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ARIZONA'S CITIZEN ENGAGEMENT MANUAL

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Chapter 1: Voter Registration

I. Arizona's Voter Registration Requirements

A person is qualified to *register* to vote in Arizona if the resident:

- Is a United States citizen;
- Will be 18 years old by the date of the next general election;
- Is a resident for at least 29 days prior to the next election, except as provided in A.R.S. § 16-126;
- Can write the resident's name (or make the resident's mark), unless prevented from doing so by physical disability;
- Has not been convicted of treason or a felony, unless their civil rights have been restored; and
- Has not been adjudicated an "incapacitated person" by a court with their voting rights revoked, as defined in A.R.S. § 14-5101.

Ariz. Const. Art. VII, § 2; A.R.S. § 9-822(A); A.R.S. § 16-101; A.R.S. § 16-126(A); A.R.S. § 16-152.

A. Citizenship Requirement

A registrant must be a U.S. citizen to be qualified to register to vote. Ariz. Const. Art. VII, § 2; A.R.S. § 16-101(A)(1); 18 U.S.C. § 611(a). U.S. citizenship must be sworn to when registering to vote. In addition, under Arizona's bifurcated or dual-track voter registration system, an acceptable form of documentary proof of citizenship (DPOC) is required to be registered as a "full-ballot" voter. *See Arizona v. Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1 (2013). A "full-ballot" voter is entitled to vote for all federal, state, county, and local races as well as state and local ballot measures for which the voter qualifies. *Ariz. Atty Gen. Op.* I13-011.

An otherwise eligible registrant who does not submit DPOC and whose U.S. citizenship cannot be verified via AZMVD records or other record in the statewide voter registration database is registered as a "federal-only" voter. A "federal-only" voter is eligible to vote solely in races for federal office in Arizona (including the Presidential Preference Election (PPE)).

B. Proof of Residency

Except for UOCAVA registrants, a person who registers to vote shall provide an identifying document that establishes proof of location of residence. A.R.S. § 16-123. However, a person who registers using a Federal Form need not provide such documentation to vote in federal elections. Accordingly, a person who registers using a Federal Form and who does not provide such documentation should be registered as a "federal-only" voter and cannot be registered as a "full-ballot" voter until such documentation is provided.

The following documents establish proof of location of residence:

- A valid Arizona driver license or an Arizona nonoperating identification license (“AZ-issued ID”) with a photograph, name, and address regardless of whether the address on the AZ-issued ID is the same as the address on the voter registration form or includes a P.O. Box.
- Any single document that satisfies the ID at the polls requirement (§16-579(A)(1)) will satisfy DPOR, but it is not an exhaustive list of the documents that can be used to satisfy. A.R.S. § 16-123.
- Tribal members or other Arizona residents are not required to have a standard street address for their home to satisfy A.R.S. § 16-123. Any Tribal identification document, including but not limited to a census card, an identification card issued by a tribal government, or a tribal enrollment card, regardless of whether the Tribal identification document contains a photo, a physical address, a P.O. Box, or no address.
- A valid form of identification that bears the photograph, name and address of the elector that reasonably appear to be the same as the name and address on the voter registration form such as a United States federal, state, or local government issued identification.
- Documents that do not contain a photograph, but contain the name and address of the elector that reasonably appear to be the same as the name and address on the voter registration form, including:
 - a utility bill,
 - a bank or credit union statement that is dated within ninety days of the date of the election,
 - a valid Arizona vehicle registration,
 - an Arizona vehicle insurance card,
 - a property tax statement,
 - a recorder's certificate,
 - a voter registration card,
 - a valid United States federal, state or local government issued identification or
 - any mailing that is labeled as "official election material".
- A valid form of identification that bears the photograph, name and address of the elector except that if the address on the identification does not reasonably appear to be the same as the address in the voter registration or the identification is a valid United States military identification card or a valid United States passport and does not bear an address, the identification must be accompanied by one of the items listed above in item 5 of this paragraph.
- Written confirmation signed by the registrant that they qualify to register pursuant to A.R.S. § 16-123(B), regarding registrants that do not live at a permanent, fixed, or private structure.

Frequently Asked Questions regarding proof of residency:

Q1: *Is the number from an AZ driver license or nonoperating identification (DL/MVD#) sufficient to satisfy DPOR?*

A: Yes. The number on a valid and unexpired Arizona driver license or nonoperating identification, which is properly verified by the county recorder, satisfies the DPOR requirement.

Q2: *If an Arizona resident does not provide documentary proof of residence (“DPOR”), but is otherwise eligible to register to vote in Arizona, can the person still be a registered voter?*

A: Yes, the voter will be eligible to register as a Federal Only voter. To become a full ballot voter, the registrant shall provide DPOR.

Q3: Will a voter registration card satisfy the DPOR requirement?

A: Yes. A voter registration card is listed as one form of acceptable documents for DPOR. Similarly, other forms of identification that may be used to provide DPOR include a recorder’s certificate or any “official election mail” received by the voter.

Q4: If the address on a registrant’s driver license doesn’t match the address on the voter registration form, will the AZ-issued ID satisfy the DPOR requirement?

A: Yes. A valid unexpired Arizona driver license or nonoperating ID is acceptable, regardless of whether the address on the AZ-issued ID matches the address on the ID-holder’s voter registration form and even if the AZ-issued ID lists only a P.O. Box.

C. Litigation related to voter registration.

Following the passage of two bills passed by the Legislature in 2022 (HB2243 and HB2492), eight separate lawsuits were filed in the Federal District Court of Arizona challenging the numerous changes to Arizona’s voter registration laws (the lawsuits collectively are referred to as the “Mi Familia Vote v. Fontes case”). Despite the litigation, both bills went into effect on January 1, 2023. The Secretary of State and all 15 County Recorders are named Defendants in these lawsuits.

In two separate rulings on September 14, 2023 and February 29, 2024, the Federal District Court addressed the challenges to the 2022 legislative changes.

There were three legislative changes related to the minimum requirements for voter registration, and the court disposed of those statutory changes as follows:

- a. The Checkbox Requirement: The new legislation prescribed that an application for registration must contain a checkmark in the "yes" box next to the question regarding citizenship to vote a full ballot or a voter who is eligible to vote only with a ballot for

federal offices. If the checkmark was omitted, the registration would be deemed incomplete, and the person would not be registered to vote. In response to the legal challenge, the court upheld the requirement indicating that a registrant shall check the box affirming U. S. citizenship [A.R.S. § 16-121.01(A)], but County Recorders shall not reject a State voter registration if the registrant provides DPOC and is otherwise eligible to vote.

- b. Proof of Location of Residence: The new legislation created the requirement that a person who registers to vote shall provide an identifying document that establishes proof of location of residence. A.R.S. § 16-123. The court upheld the State's interest in seeking documentary proof of residence ("DPOR"). However, voter registrations that lack DPOR, but the registrant is otherwise eligible to vote, shall be registered as Federal Only voters.
- c. Birthplace requirement. The new legislation also required voters to provide their "place of birth" or their registration would be deemed incomplete. A.R.S. § 16-121.01(A). The court held that requiring the place of birth was not material to a person's eligibility to register to voter and the requirement violates federal law. As a result, the state or country of birth on the voter registration form will remain as an optional field, not a requirement. A.R.S. § 16-152(A)(7).

The 2022 legislative changes also create more onerous citizenship requirements by imposing a mandate on any voter registration form, other than the one prescribed by the Election Assistance Commission ("EAC"), be accompanied by satisfactory proof of citizenship or the registration had to be rejected. Only persons who used the EAC form could be eligible to be a "Federal Only" voter if their registration was not accompanied by DPOC. The court struck down these more onerous citizenship requirements based on a previous court order, which is referred to as the LULAC Consent Decree. In turn, the court ruled that the County Recorders shall accept any voter registration form including State Form applications that are submitted without DPOC and immediately register the applicants for federal elections, provided the applicant is otherwise qualified and the voter registration form is sufficiently complete. A.R.S. § 16-121.01(C).

Another 2022 legislative change was the requirement on County Recorders to monthly compare persons who are Federal Only voters registered to vote in that county with the systematic alien verification for entitlements (SAVE) program maintained by the United States citizenship and immigration services if the County Recorder has reason to believe those voters are not United States citizens. A.R.S. § 16-165(I). Because the application of this "Reason to Believe Provision" subjects only naturalized citizens to database checks, the court held that A.R.S. § 16-165(I) violated federal law and is unenforceable.

In addition, the Legislature mandated monthly checks of databases against the voter registrations database, if practicable. A.R.S. §16-165(G)-(K). These monthly checks were challenged in the litigation as a violation of the National Voter Registration Act's prohibition on any systematic removal provision within 90 days of a federal election. The court agreed. A County Recorder must complete any program to systematically cancel registration records at least 90 days before a primary or general election. [52 U.S.C. § 20507\(c\)\(2\)\(A\)](#).

Systematic programs include the cancellation of records through the NVRA process described in. Systematic programs also include potential cancellation of records based on periodic summary reports from jury commissioners or jury managers, as well as periodic notices from the Secretary of State based on a review of Arizona Department of Transportation data. However, the 90-day prohibition does not preclude cancellation of records based on:

- Automatic cancellations through the statewide voter registration system of hard matches based on death, felony conviction, or mental incapacitation;
- Merging/cancellation of duplicate records (whether manual or automatic) when processing new voter registration forms;
- Cancellation at the request of the registrant; and
- Cancellation of records added to the voter registration database in error. [52 U.S.C. § 20507\(c\)\(2\)\(B\)](#).

Lastly, the 2022 legislative changes singled out Federal Only voters and imposed new restrictions on their voting rights. Federal Only voters would not be eligible to voter in presidential elections [A.R.S. § 16-127(A)(1)] nor would Federal Only voters be eligible to voter early by mail [A.R.S. § 16-127(A)(2)]. The court held that both of those restrictions on Federal Only voters violated federal law and were unenforceable.

