



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1574

voting irregularities; report; legislative review

Purpose

Requires a county recorder or other officer in charge of elections to maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting. Asserts that records of the chain of custody for all election equipment and ballots are public records and subject to legislative subpoena. Classifies, as a class 2 misdemeanor, a violation of outlined recording keeping requirements.

Background

A county recorder may establish on-site early voting locations at the county recorder's office, which must be open and available for use beginning the same day that the county begins to mail out early ballots. A county recorder may also establish any other necessary early voting locations in the county ([A.R.S. § 16-542](#)). A county board of supervisor (county BOS) may pass a resolution authorizing the county recorder or other officer in charge of elections to establish emergency voting centers ([A.R.S. § 16-411](#)). As a result of an emergency between 5:00 p.m. on the Friday preceding an election and 5:00 p.m. on the Monday preceding an election, an elector may request to vote at an emergency voting center established by the county BOS. An *emergency* is any unforeseen circumstances that would prevent the elector from voting at the polls ([A.R.S. § 16-542](#)).

The county recorder or other officer in charge of elections must maintain records that record the chain of custody for all election equipment and ballots during early voting through the completion of provisional voting tabulation ([A.R.S. §. 16-621](#))

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

Provisions

1. Requires a county recorder or other officer in charge of elections to maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting and requires the record to describe the:
  - a) irregularity;
  - b) location where the irregularity occurred;
  - c) location where irregularity was discovered;
  - d) persons who were present when the irregularity occurred and when it was discovered; and
  - e) any response to the irregularity from election officials.
2. Requires a county recorder or other officer in charge of elections, within 30 days of an election, to provide the record to the President of the Senate and Speaker of the House of Representatives and provide a copy of the record to the Secretary of State.

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3. Classifies, as a class 2 misdemeanor, a violation of requirements related to:
  - a) records and reporting of voting irregularities; and
  - b) chain of custody records for election equipment and ballots.
4. Asserts that required chain of custody records for all election equipment and ballots are public records and subject to legislative subpoena.
5. Becomes effective on the general effective date.

Prepared by Senate Research

February 10, 2022

MH/MF/slp