

REFERENCE TITLE: election officials; threats; intimidation

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

SB 1518

Introduced by
Senators Sundareshan: Bennett

AN ACT

AMENDING TITLE 16, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 16-1023; RELATING TO ELECTION OFFICIALS.

(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 section 16-1023, to read:
4 16-1023. Election official intimidation; civil action;
5 violation; classification; definition
6 A. IT IS UNLAWFUL FOR A PERSON, WHETHER VERBALLY, IN WRITING OR IN
7 PERSON, TO THREATEN, COERCE OR INTIMIDATE AN ELECTION OFFICIAL WITH THE
8 INTENT TO:
9 1. IMPEDE OR INTERFERE WITH THE ELECTION OFFICIAL WHILE THE
10 ELECTION OFFICIAL IS ENGAGED IN THE PERFORMANCE OF THE ELECTION OFFICIAL'S
11 DUTIES.
12 2. RETALIATE AGAINST THE ELECTION OFFICIAL BASED ON THE ELECTION
13 OFFICIAL'S PERFORMANCE OF THE ELECTION OFFICIAL'S DUTIES.
14 B. IT IS UNLAWFUL FOR ANY PERSON, DIRECTLY OR INDIRECTLY, TO
15 KNOWINGLY MAKE USE OF THREATS OF FORCE, COERCION, VIOLENCE, RESTRAINT,
16 DAMAGE, HARM OR LOSS, INCLUDING LOSS OF EMPLOYMENT OR ECONOMIC REPRISAL,
17 AGAINST AN ELECTION OFFICIAL WITH THE INTENT TO INFLUENCE THE ELECTION
18 OFFICIAL IN THE PERFORMANCE OF THE ELECTION OFFICIAL'S DUTIES.
19 C. IT IS UNLAWFUL FOR A PERSON TO INTENTIONALLY AND PHYSICALLY
20 OBSTRUCT AN ELECTION OFFICIAL FROM ACCESS TO OR EGRESS FROM A VOTING
21 LOCATION, COUNTING CENTER, ELECTIONS OFFICE OR OTHER ELECTIONS FACILITY OR
22 ANY OTHER LOCATION WHERE AN ELECTION OFFICIAL PERFORMS AN OFFICIAL DUTY.
23 D. A PERSON MAY FILE A CIVIL ACTION FOR INJUNCTIVE RELIEF TO
24 PREVENT OR RESTRAIN VIOLATIONS OF THIS SECTION OR TO RECOVER DAMAGES, OR
25 BOTH. THE FILING PARTY MAY SHOW THAT THE ACTION OR ATTEMPTED ACTION WOULD
26 CAUSE A REASONABLE PERSON TO FEEL INTIMIDATED AND IS NOT REQUIRED TO SHOW
27 THAT THE PERSON INTENDED TO CAUSE THE FILING PARTY TO FEEL INTIMIDATED.
28 E. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
29 MISDEMEANOR.
30 F. FOR THE PURPOSES OF THIS SECTION, "ELECTION OFFICIAL" MEANS AN
31 INDIVIDUAL, INCLUDING AN ELECTION BOARD MEMBER, WHO IS ASSIGNED BY THIS
32 STATE OR A POLITICAL SUBDIVISION OF THIS STATE TO PERFORM OFFICIAL DUTIES
33 RELATED TO ELECTIONS.