Restoration of Voting Rights in Arizona

The Arizona Legislature passed Laws 2022, Ch. 199 (H.B. 2119), which modified the process related to the restoration of civil rights of someone convicted of a felony. Under Arizona law, an individual's civil rights are suspended following a felony conviction, which include the right to vote, to hold public office, to serve as a juror, and to possess a firearm.¹ This guide is intended to clarify when and how a person's right to vote will be restored following the conviction of a felony.

Summary of Recent Legislation

Arizona's updated restoration of rights law ensures clearer procedures for those convicted of multiple felonies, regardless of where they occurred.

First, Arizona now requires the court's sentencing order and judgment of guilt to explain the civil rights that will be automatically restored and/or when the individual can apply to have their civil rights restored. The law also requires the probation department or Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) to provide a copy of this to each person that completes probation or receives an absolute discharge from imprisonment. Thus, individuals will receive an additional notification from the state regarding the status of their rights and when they become eligible for restoration, assuming they have paid victim restitution.

Second, Arizona amended its restoration of rights statutes to clarify the proper procedures since the new notification requirements do not apply retroactively, and it was previously unclear when and how individuals with multiple convictions or convictions outside Arizona could restore their rights.

A person is no longer required to file supporting documentation with an application, such as a certificate of absolute discharge or an affidavit from a judicial officer of discharge from probation. However, please note that the court may request this information to verify if the applicant is entitled to automatic restoration.²

How to Restore Your Voting Rights

All residents must first complete probation, parole and/or receive an absolute discharge from imprisonment before applying to restore their civil rights, but the correct after this depends on several variables, including (1) whether you have prior felony convictions, (2) whether some or all of your convictions took place outside of the Arizona court system, and (3) whether you have paid all victim restitution and other court-ordered fines and fees. Please see the following sections to determine where you must file an application if one is necessary.

If you are to file an application to restore your rights, please see the end of this guide to find contact information for the Clerk of Court of your County's Superior Court. The Clerk of Court will provide the proper form you may submit to start your application, as some counties have their own form.

¹ Ariz. Const. Art. 7 § 2; Ariz. Rev. Stat. §§ 13-904(A), 16-101(A)(5).

² Ariz. Rules of Crim. Pro. 30.1(f).

Additionally, please note you may be asked to provide documentation of your discharge from probation or absolute discharge from imprisonment. You may obtain this documentation by calling your County's Probation Office or the ADCRR.

Please note:

- First, this guide focuses on restoring the right to vote. Other suspended civil rights, such as the right to possess a firearm, may require additional steps to restore or vary depending on the nature of your conviction. Please see A.R.S. §§ 13-906, 13-907, 13-908 and 13-910 or consider seeking legal advice to restore those rights that are beyond the scope of this guide.
- Second, upon restoration of your rights, you must submit a new voter registration form to exercise the right to vote. The suspension of your civil rights automatically cancels your voter registration. Please contact your County's Recorder's Office for any additional questions about voter registration.

If you have received one felony conviction:

If you have not previously been convicted of a felony and you have paid all victim restitution, you are entitled to automatic restoration of your right to vote upon the completion of probation or absolute discharge from imprisonment-- which includes all probation or parole. A.R.S. § 13-907.

1. If your conviction occurred inside Arizona: you do not need to file an application with the Superior Court where you were convicted or where you reside, as your rights will be automatically restored. You may file an application to “certify automatic restoration of civil rights” with the court where you were convicted instead of an application to “restore civil rights” if you wish to receive confirmation. If an individual files an unnecessary application, the court now must grant it without receiving a response from the state or holding a hearing. A.R.S. § 13-907(A).

2. If your conviction occurred in another state or in the federal court system: you must file an application to restore your civil rights—the restoration of your rights is only automatic in the sense that it is non-discretionary. A.R.S. § 13-907(B). You may file this application in the Superior Court of the county where you now reside for both federal convictions and convictions in other states.

If you have received multiple felony convictions:

Arizona does not offer automatic restoration of rights for those with multiple convictions, but you may apply for restoration at the discretion of the judicial officer.

1. If you received multiple convictions inside Arizona: you must file for restoration in each jurisdiction where you were convicted. This may require filing multiple applications to the Superior Court in each county where you were convicted.

2. If you received multiple convictions in another state and/or in the federal court system: Arizona now allows residents with felony convictions in another state to seek restoration of their civil rights through the County Superior Court where they now reside, meaning this procedure now reflects

the procedure for those with federal felony convictions. You will need to file an application listing all your convictions, including federal and other state felony convictions.

3. If you received multiple convictions between Arizona courts and other jurisdictions: you may file in the county where you now reside to restore rights lost from convictions received in other states or in federal courts. However, if you received felony convictions in a different Arizona county *as well as* in other states or federal courts, you may need to file a separate application to that Arizona jurisdiction where you were convicted as well as to the Superior Court where you now reside.

Contact Your County Superior Court

You can find the contact information for each County's Clerk of Court here:

- [Apache County Superior Court](#) – Clerk's Office (928) 337-7550
- [Cochise County Superior Court](#) – Clerk's Office (520) 432-8600 (Bisbee) and (520) 803-3060 (Sierra Vista)
- [Coconino County Superior Court](#) – Clerk's Office (928) 679-7600
- [Gila County Superior Court](#) – Clerk's Office (928) 402-8866 (Globe) and (928) 474-3978 (Payson)
- [Graham County Superior Court](#) – Clerk's Office (928) 428-3100
- [Greenlee County Superior Court](#) – Clerk's Office (928) 865-4242
- [La Paz County Superior Court](#) – Clerk's Office (928) 669-6131
- [Maricopa County Superior Court](#) – Clerk's Office (602) 372-5375
- [Mohave County Superior Court](#) – Clerk's Office (928) 753-0713 (Kingman), (928) 453-0701 (Lake Havasu City) and (928) 758-0730 (Bullhead City)
- [Navajo County Superior Court](#) – Clerk's Office (928) 524-4188
- [Pima County Superior Court](#) – Clerk's Office (520) 724-4200
- [Pinal County Superior Court](#) – Clerk's Office (520) 866-5300
- [Santa Cruz County Superior Court](#) – Clerk's Office (520) 375-7700
- [Yavapai County Superior Court](#) – Clerk's Office (928) 771-3312
- [Yuma County Superior Court](#) – Clerk's Office (928) 817-4222

Chapter 2:

Candidate Nomination Petition Procedures and Challenges

This *Chapter* will address the nomination and write-in candidacy procedures for partisan and nonpartisan elections for the July 30, 2024 Primary Election, and the November 5, 2024 General Election *and* will outline the general procedures for candidate nomination petition challenges.

I. NOMINATION PROCEDURES

A. Candidates for Partisan Federal, State, and Local Office

A candidate may run for partisan office by obtaining a nomination or running as a write-in candidate. There are two methods for obtaining a nomination and having a candidate’s name printed on the ballot in a partisan election: one reserved for candidates running under recognized party labels, and one reserved for “independent” candidates (*i.e.*, those not affiliated with a recognized political party).

In lieu of seeking a nomination, a person may run as a write-in candidate if the person files the required documentation in advance of the election and, for primary write-in candidates seeking to have their name placed on the general election ballot, meets applicable minimum vote requirements. This section outlines the requirements to run for partisan public offices in Arizona, with the exception of President of the United States.

1. Nomination for Public Office

For partisan elections, a candidate (other than a presidential or precinct committeeman candidate) must be nominated by one of two methods in order to appear on a general election ballot.

- A candidate may be nominated by winning a recognized political party’s primary election. [A.R.S. § 16-311](#).
- An independent candidate may be nominated by obtaining nomination petition signatures from qualified electors, known as “nomination other than by primary.” [A.R.S. § 16-341](#).

a. Nomination by Primary Election

Except for a candidate for U.S. Senator or Representative in Congress, a candidate seeking nomination for the general election ballot through a recognized political party’s primary election must be a qualified elector in the electoral district for the office sought at the time of filing and a member of the political party for which the candidate is seeking a nomination beginning no later than the date of the first signature on the candidate’s nomination petition through the date of the general election at which the person is a candidate. [A.R.S. § 16-311\(A\)](#).

To qualify for a primary election ballot, a candidate must timely file the following documents with the appropriate filing officer:

- A statement of interest;¹

¹ A statement of interest is not required for candidates for special taxing districts, candidates for precinct committeeman, or candidates for President or Vice President of the United States. [A.R.S. § 16-311\(H\)](#); [A.R.S. § 16-341\(I\)](#). However, candidates for the office of presidential elector are required to file a statement of interest. [A.R.S. § 16-341\(G\)](#); *Clayton v. West*, 251 Ariz. 226, 489 P.3d 394 (2021).

- A nomination paper for the office sought;²
- A requisite number of nomination petition signatures; and
- A financial disclosure statement.³

[A.R.S. § 16-311.](#)

i. Statement of Interest

Certain candidates seeking a primary election nomination or nomination other than by primary must file a statement of interest with the appropriate filing officer no later than the date of their first petition signature. Signatures collected before the filing of the statement of interest are subject to challenge. [A.R.S. § 16-311\(H\)](#); [A.R.S. § 16-341\(I\)](#).

ii. Nomination Petition Signatures

A candidate seeking a primary election nomination must file: (1) a minimum, and no more than the maximum, number of valid nomination petition signatures, as applicable to the office sought, with their nomination paper; and (2) if applicable, a financial disclosure statement. [A.R.S. § 16-314\(A\)-\(B\)](#); [A.R.S. § 16-322](#).

Nomination signatures may be gathered on a paper nomination petition form prescribed by [A.R.S. § 16-315\(A\)](#) or, for federal, statewide, legislative, county, and city/town, through the Secretary of State’s online signature portal known as E-Qual. [A.R.S. § 16-315\(A\)](#); [A.R.S. § 16-316](#); [A.R.S. § 16-317](#); [A.R.S. § 16-318](#).

