



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-4-0-0

HB 2785: primary; identification; canvass; recounts; ballots

Sponsor: Representative Kolodin, LD 3

House Engrossed

Overview

An emergency measure that modifies certain procedures and deadlines related to the conduct of elections.

Provisions

Primary Election Date

1. Designates July 30, 2024, as the date on which the 2024 primary election must be held. (Sec. 20)

Canvass Requirements

2. Specifies the Board of Supervisors must canvass an election no later than:
 - a) for primary elections, the second Monday after the election; and
 - b) for general elections, the third Thursday after the election. (Sec. 13)
3. Specifies the Secretary of State must canvass an election no later than:
 - a) for primary elections, the third Thursday after the election; and
 - b) for general elections, the third Monday after the election. (Sec. 13)
4. States the governing board of city, town or special districts must meet and canvass an election not less than six days and not more than twenty days after the election. (Sec. 13)
5. Prohibits the Board of Supervisors from postponing the canvass of primary and general elections. (Sec. 13)
6. Authorizes the Board of Supervisors to deliver an electronic copy of the official canvass to the Secretary of State provided that they first mail the official canvass with a postmark or similar date and time indicator. (Sec. 15)
7. Allows the Secretary of State to conduct and issue the statewide canvass upon receipt of the electronic copy of the official canvass from the Board of Supervisors if the electronic copy includes a scan or other evidence that the official canvass was mailed before the electronic version was sent. (Sec. 15)

Automatic Recount Provisions

8. Directs the Secretary of State to certify the facts requiring a recount to the Maricopa County Superior Court within 24 hours of the last county canvass if the county canvasses show that a recount is required. (Sec. 17)
9. Allows a required hand count audit of recount results to begin before the machine tabulation of ballots for the recount is complete. (Sec. 18)

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10. Requires the Secretary of State to conduct logic and accuracy testing on the automated tabulating system to be used in a recount not more than two calendar days after the court orders a recount. (Sec. 19)
11. Establishes minimum requirements for contracted staff conducting logic and accuracy testing. (Sec. 19)

Signature Verification

12. Asserts that all signatures that cannot be cured or verified must be rejected. (Sec. 6)
13. Directs the County Recorder or officer in charge of elections to conduct signature verification on all early ballots, except for early ballots tabulated on-site. (Sec. 7)
14. Requires the evaluator to examine all broad characteristics of signatures. (Sec. 7)
15. Authorizes the evaluator to accept a signature as valid if the broad characteristics of the signature on the ballot affidavit are clearly consistent with the broad characteristics of the voter's signature in the voter's registration record. (Sec. 7)
16. Instructs the evaluator to examine the local characteristics of a signature if the evaluator finds discrepancies between the signature on the ballot affidavit and the voter's signature in the voter's registration record. (Sec. 7)
17. Specifies that if the local characteristics of the signature on the ballot affidavit are clearly consistent with the local characteristics of the signature on the voter's registration record, the evaluator may accept the signature as valid. (Sec. 7)
18. Directs the evaluator to flag a signature for a second review if they find a combination of broad and local characteristic differences between the signature on the ballot affidavit and the signature in the voter's registration record. (Sec. 7)
19. Clarifies that an evaluator conducting a second review must use the same standards outlined above. (Sec. 7)
20. Requires electronic signatures to be evaluated using the standards outlined above. (Sec. 7)
21. Mandates electronic signatures using typed font be rejected. (Sec. 7)
22. Contains a Legislative intent statement specifying that the illustrations of broad and local characteristics in the Secretary of State's 2020 signature verification guide are intended to be used as a reference. (Sec. 7)
23. Defines *broad characteristics*, *evaluator*, *local characteristics* and *signature verification*. (Sec. 7)

Signature Curing

24. Specifies, as session law, for primary, general or special elections that include a federal office in 2024, 2025 and 2026 the County Recorder or officer in charge of elections must allow signatures to be corrected no later than the fifth calendar day after the election. (Sec. 22)
25. Instructs the County Recorder or officer in charge of elections, to submit a daily, updated list of all voters with missing or inconsistent signatures to the two largest political parties in the state during the following periods:
 - a) once the first missing or mismatched signature is identified after the period of early voting begins through the Monday preceding the election; and

