



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1288

electronic ballot adjudication; prohibition

Purpose

Prohibits the use of an electronic vote adjudication system and requires, for damaged or defective ballots that cannot be properly counted by the automatic tabulating equipment, a duplicate copy of the ballot to be made by hand.

Background

All proceedings at a counting center are under the direction of the county board of supervisors (county BOS) and officer in charge of elections. If any ballot is damaged or defective in a way that it cannot be properly counted by the automatic tabulating equipment, a duplicate copy of the ballot must be made and substituted for the defective ballot in the presence of witnesses. All duplicate ballots must be clearly labeled and bear a serial number that connects it to the damaged or defective ballot. If the counting center automatic tabulating equipment includes a certified electronic vote adjudication feature, the county BOS or officer in charge of elections must appoint an electronic vote adjudication board (adjudication board). The adjudication board must: 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 county BOS and officer in charge of elections from using an electronic vote adjudication system.
2. Requires, for a ballot that is damaged or defective and cannot be properly counted by the automatic tabulating equipment, a true duplicate copy of the damaged or defective ballot to be made by hand.
3. Makes conforming changes.
4. Becomes effective on the general effective date.