

Senate Engrossed

ballots; categories; count; identification number

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

SENATE BILL 1375

AN ACT

AMENDING SECTIONS 16-502, 16-602 AND 16-663, ARIZONA REVISED STATUTES;
APPROPRIATING MONIES; 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. EXCEPT FOR PROVISIONAL BALLOTS, EACH BALLOT SHALL BEAR A UNIQUE
12 IDENTIFICATION NUMBER OR OTHER UNIQUE DESIGNATION AS PRESCRIBED BY SECTION
13 16-602.

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

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

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

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

27 2. WITHOUT REGARD TO THE SYSTEM OR METHOD USED TO PRODUCE OR
28 TABULATE BALLOTS, THE COUNTY RECORDER OR OTHER OFFICER IN CHARGE OF
29 ELECTIONS SHALL MAINTAIN A COUNT OF THE NUMBER OF PHYSICAL BALLOTS THAT
30 ARE PRINTED AND THE NUMBER OF BALLOTS THAT ARE OTHERWISE GENERATED IN THE
31 FOLLOWING CATEGORIES, INCLUDING THE AMOUNT OF ANY OVERLAP IN THOSE
32 CATEGORIES, AND, AS EARLY BALLOTS ARE ORDERED, PRINTED, SPOILED AND CAST,
33 SHALL POST THAT INFORMATION ON THE COUNTY'S WEBSITE AS SOON AS PRACTICABLE
34 BUT NOT LATER THAN WITHIN TWO CALENDAR DAYS:

35 (a) EARLY BALLOTS.

36 (b) REGULAR BALLOTS.

37 (c) PROVISIONAL BALLOTS.

38 (d) FEDERAL-ONLY BALLOTS.

39 (e) BALLOTS GENERATED IN AN ELECTRONIC FORM, ITEMIZED BY THE
40 CATEGORIES PRESCRIBED IN THIS PARAGRAPH.

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

43 1. THE BALLOTS SHALL BE INDIVIDUALLY NUMBERED CONSECUTIVELY,
44 BEGINNING WITH THE NUMERAL 1, OR MAY BE NUMBERED USING AN ALPHANUMERIC
45 COMBINATION, AND SHALL BE NUMBERED AND USED IN A MANNER THAT ALLOWS A

1 SPECIFIC NUMERIC RANGE OF BALLOTS TO BE LINKED TO A SPECIFIC VOTING
2 LOCATION. THESE BALLOTS SHALL BE DISTRIBUTED TO VOTERS NONSEQUENTIALLY TO
3 PRESERVE BALLOT SECRECY.

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

11 C. THE OFFICER IN CHARGE OF THE ELECTION SHALL CHOOSE WHICH BALLOT
12 DESIGNATION METHOD TO USE AND SHALL EITHER USE BLANK BALLOT STOCK WITH
13 PREPRINTED NUMBERS OR USE A METHOD OF INDIVIDUALLY NUMBERING THE BALLOTS
14 DURING THE PRINTING PROCESS. BALLOT PRINTING EQUIPMENT SHALL BE
15 CONFIGURED TO PROVIDE FOR TRACKING OF BALLOTS. FOR BALLOTS THAT ARE
16 GENERATED IN AN ELECTRONIC FORM AND THAT ARE SUBSEQUENTLY DUPLICATED, THE
17 OFFICER IN CHARGE OF ELECTIONS SHALL PROVIDE FOR THE DUPLICATE BALLOT TO
18 BE NUMBERED BY USING ONE OF THE BALLOT DESIGNATION METHODS PRESCRIBED BY
19 SUBSECTION B OF THIS SECTION.

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

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

40 1. At least two percent of the precincts in that county, or two
41 precincts, whichever is greater, shall be selected at random from a pool
42 consisting of every precinct in that county. The county political party
43 ~~chairman~~ CHAIRPERSON for each political party that is entitled to
44 continued representation on the state ballot or the ~~chairman's~~
45 CHAIRPERSON'S designee shall conduct the selection of the precincts to be

1 hand counted. The precincts shall be selected by lot without the use of a
2 computer, and the order of selection by the county political party
3 ~~chairmen~~ CHAIRPERSONS shall also be by lot. The selection of the
4 precincts shall not begin until all ballots voted in the precinct polling
5 places have been delivered to the central counting center. The unofficial
6 vote totals from all precincts shall be made public before selecting the
7 precincts to be hand counted. Only the ballots cast in the polling places
8 and ballots from direct recording electronic machines shall be included in
9 the hand counts conducted pursuant to this section. Provisional ballots,
10 conditional provisional ballots and write-in votes shall not be included
11 in the hand counts and the early ballots shall be grouped separately by
12 the officer in charge of elections for purposes of a separate manual audit
13 pursuant to subsection ~~F~~ I of this section.

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

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

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

24 (c) One contested race for federal office, either United States
25 senate or United States house of representatives. If the United States
26 house of representatives race is selected, the names of the candidates may
27 vary among the sampled precincts.

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

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

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

41 3. For the presidential preference election, select by lot two
42 percent of the polling places designated and used pursuant to section
43 16-248 and perform the hand count of those ballots.

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

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

4 6. Each county ~~chairman~~ CHAIRPERSON of a political party that is
5 entitled to continued representation on the state ballot or the ~~chairman's~~
6 CHAIRPERSON'S designee shall select by lot the individual races to be hand
7 counted pursuant to this section.

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

1 8. If a political party is not represented by a designated
2 chairperson within a county, the state chairperson for that political
3 party, or a person designated by the state chairperson, may perform the
4 actions required by the county chairperson as specified in this section.