A nomination petition signer must be a qualified elector who is registered to vote in the electoral jurisdiction or district in which the candidate seeks office at the time of signing. [A.R.S. § 16-321\(B\)](#). In partisan elections, the petition signer also must be registered to vote with the same recognized political party from which the candidate is seeking a nomination, with a political party not recognized for continued representation on the ballot, or as an independent or unaffiliated voter (*i.e.*, the voter must not be registered with a different recognized political party than that of the candidate whose petition they are signing).⁴ [A.R.S. § 16-321\(F\)](#). “Federal-only” voters are only eligible to sign nomination petitions for federal candidates and may not sign nomination petitions for state or local candidates. [AG Opinion I13-011\(R13-016\) 2013](#).

² A candidate for the office of state mine inspector must also sign an affidavit attesting that they fulfill the statutory qualifications for the office and file it with their nomination papers prescribed by [A.R.S. § 16-311](#); [A.R.S. § 16-312](#); [A.R.S. § 16-341](#), [A.R.S. § 27-121\(B\)](#).

³ [A.R.S. § 16-311\(H\)\(1\)](#); [A.R.S. § 18-444\(A\), \(F\)](#); [A.R.S. § 38-543](#). Title 48 special district candidates, school district governing board candidates, and precinct committeeman candidates are not required to file a financial disclosure statement. *See* [A.R.S. § 38-543](#); [A.R.S. § 38-541\(8\)](#). A federal candidate is also not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State. [A.R.S. § 19-221](#).

⁴ This rule applies to all partisan nomination petitions, regardless of whether or not the candidate’s political party’s primary election is open to independent/unaffiliated voters.

An elector may only sign one nomination petition for the same office unless more than one candidate is to be elected for that office. For example, an elector may only sign one candidate's petition for state senate but may sign two candidates' petitions for state house. If an elector signed more nomination petitions than permitted, only the earlier signatures are deemed valid. If the duplicate signatures were signed on the same date, all signatures signed by the elector on that date are deemed invalid. [A.R.S. § 16-321\(A\), \(C\)](#).

Depending on the type of candidacy, the minimum number of nomination petition signatures may be based on the number of persons qualified to sign a candidate's petition, the number of registered voters in a jurisdiction, the number of votes cast in a jurisdiction, or a static number of signatures. See [A.R.S. § 16-322\(A\)-\(C\)](#).

The Secretary of State must prepare sample nomination petition forms for use in federal, statewide, legislative, county, city, and town elections. [A.R.S. § 16-315\(C\)](#). The Secretary of State may prescribe the method of filing nomination petitions for federal, statewide, and legislative offices, including but not limited to the electronic creation and filing of petitions. [A.R.S. § 16-315\(E\)](#).

iii. Filing Officer Processing of Nomination Petition Signatures

A filing officer shall reject nomination petitions for failure to file by the applicable deadline or failure to file the minimum number of required petition signatures. A more detailed discussion of the limited bases for a filing officer to reject candidate filings. See Section I(F) below.

If there is no basis to reject a candidate filing, the filing officer must count the nomination petition signatures to ensure the minimum number of signatures has been filed. A nomination petition signature line should be counted by the filing officer if it contains at least:

- An address, description of place of residence, or P.O. Box;
- A signature in either the signature or printed name column *or* a printed name in the signature column; and
- A date containing, at minimum, a month and day.

Although nomination petition signature lines that are missing a signature but contain a printed name, or use a P.O. Box as a residence address, are presumed valid and counted in the filing officer's determination of the number of signatures submitted, such signatures may be subject to legal challenge.

If the candidate submits more than the maximum number of signatures permitted, the filing officer may accept the filing and review the signature lines up to the point at which the candidate exceeds the maximum when counting only valid signature lines. The filing officer must deem invalid, and, therefore, need not review, signature lines beyond the maximum.

The filing officer must issue a receipt to the candidate or candidate's committee. If the candidate meets the minimum signature threshold for the office sought, the candidate is qualified for the ballot, subject to any subsequent court challenges or candidate withdrawals.

iv. Deadline to File Nomination Documents

A candidate seeking a primary nomination must file a nomination paper, nomination petitions and, if applicable, financial disclosure statement between 150 and 120 days before the primary election. [A.R.S. § 16-311\(A\)-\(B\), \(E\)-\(F\), \(H\)](#); [A.R.S. § 16-314\(A\)](#).

- **First day to file nomination papers and petition signatures: 3/2/2024**
- **Last day to file nomination papers and petition signatures: 4/1/2024 at 5:00p.m.**

However, a statewide or legislative candidate seeking public funding under the Citizens Clean Elections Act may file these nomination documents with the Secretary of State as early as January 2 of an election year. [A.R.S. § 16-951\(B\)](#).

A candidate seeking a primary nomination in a special election to fill a congressional vacancy must file a nomination paper and nomination petitions no more than 30 days after the date of the Governor's proclamation calling the special election. [A.R.S. § 16-222\(B\)\(2\)](#).

A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the primary election ballot. [A.R.S. § 16-311\(E\)-\(F\)](#).

b. Independent Nomination (Other than by Primary)

In lieu of seeking a nomination through a political party primary, a candidate who is not registered with a recognized political party (*i.e.*, an “independent” or “unaffiliated” candidate) may be nominated for partisan office by filing the requisite number of nomination petition signatures with the filing officer. Such an “independent” or “unaffiliated” candidate who meets this threshold will be placed directly on the general election ballot, along with a three-letter “party” designation. [A.R.S. § 16-502\(E\)](#). However, a candidate may not seek a nomination in this manner if the candidate filed nomination petitions for the primary election and failed to qualify due to insufficient valid signatures. [A.R.S. § 16-341\(A\)-\(B\)](#).

Similar to candidates seeking nomination by political party primary, candidates seeking independent nomination must timely file a statement of interest, nomination paper, and a requisite number of nomination petition signatures with the appropriate filing officer. [A.R.S. § 16-341\(E\), \(J\)\(1\)-\(2\)](#); [A.R.S. § 16-314\(A\)](#); [A.R.S. § 16-311\(D\)](#). Non-federal candidates must also file a financial disclosure statement if applicable.⁵ A federal candidate is not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State. [A.R.S. § 19-221](#).

i. Nomination Petition Signatures

An independent candidate must collect nomination petition signatures equal to at least 3% of all registered voters in the jurisdiction in which the candidate is running who are not registered with a recognized political party, based on voter registration totals reported by the Secretary of State or County Recorder, as applicable, as of January 2nd in the general election year. There is no limit or maximum number of

⁵ [A.R.S. § 16-311\(H\)\(1\)](#); [A.R.S. § 18-444\(A\), \(F\)](#); [A.R.S. § 38-543](#). Title 48 special district candidates, school district governing board candidates, and precinct committeemen candidates are not required to file a financial disclosure statement. See [A.R.S. § 38-543](#); [A.R.S. § 38-541\(8\)](#).

signatures that may be submitted for an independent candidate. Although the minimum number of signatures required is based on the number of voters not registered with a recognized political party, any person who is registered to vote in the state, county, subdivision, or district for which the candidate is nominated is eligible to sign the nomination petition without regard to the signer's party affiliation.

Nomination signatures may be gathered on a hard-copy independent nomination petition form prescribed by the Secretary of State or, for federal, statewide, legislative, county, and city/town candidates, through the Secretary of State's online signature portal known as E-Qual.

A filing officer must process (and in appropriate cases reject) independent nomination petition signatures in the same manner as partisan and nonpartisan nomination petitions. Likewise, if an independent candidate's nomination petitions are challenged in court, the applicable County Recorder must review the challenged signatures in the same manner as partisan or nonpartisan nomination petitions.

[A.R.S. § 16-316](#); [A.R.S. § 16-317](#); [A.R.S. § 16-318](#); [A.R.S. § 16-341](#).

ii. Deadline to File Independent Nomination Documents

Like candidates seeking nomination through a political party primary:

- A candidate seeking a nomination other than by primary (to be placed on the general election ballot) must file an independent nomination paper, independent nomination petitions, and a financial disclosure statement between 150 and 120 days before the primary election, [A.R.S. § 16-341\(C\)](#); and
- An independent statewide or legislative candidate seeking public funding under the Citizens Clean Elections Act may file these nomination documents with the Secretary of State as early as January 2 of an election year. [A.R.S. § 16-951\(B\)](#)

An independent candidate seeking a nomination in a special election to fill a congressional vacancy must file a nomination paper and nomination petitions no more than 30 days after the date of the Governor's proclamation calling the special election. [A.R.S. § 16-222\(B\)\(2\)](#).

A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the general election ballot. [A.R.S. § 16-341\(K\)](#).

2. **Write-In Candidacy**

In lieu of collecting nomination petition signatures to qualify for a primary or general election ballot, a person may run as a write-in candidate. Becoming an official write-in candidate requires the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. [A.R.S. § 16-312](#). A list of official write-in candidates is posted at voting locations but is not included in the early ballot mailing.

To qualify as an official write-in candidate, a candidate must timely file a write-in nomination paper and, if applicable, a financial disclosure statement with the appropriate filing officer. [A.R.S. § 16-312\(C\)](#); [A.R.S. § 18-444\(A\), \(F\)](#); [A.R.S. § 38-543](#). A write-in candidate must, at the time of filing, be a qualified

elector of the county or district the candidate seeks to represent and must have been a resident of that county or district for 120 days before the date of the election. [A.R.S. § 16-312\(A\)](#). However, a one-year residency requirement applies for city or town candidates. [A.R.S. § 16-312\(A\)](#); [A.R.S. § 9-232\(A\)](#).

A federal write-in candidate is not required to file a financial disclosure statement but has the option to file a statement on recall with the Secretary of State.

