



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

VETOED

FACT SHEET FOR H.B. 2613

voting equipment; requirements; origin

Purpose

Prohibits, beginning January 1, 2028, the Secretary of State (SOS) from certifying a vote recording and vote tabulating machine unless 100 percent of the machine's components are sourced from and manufactured in the United States.

Background

All components of a voting system must be certified by the SOS prior to use in any election for federal, state or county office. The SOS must appoint a three-member committee to investigate and test various types of vote recording and tabulating machines or devices that may be used for elections. The committee must submit recommendations to the SOS, who makes final adoption of the types, makes and models of elections machines and devices to be certified for use in Arizona. After consultation with the committee, the SOS must adopt standards for the loss of certification for elections machines and devices. The SOS may revoke the certification of any voting system or device if the person or firm: 1) installs, uses or allows the use of a voting system or device that is not certified for use or approved for experimental use in Arizona; or 2) uses or includes hardware, firmware or software in a version that is not certified for use or approved for experimental use in a certified voting system or device. Elections machines and devices may only be used in Arizona at any federal, state or county office if the machines and devices have been tested and approved by a laboratory that is accredited pursuant to the federal Help America Vote Act of 2002 ([A.R.S. § 16-442](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits, beginning January 1, 2028, the SOS from certifying a vote recording and vote tabulating machine or device used for elections for federal, state or county offices unless:
 - a) 100 percent of the machine's or device's parts and components are sourced from the United States; and
 - b) 100 percent of the machine's or device's manufacturing and assembly is performed in the United States.
2. Exempts vote recording and tabulating machines and devices that are acquired before January 1, 2028, from the prohibition.
3. Makes technical changes.
4. Becomes effective on the general effective date.

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Governor's Veto Message

The Governor indicates in her [veto message](#) that H.B. 2613 could create a situation where Arizona's election administrators are no longer able to procure certifiable voting and tabulating equipment.

House Action

MOE 2/15/23 DP 6-4-0-0
3rd Read 3/7/23 31-29-0

Senate Action

ELEC 3/20/23 DP 5-3-0
3rd Read 5/10/23 16-14-0

Vetoed by the Governor on 5/16/23

Prepared by Senate Research

May 22, 2023

AN/CS/slp