the officer in charge of  
28 the election may prohibit from recording or remove from the facility  
29 persons who are taking actions to disrupt the count. The sole act of  
30 recording the hand count does not constitute sufficient grounds for the  
31 officer in charge of the election to prohibit observers from recording or  
32 to remove them from the facility. The hand count shall be conducted in  
33 the following order:

34 1. At least two percent of the precincts in that county, or two  
35 precincts, whichever is greater, shall be selected at random from a pool  
36 consisting of every precinct in that county. The county political party  
37 ~~chairman~~ CHAIRPERSON for each political party that is entitled to  
38 continued representation on the state ballot or the ~~chairman's~~  
39 CHAIRPERSON'S designee shall conduct the selection of the precincts to be  
40 hand counted. The precincts shall be selected by lot without the use of a  
41 computer, and the order of selection by the county political party  
42 ~~chairmen~~ CHAIRPERSONS shall also be by lot. The selection of the  
43 precincts shall not begin until all ballots voted in the precinct polling  
44 places have been delivered to the central counting center. The unofficial  
45 vote totals from all precincts shall be made public before selecting the

1 precincts to be hand counted. Only the ballots cast in the polling places  
2 and ballots from direct recording electronic machines shall be included in  
3 the hand counts conducted pursuant to this section. Provisional ballots,  
4 conditional provisional ballots and write-in votes shall not be included  
5 in the hand counts and the early ballots shall be grouped separately by  
6 the officer in charge of elections for purposes of a separate manual audit  
7 pursuant to subsection ~~F~~ I of this section.

8 2. The races to be counted on the ballots from the precincts that  
9 were selected pursuant to paragraph 1 of this subsection for each primary,  
10 special and general election shall include up to five contested races.  
11 After the county recorder or other officer in charge of elections  
12 separates the primary ballots by political party, the races to be counted  
13 shall be determined by selecting by lot without the use of a computer from  
14 those ballots as follows:

15 (a) For a general election, one statewide ballot measure, unless  
16 there are no measures on the ballot.

17 (b) One contested statewide race for statewide office.

18 (c) One contested race for federal office, either United States  
19 senate or United States house of representatives. If the United States  
20 house of representatives race is selected, the names of the candidates may  
21 vary among the sampled precincts.

22 (d) One contested race for state legislative office, either state  
23 house of representatives or state senate. In either case, the names of  
24 the candidates may vary among the sampled precincts.

25 (e) If there are fewer than four contested races resulting from the  
26 selections made pursuant to subdivisions (a) through (d) of this ~~section~~  
27 ~~PARAGRAPH~~ and if there are additional contested federal, statewide or  
28 legislative races or ballot measures, additional contested races shall be  
29 selected by lot not using a computer until four races have been selected  
30 or until no additional contested federal, statewide or legislative races  
31 or ballot measures are available for selection.

32 (f) If there are no contested races as prescribed by this  
33 paragraph, a hand count shall not be conducted for that precinct for that  
34 election.

35 3. For the presidential preference election, select by lot two  
36 percent of the polling places designated and used pursuant to section  
37 16-248 and perform the hand count of those ballots.

38 4. For the purposes of this section, a write-in candidacy in a race  
39 does not constitute a contested race.

40 5. In elections in which there are candidates for president, the  
41 presidential race shall be added to the four categories of hand counted  
42 races.

43 6. Each county ~~chairman~~ CHAIRPERSON of a political party that is  
44 entitled to continued representation on the state ballot or the ~~chairman's~~

1 CHAIRPERSON'S designee shall select by lot the individual races to be hand  
2 counted pursuant to this section.

3 7. The county ~~chairman~~ CHAIRPERSON of each political party shall  
4 designate and provide the number of election board members as designated  
5 by the county officer in charge of elections who shall perform the hand  
6 count under the supervision of the county officer in charge of  
7 elections. For each precinct that is to be audited, the county ~~chairmen~~  
8 CHAIRPERSONS shall designate at least two board workers who are registered  
9 members of any or no political party to assist with the audit. Any  
10 qualified elector from this state may be a board worker without regard to  
11 party designation. The county election officer shall provide for  
12 compensation for those board workers, not to include travel, meal or  
13 lodging expenses. If there are less than two persons for each audited  
14 precinct available to participate on behalf of each recognized political  
15 party, the recorder or officer in charge of elections, with the approval  
16 of at least two county party chairpersons in the county in which the  
17 shortfall occurs, shall substitute additional individual electors who are  
18 provided by any political party from anywhere in the state without regard  
19 to party designation to conduct the hand count. A county party ~~chairman~~  
20 CHAIRPERSON shall approve only those substitute electors who are provided  
21 by the county ~~chairman's~~ CHAIRPERSON'S political party. The political  
22 parties shall provide to the recorder or officer in charge of elections in  
23 writing the names of those persons intending to participate in the hand  
24 count at the audited precincts not later than 5:00 p.m. on the Tuesday  
25 preceding the election. If the total number of board workers provided by  
26 all parties is less than four times the number of precincts to be audited,  
27 the recorder or officer in charge of elections shall notify the parties of  
28 the shortage by 9:00 a.m. on the Wednesday preceding the election. The  
29 hand count shall not proceed unless the political parties provide the  
30 recorder or officer in charge of elections, in writing, a sufficient  
31 number of persons by 5:00 p.m. on the Thursday preceding the election and  
32 a sufficient number of persons, pursuant to this paragraph, arrive to  
33 perform the hand count. The recorder or officer in charge of elections  
34 may prohibit persons from participating in the hand count if they are  
35 taking actions to disrupt the count or are unable to perform the duties as  
36 assigned. For the hand count to proceed, not more than seventy-five  
37 percent of the persons performing the hand count shall be from the same  
38 political party.

