



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

FACT SHEET FOR S.B. 1695

election violations; disenfranchisement; new election

Purpose

Prohibits the canvass of an election if election laws were violated and resulted in the disenfranchisement of at least one percent of eligible voters in certain counties and requires a new election to be held.

Background

The governing body conducting an election must canvass the election results of each precinct or election district between 6 days and 24 days following the election ([A.R.S. § 16-642](#)). The purpose of the canvass is to officially certify the election. The canvass includes the vote total for all races tabulated by voting equipment, including early ballots, regular ballots and provisional ballots as well as write-in votes ([EPM Ch. 13 \(13\)\(II\)](#)). The canvass must be made in public by opening the returns and determining the vote of the county, by polling places, for each person voted for and the vote against each proposed measure on the ballot ([A.R.S. § 16-643](#)).

The governing body of a special district must present a certified copy of the official canvass of the election to the county board of supervisors (county BOS) at their next regularly scheduled meeting. The canvass is not complete until it is presented to the board of supervisors. If the returns from a polling place in the election district where the polls were opened and an election was held are found to be missing, the canvass must be postponed until all returns are received or until six postponements have occurred ([A.R.S. § 16-642](#)). A declaration of result, commission or certificate may not be withheld or denied for reasons relating to defect or informality in regard to the returns of an election in any precinct, if the facts that the returns disclose can be ascertained ([A.R.S. § 16-644](#)).

Statute outlines election requirements, including election conduct and procedures ([A.R.S. Title 16](#)).

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

Provisions

1. Prohibits, for a primary and general election in a county with a population of more than 1,000,000 persons or more, the county BOS, county recorder and county officer in charge of elections from canvassing the results of an election in which:
  - a) election laws were violated; and
  - b) the violations resulted in the disenfranchisement of one percent or more of the eligible voters in the county.

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2. Requires the county BOS, county recorder and county officer in charge of elections to hold a new primary or general election if election laws were violated and if the violations resulted in the disenfranchisement of one percent or more of the eligible voters in the county.
3. Requires any member of the county BOS who violates the requirements relating to the disenfranchisement of voters to forfeit their office.
4. Becomes effective on the general effective date.

Prepared by Senate Research

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AN/slp