



ARIZONA STATE SENATE
Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1360

election observers; access

Purpose

Requires election observers to be allowed to have uniform access to all stages of the election process, be allowed to document their observations, ask questions of election officials and receive timely answers and be allowed to be in proximity to the process closely enough to observe whether the process is being conducted correctly. Outlines a process for eviction of an election observer and an appeal process.

Background

Political party observers may observe various activities at a voting location, at a central counting place and at each point where ballots are handled or transferred from one election official to another. County recorders or other officers in charge of elections may remove any political party observers for failure to comply with a request to cease an activity that interferes with the election process or violates state or federal law. In the case of a question, the observer may speak solely to the designated point of contact and not to other poll workers or staff. The officer in charge of elections or inspector may prohibit observers from using electronic devices in the voting location or central counting place if doing so would interfere with or impede the election procedures or staff ([E.P.M Ch. 8 \(III\)\(C\)\(D\)\(E\)](#)).

All counting center proceedings are open to observance of representatives of each political party and the public where three additional observers representing determined parties may be included ([A.R.S. § 16-621](#)).

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

Provisions

1. Requires all election observers to be allowed:
 - a) uniform access to all stages of the election process, beginning with ballot design through tabulation of the final vote;
 - b) to document their observations, ask questions of election officials and receive timely answers; and
 - c) to be in proximity to the process closely enough to observe whether the process is being conducted correctly.
2. Stipulates that election observers may only be ejected for significant concerns, approved by the inspector and the marshal.

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3. Allows the political party chairman, upon notification from an ejected election observer, to appeal the ejection to the county recorder, whose decision is final.
4. Becomes effective on the general effective date.

Prepared by Senate Research

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MH/HW/slp