



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1360

ballot processing; electronic adjudication; limitation

Purpose

Prohibits the use of machines, devices, firmware or software that contain artificial intelligence or learning hardware, firmware or software for an election in Arizona.

Background

The Secretary of State (SOS) must appoint a three-member Equipment Certification Advisory Committee (Committee) to investigate and test the various types of vote recording or tabulating machines or devices used for elections. The Committee must submit recommendations to the SOS, who must make a final adoption of the types, makes or models certified for use in elections. 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 uses a voting system or device, hardware, firmware or software that is not certified for experimental use in Arizona. Machines or devices that lose certification may not be used for any election in Arizona unless recertified. The SOS or a governing body of a city or town may provide for the experimental use of a voting system or device without a final adoption of the system or device and its use would be as valid as if the machines had been permanently adopted ([A.R.S. § 16-442](#)).

If any ballot is damaged or defective and cannot be properly counted by automatic tabulating equipment, a duplicate copy must be made and substituted for the ballot in the presence of witnesses. If the counting center automatic tabulating equipment includes a certified electronic vote adjudication feature, the county board of supervisors or officer in charge of elections must appoint an electronic vote adjudication board (adjudication board) to: 1) adjudicate and submit for tabulation a ballot that is read by the tabulation machine as blank to determine if voter intent is clear; or 2) tally write-in choices. The electronic vote adjudication process used by the adjudication board must provide for: 1) a method to track and account for the original ballot and the digital duplicate of the ballot created by the electronic vote adjudication feature that includes a serial number on the digital image; 2) logs of all digital duplication and adjudication actions performed by an adjudication board; and 3) the retention of the original ballot and the digital duplicate of the ballot ([A.R.S. § 16-621](#)).

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

Provisions

1. Prohibits the use of machines, devices, firmware or software that contain artificial intelligence or learning hardware, firmware or software for an election in Arizona.

2. Prohibits the use of artificial intelligence or learning software or firmware to:
  - a) process early ballots;
  - b) verify and check the voter's affidavit; and
  - c) electronically adjudicate vote.
3. Removes the authority of the SOS and the governing body of a city or town to provide for the experimental use of a voting system or device without a final adoption of the voting system.
4. Makes technical changes.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Makes technical changes.

Senate Action

ELEC            2/05/24    DPA            5-3-0

Prepared by Senate Research

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AN/cs