39 8. If a political party is not represented by a designated  
40 chairperson within a county, the state chairperson for that political  
41 party, or a person designated by the state chairperson, may perform the  
42 actions required by the county chairperson as specified in this section.

43 ~~F.~~ F. If the randomly selected races result in a difference in any  
44 race that is less than the designated margin when compared to the  
45 electronic tabulation of those same ballots, the results of the electronic



1 tabulation constitute the official count for that race. If the randomly  
2 selected races result in a difference in any race that is equal to or  
3 greater than the designated margin when compared to the electronic  
4 tabulation of those same ballots, a second hand count of those same  
5 ballots and races shall be performed. If the second hand count results in  
6 a difference in any race that is less than the designated margin when  
7 compared to the electronic tabulation for those same ballots, the  
8 electronic tabulation constitutes the official count for that race. If  
9 the second hand count results in a difference in any race that is equal to  
10 or greater than the designated margin when compared to the electronic  
11 tabulation for those same ballots, the hand count shall be expanded to  
12 include a total of twice the original number of randomly selected  
13 precincts. Those additional precincts shall be selected by lot without  
14 the use of a computer.

15 ~~D.~~ G. In any expanded count of randomly selected precincts, if the  
16 randomly selected precinct hand counts result in a difference in any race  
17 that is equal to or greater than the designated margin when compared to  
18 the electronic tabulation of those same ballots, the final hand count  
19 shall be extended to include the entire jurisdiction for that race. If  
20 the jurisdictional boundary for that race would include any portion of  
21 more than one county, the final hand count shall not be extended into the  
22 precincts of that race that are outside of the county that is conducting  
23 the expanded hand count. If the expanded hand count results in a  
24 difference in that race that is less than the designated margin when  
25 compared to the electronic tabulation of those same ballots, the  
26 electronic tabulation constitutes the official count for that race.

27 ~~E.~~ H. If a final hand count is performed for an entire  
28 jurisdiction for a race, the final hand count shall be repeated for that  
29 race until a hand count for that race for the entire jurisdiction results  
30 in a count that is identical to one other hand count for that race for the  
31 entire jurisdiction and that hand count constitutes the official count for  
32 that race.

33 ~~F.~~ I. After the electronic tabulation of early ballots and at one  
34 or more times selected by the ~~chairman~~ CHAIRPERSON of the political  
35 parties entitled to continued representation on the ballot or the  
36 ~~chairman's~~ CHAIRPERSON'S designee, the ~~chairmen~~ CHAIRPERSONS or the  
37 ~~chairmen's~~ CHAIRPERSONS' designees shall randomly select one or more  
38 batches of early ballots that have been tabulated to include at least one  
39 batch from each machine used for tabulating early ballots and those  
40 ballots shall be securely sequestered by the county recorder or officer in  
41 charge of elections along with their unofficial tally reports for a  
42 postelection manual audit. The ~~chairmen~~ CHAIRPERSONS or the ~~chairmen's~~  
43 CHAIRPERSONS' designees shall randomly select from those sequestered early  
44 ballots a number equal to one percent of the total number of early ballots  
45 cast or five thousand early ballots, whichever is less. From those

1 randomly selected early ballots, the county officer in charge of elections  
2 shall conduct a manual audit of the same races that are being hand counted  
3 pursuant to subsection ~~B~~ E of this section. If the manual audit of the  
4 early ballots results in a difference in any race that is equal to or  
5 greater than the designated margin when compared to the electronically  
6 tabulated results for those same early ballots, the manual audit shall be  
7 repeated for those same early ballots. If the second manual audit results  
8 in a difference in that race that is equal to or greater than the  
9 designated margin when compared to the electronically tabulated results  
10 for those same early ballots, the manual audit shall be expanded only for  
11 that race to a number of additional early ballots equal to one percent of  
12 the total early ballots cast or an additional five thousand ballots,  
13 whichever is less, to be randomly selected from the batch or batches of  
14 sequestered early ballots. If the expanded early ballot manual audit  
15 results in a difference for that race that is equal to or greater than the  
16 designated margin when compared to any of the earlier manual counts for  
17 that race, the manual counts shall be repeated for that race until a  
18 manual count results in a difference in that race that is less than the  
19 designated margin. If at any point in the manual audit of early ballots  
20 the difference between any manual count of early ballots is less than the  
21 designated margin when compared to the electronic tabulation of those  
22 ballots, the electronic tabulation shall be included in the canvass and no  
23 further manual audit of the early ballots shall be conducted.