A person may not seek a write-in candidacy in the primary or general election if the candidate filed a nomination petition for the primary election and failed to submit a sufficient number of valid signatures, withdrew from the primary election after a petition challenge in court, or was removed from the primary election ballot or otherwise found to be ineligible by a court of law. In addition, if the candidate ran and lost in the preceding primary election or did not receive the requisite number of votes required to proceed to the general election, that candidate may not seek a write-in candidacy in the general election for the same office. [A.R.S. § 16-312\(F\)\(1\)-\(4\)](#); [A.R.S. § 9-821.01](#); [A.R.S. § 16-645](#).

The required documents must be filed no earlier than 150 days before the election and no later than 5:00 p.m. on the 40th day before the election, except: (i) a write-in candidate to fill a vacancy that occurs after the official ballots have been printed must file the required nomination documents no later than five days before the election; and (ii) a write-in candidate who intends to run in a school district, community college district, special taxing district, or precinct committeeman election that may be canceled due to an insufficient number of candidates seeking election must file the required nomination documents no later than 106 days before the election in question. [A.R.S. § 16-312\(B\)](#); [A.R.S. § 16-343\(D\)](#). A statewide or legislative candidate may not use public funding under the Citizens Clean Elections Act to run as a write-in candidate. [A.R.S. § 16-950\(E\)](#); [A.R.S. § 16-961\(F\)\(2\)](#).

B. Candidates for Nonpartisan Office

A candidate seeking nomination for a nonpartisan office must be a qualified elector in the electoral district for the office sought at the time of filing. [A.R.S. § 16-311\(B\)](#). There are specific requirements for eligibility to serve in city and town offices, on school district governing boards, and on special district boards pursuant to Title 9, Title 15, and Title 48, respectively. In addition, the “resign-to-run” law provisions apply to nonpartisan candidates.

Similar to candidates for partisan office, candidates for nonpartisan office may run by filing nomination documents or by filing documents to run as an official write-in candidate.

1. Nonpartisan Nomination

To qualify to appear on the ballot, a candidate for nonpartisan office must timely file the following nomination documents with the appropriate filing officer:

- A statement of interest;⁶
- A nomination paper for the office sought; and

⁶ A statement of interest is not required for candidates for special taxing districts, candidates for precinct committeeman, or candidates for President or Vice President of the United States. [A.R.S. § 16-311\(H\)](#); [A.R.S. 16-341\(I\)](#).

- A requisite number of nomination petition signatures.

[A.R.S. § 16-311](#). Candidates for nonpartisan office are generally not required to file a financial disclosure statement.⁷ However, cities and towns must require candidates to file a financial disclosure statement consistent with state law. [A.R.S. § 38-545](#).

All nomination documents must be filed between 150 and 120 days before the election. [A.R.S. § 16-311\(B\)](#). A candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day of the filing period is not eligible to have their name printed on the ballot. [A.R.S. § 16-311\(I\)](#).

- **First day to file nomination papers and petition signatures: 6/8/2024**
- **Last day to file nomination papers and petition signatures: 7/8/2024 at 5:00p.m.**

For nonpartisan elections in cities and towns, a candidate may be elected at the primary election and a general (run-off) election is not required if the candidate received a majority of votes. [A.R.S. § 9-821.01](#). Additionally, charter cities may differ in their scheduling of candidate elections based on the number of candidates running for office.

2. Write-In Candidacy

In lieu of collecting nomination petition signatures to qualify to appear on the ballot, a person may run as an official write-in candidate for a nonpartisan office. Becoming an official write-in candidate requires the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. [A.R.S. § 16-312](#).

To qualify as an official write-in candidate, a candidate must timely file a write-in nomination paper and, if applicable, a financial disclosure statement with the appropriate filing officer. A write-in candidate must, at the time of filing, be a qualified elector of the county or district the candidate seeks to represent and must have been a resident of that county or district for 120 days before the date of the election. However, a one-year residency requirement applies for city or town candidates. [A.R.S. § 16-312\(A\), \(C\)](#); [A.R.S. § 9-232\(A\)](#); [A.R.S. § 38-541\(6\)](#); [A.R.S. § 38-545](#).

A person may not seek a write-in candidacy if the candidate filed a nomination petition for that election and failed to submit a sufficient number of valid signatures, withdrew from the election after a petition challenge in court, was removed from the election ballot, or was otherwise found to be ineligible by a court of law. [A.R.S. § 16-312\(F\)\(1\)-\(4\)](#); [A.R.S. § 9-821.01](#); [A.R.S. § 16-645](#).

The required documents must be filed no earlier than 150 days before the election and no later than 40 days before the election at 5:00 PM, except: (i) a write-in candidate to fill a vacancy that occurs after the official ballots have been printed must file the required nomination documents no later than five days before the election; and (ii) a write-in candidate who intends to run in a school district, special taxing district, or precinct committeemen election that may be canceled due to an insufficient number of

⁷ Title 48 special district candidates, school district governing board candidates, and precinct committeemen candidates are not required to file a financial disclosure statement. See [A.R.S. § 38-543](#); [A.R.S. § 38-541\(8\)](#).

candidates seeking election must file the required nomination documents no later than 106 days before the election in question. [A.R.S. § 16-312\(B\)](#); [A.R.S. § 16-343\(D\)](#).

For nonpartisan special district elections, the candidate(s) who receive the highest number of votes is elected. [Ariz. Const. Art. VII § 7](#). For elections in cities and towns, a candidate may be elected at the primary election and a general (run-off) election is not required if the candidate received a majority of votes. [A.R.S. § 9-821.01](#). Additionally, charter cities may differ in their scheduling of candidate elections based on the number of candidates running for office.

C. Resign to Run

The “resign-to-run” law provides that except during the final year of the term being served, an incumbent holding a salaried elective office (whether through election or by appointment) must resign their current office before filing a nomination paper and seeking nomination or election to any other salaried federal, state, or local public office. [Ariz. Const. Art. XXII, § 18](#); [A.R.S. § 38-296\(A\)](#). An incumbent of a salaried elected office shall be deemed to have offered themselves for nomination or election to a salaried local, state or federal office on the filing of a nomination paper pursuant to [A.R.S. § 16-311\(A\)](#). An incumbent of a salaried elected office is not deemed to have offered themselves for nomination or election to an office by making a formal declaration of candidacy for the office. [A.R.S. § 38-296\(B\)](#).

Violation of the resign-to-run law results in the incumbent’s present office being “declared vacant.” [A.R.S. § 38-296\(E\)](#). To enforce this provision, the Attorney General, applicable County Attorney, or a person entitled to rightfully hold the office must file a *quo warranto* action in court. [A.R.S. § 12-2041](#); [A.R.S. § 12-2042](#); [A.R.S. § 12-2043](#); *Jennings v. Woods*, 194 Ariz. 314, 982 P.2d 274 (1999).

D. Running For U.S. President

A candidate may run for U.S. President in Arizona by one of two methods: obtaining a nomination or running as a write-in candidate. See *Running for U.S. President in Arizona: A Candidate Guide*.

Absent a successful challenge, a nomination means the presidential candidate’s name will appear on the general election ballot in a presidential election year. There are two methods for obtaining a nomination: one reserved for candidates running under recognized party labels, and one reserved for “independent” or party-unaffiliated candidates.

- A candidate seeking the nomination of a recognized political party usually runs in the Presidential Preference Election (PPE). However, the presidential and vice-presidential candidates that ultimately appear on the general election ballot will be formally nominated by party delegates at national conventions held during the summer preceding the election. As a prerequisite to placement of their nominees on the general election ballot, each recognized political party must timely submit the names of presidential electors who will cast votes for the winning candidate in the Electoral College.

- Alternatively, a candidate may qualify as an independent presidential candidate by collecting nomination petition signatures.⁸ If the candidate meets the requisite signature threshold, the candidate and their vice-presidential running mate (along with a “party” designation of the candidates’ choice) will appear on the general election ballot.

In lieu of seeking a nomination, a person may run as a write-in presidential candidate if the person files required documentation by the applicable deadline in advance of the general election.

1. Presidential Preference Elections

A PPE is only open to candidates seeking the nomination of a recognized political party. Write-in candidates are prohibited from participating in the PPE. [A.R.S. § 16-243\(B\)](#); [A.R.S. § 16-244](#); [A.R.S. § 16-247](#).

Candidates seeking to appear on their political party’s PPE ballot must meet the constitutional qualifications for President of the United States and submit valid nomination documents before the filing deadline. The candidates who receive the most votes at the PPE will be entitled to have their party’s delegates from the State of Arizona vote for them at their political party’s national convention. [A.R.S. § 16-243\(B\)](#); [U.S. Const. Art. II, § 1, cl. 5](#).

a. Required Documents for Running in the PPE

A candidate may qualify for the PPE ballot by filing with the Secretary of State: (i) a PPE nomination paper; and (ii) PPE nomination petition with the requisite number of signatures, or certificates of presidential preference ballot qualification from at least two other states. [A.R.S. § 16-242\(A\), \(E\)](#); [A.R.S. § 16-311\(A\)-\(B\), \(D\), \(G\)](#).

i. PPE Nomination Petition Signatures

A presidential candidate may qualify for the PPE ballot by filing a minimum number of nomination petition signatures with the nomination paper. A PPE candidate must collect at least 500 nomination petition signatures from qualified electors. For a recognized political party that has at least 50,000 registered voters in Arizona, only qualified electors registered with that political party may sign the nomination petition. For a recognized political party with less than 50,000 registered Arizona voters, any registered voter may sign the nomination petition. [A.R.S. § 16-242\(C\)](#).

ii. Alternative to Submitting Nomination Petition Signatures

In lieu of filing nomination petition signatures, a presidential candidate may submit official documentation from at least two other states proving that the candidate previously qualified for the partisan party ballot in that state. Such documentation may be from the chief election office, commission, or board. A signed letter on official government letterhead will suffice. Only states with primary-style (not caucus) presidential preference elections are eligible for this reciprocity. [A.R.S. § 16-242\(E\)](#).

