

REFERENCE TITLE: elections; counting center; observation

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1053

Introduced by
Senators Gray C, Blendu

AN ACT

AMENDING SECTION 16-621, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2007,
CHAPTER 259, SECTION 1; RELATING TO ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-621, Arizona Revised Statutes, as amended by
3 Laws 2007, chapter 259, section 1, is amended to read:

4 16-621. Proceedings at the counting center

5 A. All proceedings at the counting center shall be under the direction
6 of the board of supervisors or other officer in charge of elections and shall
7 be conducted in accordance with the approved instructions and procedures
8 manual provided for in section 16-452 under the observation of
9 representatives of each political party, **A REPRESENTATIVE OF A CANDIDATE FOR
10 NONPARTISAN OFFICE, A REPRESENTATIVE OF A POLITICAL COMMITTEE IN SUPPORT OF
11 OR IN OPPOSITION TO A BALLOT MEASURE, PROPOSITION OR QUESTION** and the public,
12 but no persons except those authorized for the purpose shall touch any ballot
13 or ballot card or return. All persons who are engaged in processing and
14 counting of the ballots shall be deputized in writing and take an oath that
15 they will faithfully perform their assigned duties. There shall be no
16 preferential counting of ballots for the purpose of projecting the outcome of
17 the election. If any ballot is damaged or defective so that it cannot
18 properly be counted by the automatic tabulating equipment, a true duplicate
19 copy shall be made of the damaged ballot in the presence of witnesses and
20 substituted for the damaged ballot. All duplicate ballots shall be clearly
21 labeled "duplicate" and shall bear a serial number which shall be recorded on
22 the damaged or defective ballot.

23 B. If for any reason it becomes impracticable to count all or a part
24 of the ballots with tabulating equipment, the officer in charge of elections
25 may direct that they be counted manually, following as far as practicable the
26 provisions governing the counting of paper ballots.

27 C. For any statewide, county or legislative election, the officer in
28 charge of elections shall provide for a live video recording of the custody
29 of all ballots that are located in the counting center from the time that
30 those ballots are received for counting until all ballots are tabulated. The
31 live video recording shall be linked to the secretary of state's website, and
32 the secretary of state shall post the video coverage for viewing by the
33 public. The officer in charge of elections shall record the video coverage
34 of the ballots at the counting center and shall retain those recordings as a
35 public record.