



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

House: GE DPA/SE 7-6-0-0 | 3<sup>rd</sup> Read 31-29-0-0

**HB 2039: elections; hand counts; five percent**

**NOW: elections; five percent; hand counts**

**Sponsor: Representative Griffin, LD 14**

**House Engrossed**

## **Overview**

Expands the hand count threshold to at least five percent.

## **History**

Current statute requires the county officer in charge of the election to conduct a hand count at one or more secure facilities for each countywide primary, special, general and presidential preference election. This hand count is required to be conducted as prescribed by statute and the Elections and Procedures Manual established by the Secretary of State. The hand count must be conducted by selecting, at random from a pool consisting of every precinct in that county, at least two *percent* of the precincts in that county, or two precincts, whichever is greater. The selection of the precincts must not begin until all ballots voted in the precinct polling places have been delivered to the central counting center.

At one or more times selected by the chairman of the political parties entitled to continued representation on the ballot and after the electronic tabulation of early ballots, the chairmen or the chairmen's designees must randomly select one or more batches of early ballots that have been tabulated for a postelection manual audit. From those sequestered early ballots, the chairmen must randomly select a number equal to one percent of the total number of early ballots cast or 5,000 early ballots, whichever is less. From those randomly selected early ballots, the county officer in charge of elections will conduct a manual audit of the same races that are being hand counted pursuant to statute ([A.R.S. § 16-602](#)).

## **Provisions**

1. Increases the hand count threshold to at least *five* percent of precincts in the county, or the number of precincts as determined by the vote count verification committee that is required to achieve a statistical significance consisting of a 99% confidence level with a margin of error of 1% based on the total number of ballots cast in that county on election day, whichever is greater. (Sec. 1)
2. Requires the hand count to be conducted at the precinct level. (Sec. 1)
3. Specifies that a voting center is deemed to be a precinct for purposes of the hand count. (Sec. 1)
4. Modifies the hand count threshold for the presidential preference election to *five* percent of the polling places or the number of precincts as determined by the vote count verification committee that is required to achieve a statistical significance consisting of a 99% confidence level with a margin of error of 1% based on the total number of ballots cast in that county, whichever is greater and perform the hand count. (Sec. 1)

5. Requires the county political party chairmen to participate in the hand count and provide a sufficient number of qualified electors to act as election board members for that hand count. (Sec. 1)
6. Stipulates that for a county with a population of 800,000 people or more, the chairmen or their designee must randomly select from the sequestered early ballots 10,000 early ballots or the number of early ballots determined by the vote count verification committee that is required to achieve a statistical significance of a 99% confidence level with a margin of error of 2% based on the total number of ballots cast in that county, whichever is greater. (Sec. 1)
7. Specifies that for a county with a population of less than 800,000 people, the chairman or their designee must randomly select from the sequestered early ballots the number as determined by the vote count verification committee that is required to achieve a statistical significance of a 99% confidence level with a margin of error of 3% based on the total number of ballots cast in that county. (Sec. 1)
8. Makes a technical change. (Sec. 1)

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