⁸ While a statement of interest is not required for candidates for President or Vice President of the United States, [A.R.S. § 16-311\(H\)](#); [A.R.S. § 16-341\(I\)](#), candidates for the office of presidential elector are required to file a statement of interest. *Clayton v. West*, 251 Ariz. 226, 489 P.3d 394 (2021).

b. Deadline to File Nomination Documents

A presidential candidate must file a PPE nomination paper and PPE nomination petitions or certificates of ballot qualification between 130 and 100 days before the PPE. If the deadline for filing falls on a weekend or legal holiday, the nomination documents must be filed by the next business day. A presidential candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have their name printed on the PPE ballot. [A.R.S. § 16-242\(B\)](#).

c. Opting Out of the PPE

Participation in the PPE by an eligible party is not mandatory. See *Arizona State Democratic Committee v. Hull*, No. CV 96-00909 (Ariz. Super. 1996). If an eligible party chooses not to participate in the PPE, the state party's chairperson must notify the Secretary of State in writing by September 1st (or the next business day if that date falls on a weekend or state holiday) of the year preceding the PPE for every PPE thereafter. The Secretary of State will promptly notify county officials and provide further instructions as needed.

The presidential nominee of eligible parties who opt out of the PPE may appear on the general election ballot so long as their party chairpersons nominate presidential electors as prescribed by statute and by the statutory deadline. [A.R.S. § 16-344](#).

2. Presidential Nomination Through Party Convention

Presidential and vice-presidential candidates who were nominated by recognized political parties at national party conventions will appear on the general election ballot, contingent on the state political party's timely submission of presidential electors' nomination documents to the Secretary of State.

a. Required Documents for Nomination of Presidential Electors

The state chairperson of a recognized political party must file nomination papers for its presidential electors, equal to the number of U.S. Senators and members of the U.S. House of Representatives from Arizona. [A.R.S. § 16-344](#).

b. Deadline to File Nomination Documents

The state chairperson of a recognized political party must file presidential elector nomination papers no later than 10 days after the primary election. A recognized political party that does not file the requisite presidential elector nomination papers by 5:00 p.m. on the last day for filing is not eligible to have its presidential, vice-presidential, or presidential elector names printed on the general election ballot. [A.R.S. § 16-344\(A\)](#).

3. Independent Presidential Candidates

A candidate who is not affiliated with a recognized political party label may seek nomination as an "independent" candidate. If the candidate meets the requisite signature threshold, the candidate, their vice-

presidential running mate, and their electors (along with a “party” label of the candidates’ choice) will appear on the general election ballot.

To qualify as an independent presidential candidate on the general election ballot, a candidate must file the following documents with the Secretary of State:

- A letter of consent;
 - An independent presidential candidate must file a letter with the Secretary of State designating the candidate’s vice-presidential running mate and the names of their presidential electors, including each person’s signed consent to be designated as such. The letter of consent is separate from the nomination papers that must be filed. The wording of the letter is left to the candidate’s discretion, as long as the letter is signed by the vice-presidential running mate and each presidential elector. [A.R.S. § 16-341\(I\)](#). The letter may be a single document signed by the vice-presidential candidate and all electors or it may be separate letters for each individual elector and the vice-presidential candidate.
- Independent nomination papers for the presidential, vice-presidential, and presidential elector candidates; and
- Independent nomination petitions signed by the requisite number of valid signers.

An independent presidential candidate must submit nomination petition signatures equal to at least 3% of registered voters in the state who are not registered with a recognized political party. The number of unaffiliated registered voters is determined on the basis of voter registration totals reported by the Secretary of State as of January 2nd in the general election year. [A.R.S. § 16-341\(E\)-\(G\)](#).

Any registered voter may sign the petition as long as the voter has not signed another presidential elector nomination petition for the same presidential election. A “federal-only” voter is qualified to sign. [A.R.S. § 16-341\(G\)](#). Otherwise, the same rules for signing and circulating a nomination petition apply to independent presidential nomination petitions.

An independent presidential candidate must file a letter of consent, nomination papers, and nomination petitions between 100 and 80 days before the general election. [A.R.S. § 16-341\(G\), \(J\)](#). “A nomination petition for the office of presidential elector shall be filed not less than eighty nor more than one hundred days before the general election. The petition shall be signed only by qualified electors who have not signed the nomination petitions of a candidate for the office of presidential elector to be voted for at that election.” [A.R.S. § 16-341\(G\)](#).

- **First day to file nomination papers and petition signatures: 7/28/2024**
- **Last day to file nomination papers and petition signatures: 8/17/2024 at 5:00p.m.**

4. Write-In Candidate for President

In lieu of securing a nomination to qualify for the general election ballot, a person may run as a write-in presidential candidate. Becoming an official write-in candidate causes the officer in charge of elections to tabulate any write-in votes for the candidate and include those results in the official canvass of the election. [A.R.S. § 16-312\(C\)](#).

A person may not seek a write-in candidacy in the general election if the candidate filed independent presidential nomination petitions for the current election. [A.R.S. § 16-312\(F\)\(4\)](#).

A person may qualify as an official write-in presidential candidate by filing with the Secretary of State: (i) a letter of consent signed by the vice-presidential running mate and each presidential elector; and (ii) write-in nomination papers for the presidential, vice-presidential, and presidential elector candidates. [A.R.S. § 16-312\(G\)](#).

A write-in presidential candidate must file a write-in letter of consent and requisite nomination papers no earlier than 150 days before the election and no later than 5:00 p.m. on the 40th day before the general election. A write-in presidential candidate who does not file the requisite nomination documents by 5:00 p.m. on the last day for filing is not eligible to have votes tallied or included in the official canvass. Promptly after the close of the filing deadline, the filing officer must notify the Board of Supervisors of any write-in candidates certified for the election. [A.R.S. § 16-312\(B\), \(E\)](#).

E. Candidate Nomination Petition Circulators

Circulators of candidate nomination petitions are not required to be Arizona residents but must otherwise be qualified to register to vote in this state pursuant to [A.R.S. § 16-101](#). If the circulator is not a resident of this state, they must register as a circulator with the Secretary of State through the [Circulator Portal \(https://azsos.gov/elections/requirements-paid-non-resident-circulators\)](https://azsos.gov/elections/requirements-paid-non-resident-circulators). [A.R.S. § 16-315\(D\)](#).

A circulator must complete the affidavit on the back of the nomination petition attesting that each of the names on the petition was signed in the circulator's presence on the date indicated and that, in the circulator's belief, each signer was a qualified elector who resides at the address given as the signer's residence on the date indicated. If the nomination petition is for a partisan election, the circulator must additionally attest that each signer is a qualified signer. [A.R.S. § 16-321\(D\)](#).

F. Filing Officer for Candidate Documents

Candidate documents, including statements of interest, nomination papers, nomination petitions, and financial disclosure statements, must be filed with the proper filing officer.

The Secretary of State is the filing officer for:

- Presidential, Vice- Presidential, and Presidential elector candidates;
- U.S. Senate and U.S. House of Representatives candidates;
- Statewide candidates;
- Legislative candidates;
- Supreme Court justices (seeking retention); and
- Court of Appeals judges (seeking retention).

[A.R.S. § 16-242\(A\)](#); [A.R.S. § 16-311\(E\)](#); [Ariz. Const. Art. VI, § 38\(A\)](#).

The county officer in charge of elections is the filing officer for:

- County candidates, including County Sheriff, County Attorney, County Recorder, County Treasurer, County Assessor, County Superintendent of Schools, and County Supervisors;
- Candidates for justice precinct office, which include:⁹
 - Justice of the Peace candidates;
 - Constable candidates; and
- Candidates for voting precinct office, which include:
 - Precinct committeemen candidates;
- Community college district governing board candidates;¹⁰
- Special taxing district candidates (see applicable A.R.S., Title 48 statutes);
- Superior Court judges (seeking election or retention); and
- Clerk of the Superior Court candidates.¹¹

[A.R.S. § 16-311\(F\)](#); [A.R.S. § 15-1442\(A\)](#).

The county school superintendent is the filing officer for:

- School district governing board candidates; and
- Joint technical education district governing board candidates.

[A.R.S. § 15-422\(A\)](#); [A.R.S. § 15-431\(B\)\(6\)](#); [A.R.S. § 16-311\(F\)](#); [A.R.S. § 15-393\(A\)\(4\), \(C\)\(5\)](#).

The city or town clerk is the filing officer for candidates for city or town council or mayor. [A.R.S. § 16-928\(A\)\(3\)](#).

G. Bases to Reject a Candidate Filing

A filing officer may reject a candidate filing on any of the following bases:

- Failure to file a sufficient number of nomination petition signatures. A filing officer may reject nomination petitions without conducting a full count if the candidate or campaign acknowledges that an insufficient number of signatures are being presented for filing;
- Failure to file nomination documents by the statutory deadline;

⁹ *Nicol v. Superior Court, Maricopa County*, 106 Ariz. 208, 209, 473 P.2d 455, 456 (1970) (Justices of the Peace and Constables are “precinct officers” pursuant to [A.R.S. § 22-102](#)).

¹⁰ Community college district governing board candidates file nomination papers with the “appropriate county officer,” which may be the county officer in charge of elections in some counties or the county school superintendent in others. See [A.R.S. § 15-1442\(A\)](#).

¹¹ [Ariz. Op. Atty. Gen. No. I85-086 \(R85-071\) \(1985\)](#) (holding that candidates for Clerk of the Superior Court are treated as county candidates for the purpose of filing nomination petitions).

- Failure to file all the required documents to run for office (except that failure to file a statement of interest is not a basis to reject a filing, although it renders signatures collected prior to filing a statement of interest subject to challenge);
- Failure to fully or properly complete any required document to run for office, including:
 - Failure to sign a document that requires a signature (an electronic or type-written signature may be permitted for candidates using the Secretary of State’s electronic Candidate Portal);
 - Failure to select a required checkbox or answer a required question;
 - Use of an honorific or other unauthorized title on a nomination paper. However, when possible, a filing officer should simply reject the unauthorized or honorific title in lieu of rejecting the nomination paper altogether.
- Failure to use the correct form or correct version of any required document, as prescribed by the filing officer, to run for office;
- Seeking more than one office at the same time if the candidate would be prohibited from serving in the offices simultaneously;¹² or
- If a candidate for state or local office is liable for an aggregate of \$1,000 or more in fines, penalties, late fees, or administrative or civil judgments, including any interest or costs, that have not been fully paid at the time of the attempted filing of the nomination paper and the liability arose from campaign finance violations under Title 16, Chapter 6, unless the liability is being appealed.

