



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

House: FMAE DP 4-3-0-0

HB 2440: attorney general; election certification; prohibition

Sponsor: Representative Keshel, LD 17

Caucus & COW

Overview

Prohibits the Attorney General from prosecuting a member of a Board of Supervisors for voting against the certification of an election in specified circumstances.

History

The governing board of a county must meet and canvass the results of a primary election no later than the second Monday after the election or the third Thursday after the general election. The secretary of state must conduct their election canvass no later than the third Thursday after the primary election or the third Monday after the general election ([A.R.S. § 16-642](#)).

Provisions

1. Prohibits the Attorney General from bringing criminal or civil actions against a County Board of Supervisors member based on their vote against the certification of an election canvass if they do so in a good faith belief or if they have been presented documentation or evidence showing irregularities or errors in the election process. (Sec. 1)
2. Specifies the measure does not preclude the Attorney General from investigating or prosecuting other election-related offenses not directly tied to a member of the County Board of Supervisors voting against an election canvass certification. (Sec. 1)
3. Defines *good faith belief* and *documentation or other evidence*. (Sec. 1)
4. Contains a delayed effective date of January 1, 2026. (Sec. 2)
5. Contains a severability clause. (Sec. 3)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note