



Arizona Recommended Election Law Modifications

Poll Observers

Overview of Arizona's Law Relating to Poll Observers

Arizona Revised Statutes (A.R.S.) § 16-590, Arizona's law regarding poll observers, gives too much discretion to county election officials and further limits observer opportunities.

Recommendations

- The Legislature should clarify the degree of discretion election officials have to limit opportunities for party observers to monitor important election processes.
- The Legislature should expand opportunities for poll observers to include any location where meaningful ballot processing occurs.

Permanently Early Voting List

Arizona's Permanent Early Voting List

Arizona's Permanent Early Voting List (PEVL) allows voters to elect to permanently receive their ballot by mail.

Recommendations

- SB 1069, currently being considered in the Arizona Legislature, requires the removal of voters from the PEVL that have not voted in the past two election cycles.
- This would increase the degree to which ballots are effectively delivered to voters without thousands of unused mail ballots from non-participating voters.

Post-Election Audits

Overview of Arizona's Hand Count Audit System

A.R.S. § 16-602 sets forth Arizona's current hand count audit system used to verify the accuracy of election results.

Recommendation

- Arizona should consider implementing a Risk Limiting Audit to bolster the honesty, accuracy, and efficiency of election auditing.
- RLAs are an electronic audit that uses a random sample of the total number of ballots cast to verify whether the votes are accurate.



- RLAs can be used to verify whether election technology is accurately tabulating votes, detect election software issues, and troubleshoot issues with voting equipment.

Settlements and Consent Decrees

Overview of Settlements and Consent Decrees

Due to election litigation settlements, or consent decrees, have an immense influence on election administration and greatly impact election officials down the chain of command.

Recommendations

Arizona should pass House Bill 2302

- HB 2302 would require the Secretary of State to consult with county recorders and election directors before entering into a settlement if the settlement will impact the operations of those election officials.
- Further, the Secretary of State should be required consult the Legislature before entering into a settlement agreement.

Voting Equipment Storage and Security

Arizona Law Regarding Voting Equipment Storage and Security

Arizona lacks laws regarding the proper storage and security of election equipment after Election Day.

Recommendation

Arizona law should be reformed to set forth the standards by which voting equipment is stored and secured.

Causes of Action

Standing for Parties and Candidates

Arizona law does not currently provide parties and candidates the opportunity to bring causes of action to enforce election integrity provisions and ensure these safeguards are being properly and adequately enforced.

Recommendation

The law should be reformed to grant standing to parties and candidates to bring causes of actions to compel election officials to enforce these important election integrity safeguards.