[A.R.S. § 16-322](#); [A.R.S. § 16-311\(D\), \(H\), \(I\), \(J\)](#).

Any other alleged deficiencies in a candidate’s nomination documents should be addressed in court. For example, the filing officer is not authorized to reject a nomination paper or nomination petitions “that have been submitted by a candidate who is found guilty of petition forgery,” nor may a filing officer reject nomination papers of a candidate for failure to meet residency requirements if the papers “on their face substantially comply with the terms of the statute.” [Ariz. Atty. Gen. Op. No. I84-096 \(1984\)](#). Any such disqualification must be ordered by a court in response to a candidate challenge filed pursuant to [A.R.S. § 16-351\(F\)](#).

II. NOMINATION PETITION CHALLENGES

Any qualified elector may challenge a candidate for any reason relating to the qualifications for the office sought as prescribed by law or based on insufficiency of the nomination paper or petition and/or the signatures thereon. [A.R.S. § 16-314](#); [A.R.S. § 16-321](#); [A.R.S. § 16-351](#).

¹² However, a candidate for legislative office may simultaneously run for community college district, school district, or joint technical education district governing board member, and a candidate for U.S. Senate or U.S. House of Representatives may also run for U.S. President or U.S. Vice President during the same election cycle. [Ariz. Const. Art. IV, Pt. 2, § 5](#); [A.R.S. § 38-296.01\(B\)](#).

A. Initiating a Candidate Petition Challenge

Challenge procedures are specified in [A.R.S. § 16-351](#). The challenge petition must be filed in superior court no later than 5:00 p.m. on the tenth day, excluding Saturday, Sunday, and legal holidays, after the deadline for filing nomination papers and petitions.

- The challenger must state specifically the grounds for the challenge. If nomination petition signatures are being challenged, the challenge petition must specify the petition page and line number for each signature being challenged as well as the grounds for challenging each signature.
- The challenge petition must name as defendants: (i) the Board of Supervisors of any county involved in the challenge, (ii) the County Recorder for any county involved, (iii) the appropriate filing officer, and (iv) the candidate who is subject to the challenge. If the candidate is seeking nomination for office for a jurisdiction or district that crosses county lines, the challenge petition must name the appropriate Board of Supervisors and County Recorder for each county included in the jurisdiction or district.
- The challenge petition must be served immediately after the challenge is filed and, in any case, no later than 24 hours after it is filed, excluding Saturday, Sunday, and legal holidays.

B. Service of Process and Notification Requirements

The officer with whom the challenged candidate filed their nomination paper and petitions is the designated agent for service of process in all candidate challenges.

Once the correct filing officer has been served with the challenge, the filing officer must immediately mail a copy of the challenge to the candidate and notify the candidate by phone and/or email of the challenge. The filing officer shall also immediately notify the County Recorder(s) named in the challenge and provide the County Recorder(s) with a copy of the challenge and a copy of the front sides of the nomination petitions (if applicable) filed by the challenged candidate. [A.R.S. § 16-351\(D\)](#).

C. County Recorder Signature Verification

The filing officer should provide the pertinent nomination petition pages to the County Recorder(s) promptly upon receipt of the complaint and reasonable certainty of a challenge, regardless of whether the challenger has formally served process on the filing officer. Upon receipt of the challenge and the nomination petitions from the filing officer, the County Recorder(s) must perform signature verification on the nomination petition signatures that are being challenged, if any.

The following recommended procedures apply to the County Recorder's signature verification:

- The County Recorder need only perform signature verification for the challenged signatures of qualified electors in the County Recorder's County. For a nomination petition challenge for an office where the applicable boundaries include multiple counties, the County Recorder need only verify the petition signatures of the County that is designated at the top of the nomination petition form.
- The County Recorder need only perform one check of the signatures that are challenged.

- For a challenge that alleges that specific petition signers are not registered to vote, the County Recorder will search the County’s voter registration database, as of the time of the filing of the court action, for the signer’s name and address and confirm whether the signer was registered to vote as of the date of signing.
- If the County Recorder is the candidate being challenged, the County Recorder will be screened from the signature verification process and will have staff conduct the signature verification and prepare the report. The County Recorder shall not personally work on the verification.
- The County Recorder must ensure that staff performing the signature verification are properly trained. Temporary employees may be trained by full time staff with at least two election cycles of signature verification experience.
- The County Recorder need not retain or employ a handwriting expert to perform signature verification.

1. Criteria for Disqualifying Signatures

The County Recorders should consult with chart¹³ below, which provides the petition scenario and whether the signature line shall be rejected or accepted.

ALL CANDIDATE NOMINATION PETITIONS (A.R.S. § 16-315; A.R.S. § 16-321; A.R.S. § 16-341(I))	
Petition Scenarios	Accept/ Reject
1. Voter active/inactive, registered in proper party, registered address in district and petition address different but within the district.	ACCEPT
2. Voter active/inactive, registered in proper party, registered address out of district and petition address different but within district.	REJECT
3. Voter active/inactive, registered in proper party, registered address in district and petition address different but outside of district.	ACCEPT
4. Voter active/inactive, registered in proper party, registered address in district and petition shows P.O. Box.	ACCEPT
5. Voter active/inactive, registered in proper party, registered address out of district and petition shows P.O. Box.	REJECT
6. Voter active/inactive, registered in different recognized party.	REJECT
Note: A voter not registered with a recognized party may sign a recognized party candidate’s petition, excluding a candidate for precinct committeeman. Additionally, any registered voter, regardless of party	

¹³ This chart was provided in the Appendix of the *2019 Election Procedures Manual* under the title, “County Recorder Signature Verification Guide”.

affiliation may sign an A.R.S. § 16-341 (independent) candidate's petition.	
7. Voter registered to vote after the date of signing the petition.	REJECT
8. Voter provided no date or an incomplete date on petition signature line.	REJECT
9. Duplicate for same candidate: Voter signed the same candidate's petition more than once and another signature is dated on or before the same date as the signature being reviewed. Both signatures must be identified by page and line number.	REJECT
10. Duplicate for same office. Note: Voter signed more than one candidate's petition for the same office and another signature is dated on or before the same date as the signature being reviewed. Both signatures must be identified by page and line number. Signer may sign petitions up to the number of open seats for that office (<i>i.e.</i> , council members).	REJECT
11. Voter provided other information but did not sign the petition.	REJECT
12. Signature or other information printed by the signer is illegible and search of county's database in an attempt to identify the voter was unsuccessful.	REJECT
13. Petition signature does not match voter's signature in the voter registration record.	REJECT
14. Voter provided no address on petition signature line. Voter can use description of residence or P.O. box if previously registered and not moved from residence on file in voter registration record. Protected/secured registrants may write in "Protected Address," "Protected Registrant," "Secured Registrant," or substantially similar designation in place of residence address.	REJECT
15. Voter signed the petition prior to the candidate filing a statement of interest for nomination if a statement of interest is required to be filed. A.R.S. § 16-341(I) .	REJECT
16. Voter is a "federal-only" voter and petition is for state/local candidate. AG Opinion I13-011(R13-016) 2013 .	REJECT

For comparison of the voters' signatures on the petition to that in the voters' registration record, the County Recorders shall refer to the guidance provided in the *Signature Verification Guide* (available on the Secretary of State's website at www.azsos.gov/elections) when performing signature verification.¹⁴

2. County Recorder's Signature Verification Report

Upon completion of verification of challenged signatures, the County Recorder must prepare a report of the results of the verification.

- The report shall include: (i) the list of challenged signatures determined to be invalid by the County Recorder; and (ii) the reason(s) for the County Recorder's determination that the signature is invalid.
- The County Recorder may limit the reasons for disqualifying a signature to the reason(s) identified by the challenger. Nonetheless, the County Recorder may identify, and the County Recorder's report may reflect, a reason for disqualifying a signature other than the reason(s) specified in the challenge.
- The County Recorder shall produce the signature verification report as soon as practicable after receiving, or having access to, the pertinent nomination petition pages from the filing officer or as required by the court.

3. Testimony and Evidence by County Recorder

In addition to the County Recorder's signature verification report, the County Recorder(s) and the filing officer, or their designee(s), must also provide testimony and other evidence for the challenge hearing on the request of any of the parties to the court action. [A.R.S. § 16-351\(E\)](#).

If a party to a nomination petition challenge requests certified copies of voter registration forms, the County Recorder must make best efforts to provide the certified copies as soon as practicable and prior to the court hearing. Due to the very condensed timeframe for challenges, the requestor should cooperate with the County Recorder to facilitate timely fulfillment of the requests, including by providing the voter registration number for each individually identified voter at the County Recorder's request. If the County Recorder is unable to apply statutorily required redactions within the necessary timeframe, the County Recorder should seek to produce the records pursuant to an appropriate protective order or under seal in accordance with the Arizona Rules of Civil Procedure and other applicable law.

D. Duties of the Challenger and Candidate

Upon filing the challenge, the challenger should provide the applicable County Recorder(s) an electronic, sortable version of any spreadsheet filed with the complaint, which identifies the page number, line number, and reason for the challenge for each petition signature being challenged. To the extent practicable, this spreadsheet should also provide the full name, address, and voter registration identification number for each signer whose signature is being challenged.

¹⁴ See *McKenna v. Soto*, 250 Ariz. 469, 481 P.3d 695, 699-700 (2021) (holding that the Secretary of State's guidance documents on candidate nomination petition signature verification does not have the force of law).