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

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

34 ~~E.~~ H. If a final hand count is performed for an entire
35 jurisdiction for a race, the final hand count shall be repeated for that
36 race until a hand count for that race for the entire jurisdiction results
37 in a count that is identical to one other hand count for that race for the
38 entire jurisdiction and that hand count constitutes the official count for
39 that race.

40 ~~F.~~ I. After the electronic tabulation of early ballots and at one
41 or more times selected by the ~~chairman~~ CHAIRPERSON of the political
42 parties entitled to continued representation on the ballot or the
43 ~~chairman's~~ CHAIRPERSON'S designee, the ~~chairmen~~ CHAIRPERSONS or the
44 ~~chairmen's~~ CHAIRPERSONS' designees shall randomly select one or more
45 batches of early ballots that have been tabulated to include at least one

1 batch from each machine used for tabulating early ballots and those
2 ballots shall be securely sequestered by the county recorder or officer in
3 charge of elections along with their unofficial tally reports for a
4 postelection manual audit. The ~~chairmen~~ CHAIRPERSONS or the ~~chairmen's~~
5 CHAIRPERSONS' designees shall randomly select from those sequestered early
6 ballots a number equal to one percent of the total number of early ballots
7 cast or five thousand early ballots, whichever is less. From those
8 randomly selected early ballots, the county officer in charge of elections
9 shall conduct a manual audit of the same races that are being hand counted
10 pursuant to subsection ~~B~~ E of this section. If the manual audit of the
11 early ballots results in a difference in any race that is equal to or
12 greater than the designated margin when compared to the electronically
13 tabulated results for those same early ballots, the manual audit shall be
14 repeated for those same early ballots. If the second manual audit results
15 in a difference in that race that is equal to or greater than the
16 designated margin when compared to the electronically tabulated results
17 for those same early ballots, the manual audit shall be expanded only for
18 that race to a number of additional early ballots equal to one percent of
19 the total early ballots cast or an additional five thousand ballots,
20 whichever is less, to be randomly selected from the batch or batches of
21 sequestered early ballots. If the expanded early ballot manual audit
22 results in a difference for that race that is equal to or greater than the
23 designated margin when compared to any of the earlier manual counts for
24 that race, the manual counts shall be repeated for that race until a
25 manual count results in a difference in that race that is less than the
26 designated margin. If at any point in the manual audit of early ballots
27 the difference between any manual count of early ballots is less than the
28 designated margin when compared to the electronic tabulation of those
29 ballots, the electronic tabulation shall be included in the canvass and no
30 further manual audit of the early ballots shall be conducted.

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

34 ~~H~~ K. Notwithstanding any other law, the county officer in charge
35 of elections shall retain custody of the ballots for purposes of
36 performing any required hand counts and the officer shall provide for
37 security for those ballots.

38 ~~I~~ L. The hand counts prescribed by this section shall begin
39 within twenty-four hours after the closing of the polls and shall be
40 completed before the canvassing of the election for that county. The
41 results of those hand counts shall be provided to the secretary of state,
42 who shall make those results publicly available on the secretary of
43 state's website.

1 ~~J.~~ M. For any county in which a hand count has been expanded to
2 all precincts in the jurisdiction, the secretary of state shall make
3 available the escrowed source code for that county to the superior
4 court. The superior court shall appoint a special master to review the
5 computer software. The special master shall have expertise in software
6 engineering, shall not be affiliated with an election software vendor nor
7 with a candidate, shall sign and be bound by a nondisclosure agreement
8 regarding the source code itself and shall issue a public report to the
9 court and to the secretary of state regarding the special master's
10 findings on the reasons for the discrepancies. The secretary of state
11 shall consider the reports for purposes of reviewing the certification of
12 that equipment and software for use in this state.

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

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

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

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

25 4. The vote count verification committee shall meet and establish
26 one or more designated margins to be used in reviewing the hand counting
27 of votes as required pursuant to this section. The committee shall review
28 and consider revising the designated margins every two years for use in
29 the applicable elections. The committee shall provide the designated
30 margins to the secretary of state at least ten days before the primary
31 election and at least ten days before the general election, and the
32 secretary of state shall make that information publicly available on the
33 secretary of state's website.

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

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

41 16-663. Recount of votes; method

42 A. The superior court to which the facts requiring a recount are
43 certified shall ~~forthwith~~ PROMPTLY make and enter an order requiring a
44 recount of the votes cast for such office, measure or proposal. The

1 recount shall be conducted in accordance with the laws pertaining to
2 contests of elections.

3 B. ~~When the court orders~~ A COURT-ORDERED recount of votes which
4 THAT were cast and tabulated on electronic voting equipment, ~~such recount~~
5 shall be pursuant to section 16-664. On completion of the recount, and
6 for legislative, statewide and federal candidate races only, the county
7 ~~chairmen~~ CHAIRPERSON of the political parties entitled to continued
8 representation on the ballot or ~~the chairman's~~ A CHAIRPERSON'S designee
9 shall select at random without the use of a computer five ~~per cent~~ PERCENT
10 of the precincts for the recounted race for a hand count, and if the
11 results of that hand count when compared to the electronic tabulation of
12 that same race are less than the designated margins calculated pursuant to
13 section 16-602, the recount is complete and the electronic tabulation is
14 the official result. If the hand count results in a difference that is
15 equal to or greater than the designated margin for that race, the
16 ~~procedure~~ PROCEDURES established in section 16-602, subsections ~~C, D, E,~~
17 ~~and F,~~ ~~applies~~ G, H AND I APPLY.

18 Sec. 4. Transfer of monies; secretary of state

19 The sum of \$6,000,000 is transferred from the appropriation made to
20 the state treasurer by Laws 2022, chapter 313, section 130 in fiscal year
21 2024-2025 to the secretary of state for distribution to counties to defray
22 the costs of compliance with this act.