24 ~~G~~ J. During any hand count of early ballots, the county officer  
25 in charge of elections and election board workers shall attempt to  
26 determine the intent of the voter in casting the ballot.

27 ~~H~~ K. Notwithstanding any other law, the county officer in charge  
28 of elections shall retain custody of the ballots for purposes of  
29 performing any required hand counts and the officer shall provide for  
30 security for those ballots.

31 ~~I~~ L. The hand counts prescribed by this section shall begin  
32 within twenty-four hours after the closing of the polls and shall be  
33 completed before the canvassing of the election for that county. The  
34 results of those hand counts shall be provided to the secretary of state,  
35 who shall make those results publicly available on the secretary of  
36 state's website.

37 ~~J~~ M. For any county in which a hand count has been expanded to  
38 all precincts in the jurisdiction, the secretary of state shall make  
39 available the escrowed source code for that county to the superior  
40 court. The superior court shall appoint a special master to review the  
41 computer software. The special master shall have expertise in software  
42 engineering, shall not be affiliated with an election software vendor nor  
43 with a candidate, shall sign and be bound by a nondisclosure agreement  
44 regarding the source code itself and shall issue a public report to the  
45 court and to the secretary of state regarding the special master's

1 findings on the reasons for the discrepancies. The secretary of state  
2 shall consider the reports for purposes of reviewing the certification of  
3 that equipment and software for use in this state.

4 ~~K.~~ N. The vote count verification committee is established in the  
5 office of the secretary of state and all of the following apply:

6 1. ~~At least thirty days before the 2006 primary election,~~ The  
7 secretary of state shall appoint seven persons to the committee, not more  
8 than three of whom are members of the same political party.

9 2. Members of the committee shall have expertise in any two or more  
10 of the areas of advanced mathematics, statistics, random selection  
11 methods, systems operations or voting systems.

12 3. A person is not eligible to be a committee member if that person  
13 has been affiliated with or received any income in the preceding five  
14 years from any person or entity that provides election equipment or  
15 services in this state.

16 4. The vote count verification committee shall meet and establish  
17 one or more designated margins to be used in reviewing the hand counting  
18 of votes as required pursuant to this section. The committee shall review  
19 and consider revising the designated margins every two years for use in  
20 the applicable elections. The committee shall provide the designated  
21 margins to the secretary of state at least ten days before the primary  
22 election and at least ten days before the general election, and the  
23 secretary of state shall make that information publicly available on the  
24 secretary of state's website.

25 5. Members of the vote count verification committee are not  
26 eligible to receive compensation but are eligible for reimbursement of  
27 expenses pursuant to title 38, chapter 4, article 2. The committee is a  
28 public body and its meetings are subject to title 38, chapter 3, article  
29 3.1 and its reports and records are subject to title 39, chapter 1.

30 Sec. 3. Section 16-663, Arizona Revised Statutes, is amended to  
31 read:

32 16-663. Recount of votes; method

33 A. The superior court to which the facts requiring a recount are  
34 certified shall ~~forthwith~~ PROMPTLY make and enter an order requiring a  
35 recount of the votes cast for such office, measure or proposal. The  
36 recount shall be conducted in accordance with the laws pertaining to  
37 contests of elections.

38 B. ~~When the court orders~~ A COURT-ORDERED recount of votes ~~which~~  
39 ~~THAT~~ were cast and tabulated on electronic voting equipment, ~~such recount~~  
40 shall be pursuant to section 16-664. On completion of the recount, and  
41 for legislative, statewide and federal candidate races only, the county  
42 ~~chairmen~~ CHAIRPERSON of the political parties entitled to continued  
43 representation on the ballot or ~~the chairman's~~ A CHAIRPERSON'S designee  
44 shall select at random without the use of a computer five ~~per cent~~ PERCENT  
45 of the precincts for the recounted race for a hand count, and if the

1 results of that hand count when compared to the electronic tabulation of  
2 that same race are less than the designated margins calculated pursuant to  
3 section 16-602, the recount is complete and the electronic tabulation is  
4 the official result. If the hand count results in a difference that is  
5 equal to or greater than the designated margin for that race, the  
6 ~~procedure~~ PROCEDURES established in section 16-602, subsections ~~C, D, E,~~  
7 ~~and F, applies~~ G, H AND I APPLY.