To facilitate the County Recorder’s signature verification, the candidate being challenged may provide the County Recorder with a spreadsheet listing the petition page number and line number in the same order as provided in the challenger’s spreadsheet and indicating the candidate’s response as to each challenged signature.

E. Court Hearing

The hearing on the challenge and the court’s ruling must occur within 10 days after the challenge is filed, excluding Saturdays, Sundays, and holidays. [A.R.S. § 16-351\(A\)](#); *but see Brousseau v. Fitzgerald*, 138 Ariz. 453, 675 P.2d 713 (1984) (holding that the 10-day requirement for action by the court on nomination petition challenges is directory, not mandatory).

F. Costs and Expenses

The filing officer has no statutory duty to reimburse County Recorders for signature verification or other expenses incurred in connection with nomination petition challenges. Accordingly, County Recorders should seek sufficient funding from their Board of Supervisors to ensure the ability to comply with the signature verification and reporting requirements of [A.R.S. § 16-351](#).

The County Recorder may seek reasonable expenses from the challenger or candidate under specified circumstances. If the court finds that the challenge was without substantial justification or primarily for the purpose of delay or harassment, the court may enter judgment in favor of the County Recorder or officer in charge of elections and against the challenger for the reasonable expenses incurred in the signature verification process. Similarly, if the court finds that the candidate knowingly or recklessly submitted a substantial number of invalid signatures, the court may enter judgment in favor of the County Recorder or officer in charge of elections for the reasonable costs incurred in the signature verification process. [A.R.S. § 16-351.01](#).

Chapter 3:

Financial Disclosure Statement

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DUTY TO FILE FINANCIAL DISCLOSURE STATEMENT

A. Persons Required to File Financial Disclosure Statements

Two categories of persons are required to file Financial Disclosure Statements:

- Public officers who hold a political or judicial office;¹ and
- Candidates for elective office.²

Public officers and candidates file the same Financial Disclosure Statement form; the only difference is the time period covered by the Financial Disclosure Statement.

1. Public Officers

The following public officers must file an annual Financial Disclosure Statement with the Secretary of State's Office if the public officer held office at any time during the past calendar year:

- A statewide public officer, whether elected or appointed;³
- A member of the Arizona Legislature, whether elected or appointed;⁴
- A justice or judge of the Arizona Supreme Court, Arizona Court of Appeals or Superior Court, whether elected or appointed;⁵ and
- A full-time judge pro tempore, commissioner, or juvenile hearing officer serving the appellate courts or the superior court.⁶

The duty to file a Financial Disclosure Statement applies even if a person did not serve as a public officer during the entire year. A Financial Disclosure Statement must be filed if during the previous year a person:

- Qualified as a public officer but did not yet assume office;⁷
- Was elected or appointed and began serving in office; or
- Served in public office but resigned, retired, or left office for any reason.

¹ A "public officer" is defined as "a member of the legislature and any judge of the court of appeals or the superior court, or a person holding an elective office the constituency of which embraces the entire geographical limits of this state." [A.R.S. § 38-541\(8\)](#). A "local public officer" is defined as "a person holding an elective office of an incorporated city or town, a county or a groundwater replenishment district established under title 48, chapter 27." [A.R.S. § 38-541\(6\)](#).

² [A.R.S. § 18-444\(D\)](#).

³ [A.R.S. § 38-541\(8\)](#).

⁴ [A.R.S. § 38-541\(8\)](#).

⁵ [A.R.S. § 38-541\(8\)](#). Supreme Court justices are not expressly mentioned in statute but are required to file Financial Disclosure Statements by virtue of Ariz. Code of Jud. Conduct, Rule 3.15.

⁶ Ariz. Supr. Ct. Admin Order 2012-93; Ariz. Code Jud. Admin. § 1-307.

⁷ [A.R.S. § 18-444\(D\)](#). For example, a member of the Legislature "qualifies" as a public officer in November of the previous calendar year but does not assume office until January of the following year.

However, an exception exists for a public officer whose final term of office expires less than 31 days into the immediately following calendar year. In this case, a departing public officer may file his or her final Financial Disclosure Statement between January 1st and January 31st of the year in which they leave office instead of waiting for the following year.⁸ In other words, for those public officers whose final term will end in January, their annual Financial Disclosure Statement should cover the entire previous calendar year *and* include any financial activity from January 1st of the current year through the date the public officer officially leaves office. This allows departing public officers to take care of all remaining reporting obligations at once.

Local public officers are also required to file Financial Disclosure Statements.⁹

2. Candidates for Elective Office

A candidate for a statewide or legislative office must also file a Financial Disclosure Statement with the Secretary of State at the same time he or she files a nomination paper to run for public office.¹⁰ Federal candidates are exempt from filing a Financial Disclosure Statement with the Secretary of State's Office.¹¹

Local candidates (other than precinct committeemen) are also required to file a Financial Disclosure Statement with the appropriate local filing officer.¹²

Filing a candidate-related Financial Disclosure Statement does not obviate the need to also file an annual Financial Disclosure Statement in accordance with the section outlined above.

B. Acquiring an Authorized Financial Disclosure Statement Form

1. Statewide, Legislative and Judicial Public Officers and Candidates Filing with the Secretary of State

The Secretary of State's Office has implemented an online wizard to facilitate completion of the Financial Disclosure form, which allows filer information to be stored from year-to-year for use in future filings. To complete and submit the form via the Secretary of State's Candidate Portal, please visit: <https://apps.azsos.gov/apps/election/candidateportal>.

Public officers filing with the Secretary of State may reference their historical annual Financial Disclosure Statements here: go.azsos.gov/FDSHistorical.

⁸ [A.R.S. § 18-444\(D\)](#).

⁹ State law requires counties and incorporated cities and towns to adopt their own standards for Financial Disclosure Statements.⁹ Such jurisdictions may tailor their Financial Disclosure Statements for local needs. A local public officer should check with the clerk or the filing office where candidates file nomination papers in a particular local jurisdiction for more information.

¹⁰ [A.R.S. § 16-311\(I\)](#); [A.R.S. § 16-312\(C\)](#); [A.R.S. § 16-341\(K\)](#); [A.R.S. § 38-543](#).

¹¹ [A.R.S. § 38-541\(8\)](#).

¹² [A.R.S. § 16-311\(I\)](#); [A.R.S. § 16-312\(C\)](#); [A.R.S. § 16-341\(K\)](#); [A.R.S. § 38-543](#).

2. Local Public Officers and Candidates

Local public officers and candidates should contact the appropriate clerk or election filing office for information on obtaining a local Financial Disclosure Statement form.

C. Deadlines for Filing A Financial Disclosure Statement

1. Public Officers

a. Annual Filing Requirement

A person who served as a public officer at any time during a calendar year must file an annual Financial Disclosure Statement between January 1st and January 31st of the following calendar year.¹³

However, an exception exists for a public officer whose final term of office expires less than 31 days into the immediately following calendar year. In this case, a departing public officer may file his or her final Financial Disclosure Statement between January 1st and January 31st of the year in which they leave office instead of waiting for the following year.¹⁴

b. Requirement for Newly-Appointed Public Officers

In addition to filing an annual Financial Disclosure Statement, a newly appointed public officer (whether as a judicial official or to fill a vacancy in a statewide or a legislative office) must file a Financial Disclosure Statement within 60 days of the date of assuming office.¹⁵ This Financial Disclosure Statement must cover the previous consecutive 12-month period, ending with the last full month prior to the date of assuming office.

If a public officer was appointed in January, he or she need only file *one* Financial Disclosure Statement because both the previous 12-month and annual reporting obligations will be satisfied. Otherwise, a newly-appointed public officer must file an annual Financial Disclosure Statement in January even if he or she recently filed a Financial Disclosure Statement upon appointment late in the previous calendar year.

2. Candidates for Elective Office

A candidate for elective office (other than a candidate for federal office or precinct committeeman) must file a Financial Disclosure Statement at the same time he or she files a nomination paper.¹⁶ For a candidate seeking nomination through a primary election, the nomination paper typically must be filed between 120 days and 150 days before the election.¹⁷

¹³ [A.R.S. § 18-444\(D\)](#).

¹⁴ [A.R.S. § 18-444\(D\)](#).

¹⁵ [A.R.S. § 18-444\(D\)](#).

¹⁶ [A.R.S. § 16-311\(I\)](#); [A.R.S. § 16-312\(C\)](#); [A.R.S. § 16-341\(K\)](#); [A.R.S. § 38-543](#).

¹⁷ [A.R.S. § 16-311\(A\)](#); *but see* [A.R.S. § 16-312\(B\)](#) (write-in candidates); [A.R.S. § 16-951\(B\)](#) (statewide and legislative candidates seeking public funding).

A judicial applicant for merit selection to the Superior Court does not need to file a Financial Disclosure Statement in conjunction with such application.

D. Where to File a Financial Disclosure Statement

1. Public Officers

The following public officers must file an annual Financial Disclosure Statement (or a Financial Disclosure Statement within 60 days of being newly appointed as a public office) with the Secretary of State's Office:

- A statewide public officer, whether elected or appointed;¹⁸
- A member of the Arizona Legislature, whether elected or appointed;¹⁹
- A justice or judge of the Arizona Supreme Court, Arizona Court of Appeals or Superior Court, whether elected or appointed;²⁰ and
- A full-time judge pro tempore, commissioner, or juvenile hearing officer serving the appellate courts or the superior court.²¹

A local public officer must file a Financial Disclosure Statement with the filing officer designated by local charter, ordinance, or resolution.

2. Candidates for Elective Office

A statewide or legislative candidate must file a Financial Disclosure Statement with the Secretary of State's Office.²² A local candidate (other than a candidate for precinct committeeman) must file a Financial Disclosure Statement with the officer in charge of elections with whom nomination papers must be filed for the office in question.²³

E. Enforcement

Upon referral by the Secretary of State, the Attorney General enforces the filing requirement against statewide, legislative or judicial public officers who fail to file by the statutory deadline.²⁴ Enforcement may include a civil penalty of \$50 for each day the Financial Disclosure Statement is late (up to \$500) until the Statement is filed.²⁵ Failure to file a Financial Disclosure Statement at the local level may result in referral to a local enforcement officer.