- b) the Wednesday immediately following the election through the fifth calendar day after primary, general or special elections that include a federal office or three business days after any other election. (Sec. 6)
26. Mandates specified information to be included in the list of voters whose signatures require curing. (Sec. 6)
 27. Modifies, from five business days to five calendar days after a primary general or special election that includes a federal office, the signature cure period. (Sec. 6)
 28. Directs the County Recorder's and city and town clerks' offices to be open and to allow for signatures to be cured during the Friday and weekend before and after primary, general or special elections that include a federal office. (Sec. 6)

Early Voting Provisions

29. Specifies that the processing and tabulation of individual ballots may begin immediately upon receipt of early ballots and must continue without delay until completed. (Sec. 6)
30. Prohibits, until election day, the County Recorder, early election board or officer in charge of elections from:
 - a) accessing any aggregated complete results file of early voting and vote by mail ballots that were processed and tabulated by the end of the early voting period;
 - b) producing, for internal or external use, an aggregated results report or any associated files of complete results; and
 - c) publicly releasing any complete or partial results until all precincts have reported or one hour before the closing of the polls, whichever is earlier. (Sec. 6)
31. Allows the County Recorder, early election board or officer in charge of elections to produce a partial results report or associated files if it is part of the internal preparation for a hand count audit or the logic and accuracy testing. (Sec. 6)
32. Requires the County Recorder or officer in charge of elections to post all system log files and other similar files from the election management system on their website to verify compliance with the requirements outlined above. (Sec. 6)
33. Allows, beginning in 2026, a voter to provide identification when presenting their mailed early ballot at any voting location and if the following requirements are met the voter's early ballot is deemed ready for tabulating and additional signature verification is not required:
 - a) the voter presents valid identification that complies with the law;
 - b) the election official confirms the voter's name and address on their identification reasonably matches the name and address in the voter's registration record; and
 - c) the election official must stamp the signed affidavit with a stamp that reads ID Verified and place the affidavit containing the early ballot in a secured ballot box labeled for early ballots. (Sec. 10)
34. Requires election officials to:
 - a) maintain a tally of the number of ballots that are deposited in the secured ballot box labeled for verified early ballots;
 - b) sign an affidavit that includes the election official's name, the polling location, the time and date, the number of early ballots deposited according to the tally and a statement sufficient to record and maintain the chain of custody for verified ballots. (Sec. 10)

35. Alters, from 5:00 p.m. to 7:00 p.m. on the Friday before the election, the time by which an on-site early voting location established by the County Recorder may remain open. (Sec. 4)
36. Conforms the printed instructions sent to early voters with the appropriate requirements outlined in this bill. (Sec. 5)

Pre-Election Procedures

37. Reduces, from five to two calendar days after receiving the sample ballot, the time during which the county chairman of each political party, and any candidate in that election who has submitted and confirmed their email address, must suggest any proposed changes to their party's ballot. (Sec. 2, 3)
38. Clarifies that signatures on a nomination petition form that were collected prior to the effective date of this act, that includes the previous primary election date of August 6, 2024, may be lawfully submitted for the July 30, 2024, primary election. (Sec. 21)
39. States that local initiative petition forms that were circulated prior to the effective date of this act and include the previous primary election date of August 6, 2024, may be lawfully submitted for the July 30, 2024, primary election. (Sec. 21)

Provisional Ballot Research

40. Decreases, from ten to five calendar days after a primary, general or special election that includes a federal office, the time period during which provisional ballots must be researched and verified. (Sec. 11)
41. Decreases, from five to three business days after all other elections, the time period during which provisional ballots must be researched and verified. (Sec. 11)

Miscellaneous Provisions

42. Instructs, beginning in 2026, the Arizona Department of Administration to coordinate with state and county agencies to provide available and appropriate state-owned facilities for use as voting locations in city, county and state elections when requested by the officer in charge of elections. (Sec. 1)
43. Contains an emergency clause. (Sec. 23)
44. Makes technical and conforming changes. (Sec. 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 18)

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