

REFERENCE TITLE: election equipment; data; access limitation

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

SB 1516

Introduced by
Senators Sundareshan: Bennett

AN ACT

AMENDING TITLE 16, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTIONS 16-1023 AND 16-1024; RELATING TO ELECTION EQUIPMENT.

(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 7, article 1, Arizona Revised
3 Statutes, is amended by adding sections 16-1023 and 16-1024, to read:

4 16-1023. Electronic voting system components; security; video
5 monitoring

6 A. THIS STATE, A COUNTY OR ANY OTHER POLITICAL SUBDIVISION OF THIS
7 STATE MAY NOT CREATE, ALLOW ANY PERSON TO CREATE OR DISCLOSE TO ANY PERSON
8 AN IMAGE OF THE HARD DRIVE OF ANY ELECTRONIC VOTING SYSTEM COMPONENT
9 WITHOUT THE EXPRESS PERMISSION OF THE OFFICER IN CHARGE OF THE ELECTION.

10 B. THE OFFICER IN CHARGE OF ELECTIONS OR THE OFFICER'S DESIGNEE
11 SHALL KEEP ALL ELECTRONIC VOTING SYSTEM COMPONENTS IN A LOCATION WHERE
12 ENTRY IS CONTROLLED BY USE OF A KEY CARD ACCESS SYSTEM AND SHALL MAINTAIN
13 THE ENTRY LOG CREATED BY THE SYSTEM AS AN OFFICIAL ELECTION RECORD FOR
14 TWENTY-FOUR MONTHS FOLLOWING THE DATE OF ANY ENTRY. THIS SUBSECTION DOES
15 NOT APPLY WHEN ELECTRONIC VOTING SYSTEM COMPONENTS ARE DEPLOYED FOR USE OR
16 STORED AT A VOTING LOCATION.

17 C. THE OFFICER IN CHARGE OF ELECTIONS SHALL MAINTAIN VIDEO
18 MONITORING OF ALL ELECTRONIC VOTING SYSTEM COMPONENTS. THE VIDEO
19 MONITORING SHALL BE OF A TYPE THAT CONTINUOUSLY RECORDS A DESIGNATED
20 LOCATION OR USES MOTION DETECTION THAT RECORDS ONE FRAME PER MINUTE UNTIL
21 DETECTION OF MOTION TRIGGERS CONTINUOUS RECORDING. IF THE VIDEO
22 MONITORING IS DISRUPTED OR DISABLED, THE OFFICER IN CHARGE OF ELECTIONS IS
23 NOT LIABLE FOR THE DISRUPTION BUT SHALL ATTEMPT TO REINSTATE VIDEO
24 MONITORING AS SOON AS IS PRACTICABLE. ANY DISRUPTION IN VIDEO MONITORING
25 MAY NOT AFFECT OR PREVENT THE CONTINUED USE OR APPLICATION OF THE
26 ELECTRONIC VOTING SYSTEM COMPONENTS. THE OFFICER IN CHARGE OF ELECTIONS
27 SHALL MAINTAIN THE VIDEO RECORDING AS AN OFFICIAL ELECTION RECORD FOR
28 TWENTY-FOUR MONTHS FOLLOWING THE DATE THE VIDEO IS CAPTURED. THIS
29 SUBSECTION DOES NOT APPLY WHEN ELECTRONIC VOTING SYSTEM COMPONENTS ARE
30 DEPLOYED FOR USE OR STORED AT A VOTING LOCATION.

31 16-1024. Electronic voting system; authorized access;
32 violation; classification

33 A. IT IS UNLAWFUL FOR A PERSON TO ACCESS WITHOUT AUTHORIZATION FROM
34 THE OFFICER IN CHARGE OF ELECTIONS, TAMPER WITH OR FACILITATE UNAUTHORIZED
35 ACCESS TO OR TAMPERING WITH ANY ELECTRONIC VOTING SYSTEM COMPONENT,
36 ELECTROMECHANICAL VOTING EQUIPMENT OR ELECTION RESULTS REPORTING SYSTEM.

37 B. IT IS UNLAWFUL FOR A PERSON TO KNOWINGLY PUBLISH OR CAUSE TO BE
38 PUBLISHED PASSWORDS OR OTHER CONFIDENTIAL INFORMATION RELATING TO AN
39 ELECTRONIC VOTING SYSTEM. IN ADDITION TO ANY OTHER REMEDIES AND PENALTIES
40 PROVIDED BY LAW, THE OFFICER IN CHARGE OF ELECTIONS SHALL IMMEDIATELY
41 REVOKE THE AUTHORIZED ACCESS RIGHTS OF ANY PERSON WHO VIOLATES THIS
42 SUBSECTION.

1 C. THIS SECTION DOES NOT APPLY TO AUTHORIZED VULNERABILITY
2 DISCLOSURE PROGRAMS OR OTHER PROGRAMS AUTHORIZED BY THE OFFICER IN CHARGE
3 OF ELECTIONS TO VERIFY AND ENSURE THE SECURITY OF THE ELECTRONIC VOTING
4 SYSTEM.

5 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
6 MISDEMEANOR.