



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

FACT SHEET FOR S.B. 1064

voting equipment; internet; custody; violation

Purpose

Prescribes various security requirements for vote recording equipment and tabulating equipment that is certified for use in elections in Arizona.

Background

The Secretary of State (SOS) is required to appoint a three-person committee that is tasked with investigating, testing and recommending various types of vote recording or tabulating machines or devices that may be used in elections. Any machines or devices used for elections in Arizona must comply with the Help America Vote Act of 2002 and must have been tested and approved by an accredited laboratory. The SOS may also revoke certification of any voting system or device if a person or firm uses or includes hardware, firmware or software in a version that is not certified for use or approved for experimental use in a certified voting system or device ([A.R.S. § 16-442](#)).

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

Provisions

1. Requires the SOS to ensure that vote recording and vote tabulating machines and devices approved for use in elections:
  - a) have all operating systems and software configured to the appropriate level of security consistent with best practices in standards issued by the U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency;
  - b) not have hardware installed that supports internet connectivity or any other form of remote access or software that allows any change to results in files or a database;
  - c) support the usage and tracking of users based on unique credentials that are changed at least once per election cycle for each user;
  - d) log any deletions of ballot images, windows event logs and results files, as well as maintain election software logs; and
  - e) maintain prescribed data as election data for 22 months.
2. Prohibits any voting equipment that is used in a polling place or voting center, notwithstanding any other law, from having internet access or any access to data or results.
3. Requires any accessible ports on voting equipment to be locked with tamper-proof seals.

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4. Requires chain of custody documents to log:
  - a) when tamper-proof seals are broken or accessed; and
  - b) the delivery, use and return of the equipment so that the name and signature of every person who delivers, receives uses and returns the equipment is recorded and retained as an official election record.
5. Prohibits, notwithstanding any other law, any tabulation equipment used in a central counting center or other tabulation center from having internet access or access to any data or results by any means until used by authorized election personnel.
6. Requires any accessible ports on tabulating equipment to be locked with tamper-proof seals and requires the chain of custody document to log when tamper-proof seals are broken or accessed.
7. Prohibits anyone except authorized personnel and political party observers from being present at the tabulation of votes.
8. Requires chain of custody documents to log the use and return of equipment that contains election results and data, including any removeable data storage devices, so that the name and signature of every person who delivers, receives, uses and returns the storage device or other equipment that contains election data and results is recorded and retained as an official election record.
9. Requires two observers who are not members of the same political party to be present at all times for any removeable storage device, including the insertion and removal of the device and during any transportation of the device.
10. Prohibits a removeable storage device from being under the sole custody of one person.
11. Requires all activities at the counting center, notwithstanding any other law, to be included in a nonstop video that is posted to the county's website.
12. Classifies a violation of requirements and prohibitions relating to vote recording and tabulating equipment as a class 1 misdemeanor.
13. Makes technical and conforming changes.
14. Becomes effective on the general effective date.

Prepared by Senate Research

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