In addition, any public officer or candidate found to have knowingly filed an incomplete or a false Financial

¹⁸ [A.R.S. § 38-541\(8\)](#).

¹⁹ [A.R.S. § 38-541\(8\)](#).

²⁰ [A.R.S. § 38-541\(8\)](#). Supreme Court justices are not expressly mentioned in statute but are required to file Financial Disclosure Statements by virtue of Ariz. Code of Jud. Conduct, Rule 3.15.

²¹ Ariz. Supr. Ct. Admin. Order 2012-93; Ariz. Code Jud. Admin. § 1-307.

²² [A.R.S. § 16-311\(I\)](#).

²³ [A.R.S. § 15-393\(A\)\(4\), \(C\)\(5\)](#); [A.R.S. § 15-422\(A\)](#); [A.R.S. § 15-431\(B\)\(6\)](#); [A.R.S. § 15-1442\(A\)](#); [A.R.S. § 16-311\(F\)](#).

²⁴ [A.R.S. § 38-544\(B\)](#) (indicating the violations will be enforced according to the same standards as campaign finance complaints); *see also* [A.R.S. §§ 16-937](#) to [16-938](#) (campaign finance enforcement provisions).

²⁵ [A.R.S. § 38-544\(B\)](#).

Disclosure Statement may be found guilty of a class 1 misdemeanor.²⁶

Please note, the Secretary of State's Office or other local officer in charge of elections may refuse to accept a nomination paper from a candidate who fails to file an accompanying candidate-related Financial Disclosure Statement.²⁷

F. Laws Governing Financial Disclosure Statements

Arizona Revised Statutes § 18-444, § 38-541, and §§ 38-543 to 38-545 govern Financial Disclosure Statements for public officers.

The Arizona Code of Judicial Conduct, Rule 3.15, Arizona Code of Judicial Administration, § 1-307, and Arizona Supreme Court Administrative Order 2012-93 govern Financial Disclosure Statements by Arizona justices, judges and full-time judge pro tems, commissioners, and juvenile hearing officers.

Counties, cities, and towns may have additional charter provisions, ordinances, or resolutions that govern the filing of Financial Disclosure Statements by local public officers and candidates.

²⁶ [A.R.S. § 38-544\(A\)](#).

²⁷ [A.R.S. § 16-311\(I\)\(1\)](#).

COMPLETING A FINANCIAL DISCLOSURE STATEMENT

A Financial Disclosure Statement requires the disclosure of your personal and business financial interests. You must answer all the questions on the Financial Disclosure Statement unless the question is inapplicable.

You must not only disclose financial information about yourself, but about your household members' financial interests as well. A member of your household is defined as:

- A spouse who resides in your household; and
- Any children 18 years old and younger who reside in your household (full or part time) and over whom you have joint or sole legal custody.

You are not required to identify your spouse or minor children by name. However, if you do choose to identify household members by name, the Secretary of State (or other local filing officer) will not redact that information in any internet posting or in response to any public request for your Financial Disclosure Statement. All information in a Financial Disclosure Statement is a public record.

A. Personal Financial Interests

1. Sources of Personal Compensation

You must provide the name and address of each employer or other source of compensation who paid you or any member of your household more than \$1,000 in salary, wages, commissions, tips or other forms of compensation (other than “gifts” discussed further below) during the period covered by the Financial Disclosure Statement. You must also describe the nature of each employer's business and the type of services for which you or a member of your household were compensated.

You must also disclose indirect sources of compensation exceeding \$1,000 in cases where a third-party (outside your household) received anything of value for your or a member of your household's use or benefit. For example, if a person was paid by a third-party to be your personal housekeeper, you must identify the name and address of the person that performed the services that benefitted you, describe the nature of that person's services, and provide the name and address of the third-party who paid for the services on your behalf.

However, you need not disclose income of a business in this section, including money you or any member of your household received that constitutes income paid to a business that you or your household member owns or does business as (such as a sole proprietorship). This type of business income will be disclosed in the section relating to Business Financial Interests.²⁸

2. Professional, Occupational and Business Licenses

You must disclose all professional, occupational or business licenses held by you or any member of your

²⁸ This information is disclosed in Question 12 of the Financial Disclosure Statement form.

household at any time during the period covered by the Financial Disclosure Statement. For example, if you hold a law license (whether active or inactive), you must identify the type of license, the person in the household that holds that license, and the jurisdiction or entity that issued the license.

This includes licenses in which you or a member of your household had an “interest,” which includes (but is not limited to) any business license held by a “controlled” or “dependent” business as defined in Question 11 below.

3. Personal Creditors

You must disclose the name and address of each creditor to whom you or a member of your household owed a qualifying personal debt over \$1,000 during any point during the period covered by the Financial Disclosure Statement. A “qualifying” debt is a personal debt *other than* the following types of debts:

- Debts resulting from the ordinary conduct of a business;²⁹
- Debts on any personal residence or recreational property;
- Debts on motor vehicles used primarily for personal (not commercial) purposes;
- Debts secured by cash values on life insurance;
- Debts owed to relatives; or
- Personal credit card transactions or the value of any retail installment contracts you or your household member entered into.

Additionally, if the qualifying personal debt was either incurred for the first time or completely discharged (paid in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the debt was incurred or discharged

4. Personal Debtors

You must disclose the name of each debtor who owed you or a member of your household a debt over \$1,000 at any time during the period covered by the Financial Disclosure Statement, along with the approximate value of the debt by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

Additionally, if the qualifying personal debt was either incurred for the first time or completely discharged (paid in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the debt was incurred or discharged.

5. Gifts

You must disclose the name of any donor who gave you or a member of your household a gift (or an

²⁹ This information is disclosed in Question 12 of the Financial Disclosure Statement form.

accumulation of gifts) during the preceding calendar year with a cumulative value over \$500, subject to the exceptions listed below. A “gift” is defined as a gratuity (tip), special discount, favor, hospitality, service, economic opportunity, loan or other benefit received without adequate consideration or reciprocal value and not provided to members of the public at large. In other words, a gift is a personal benefit you or your household member received without providing an equivalent benefit in return.

You need not disclose the following as gifts:

- Gifts received by will;
- Gift received by intestate succession (in other words, gifts distributed to you or a household member according to Arizona’s intestate succession laws, not by will);
- Gift distributed from an *inter vivos* (living) or testamentary (by will) trust established by a spouse or family member;
- Gifts received from any other member of the household;
- Gifts received from parents, grandparents, siblings, children and grandchildren; or
- Political campaign contributions reported on campaign finance reports.

Please note, the concept of a “gift” for purposes of a Financial Disclosure Statement is separate and distinct from the gift restrictions outlined in Arizona’s lobbying statutes. Thus, disclosure in a lobbying report does not relieve you or a member of your household’s duty to disclose qualifying gifts in this Financial Disclosure Statement.

6. Offices, Positions or Fiduciary Relationships in Businesses, Nonprofit Organizations or Trusts

You must disclose the name and address of each business, organization, trust or nonprofit organization or association in which you or any member of your household held any office, position, or fiduciary relationship during the period covered by the Financial Disclosure Statement, including a description of the office, position or relationship.

7. Ownership or Financial Interests in Businesses, Trusts or Investment Funds

You must disclose the name and address of each business, trust, or investment fund in which you or any member of your household had an ownership or beneficial interest of over \$1,000 during the period covered by the Financial Disclosure Statement, along with the approximate value of the interest by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

The types of investment funds that must be disclosed include stocks, annuities, mutual funds, or retirement funds. Business investments include any financial interest in a limited liability company, partnership, joint venture, or sole proprietorship.

8. Ownership of Bonds

You must disclose any bonds issued by a state or local government agency worth more than \$1,000 that you or a member of your household held during the period covered by the Financial Disclosure Statement, along with the approximate value of the bonds by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

Additionally, if the bonds were either acquired for the first time or completely divested (sold in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the bonds were first acquired or fully divested.

9. Real Property Ownership

You must disclose any Arizona land and improvements (other than your primary residence or property you use for personal recreation) which was owned by you or a member of your household during the period covered by the Financial Disclosure Statement, along with the approximate value of the land by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

You must also describe the property's location (city and state) and its approximate size (acreage or square footage).

Additionally, if the land was either acquired for the first time or completely divested (sold in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the land was first acquired or fully divested.

10. Travel Expenses

You must disclose the name and location of each meeting, conference, or other event you traveled to and participated in during the period covered by the Financial Disclosure Statement, if the following conditions were met:

- You participated in the meeting, conference, or other event in your official capacity as a public officer or candidate; and

- At least \$1,000 in travel-related expenses were incurred on your behalf, regardless of whether the expenses were directly paid by a third-party or you were reimbursed by a third-party.³⁰

Travel-related expenses include airfare, gas, lodging, meals, and other associated fees.

If the travel-related expenses exceeded \$1,000 for a particular meeting, conference, or other event, you must disclose the approximate value of the total expenses:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

You do not need to disclose any personal monies you expended related to travel or any other personal expenses you incurred while traveling.³¹

B. Business Financial Interests

1. Business Names

You must disclose the name of any business under which you or any member of your household owns or did business (including if you or your household member were self-employed) during the period covered by the Financial Disclosure Statement, which includes any corporations, limited liability companies, partnerships, sole proprietorships or any other type of business conducted under a trade name.

You must also disclose whether the named business is “controlled” or “dependent.” A business is “controlled” if you or any member of your household (individually or combined) had an ownership interest that amounts to more than 50%. On the other hand, a business is “dependent” if:

- You or any household member (individually or combined) had an ownership interest that amounts more than 10% in the business;
- The business received more than \$10,000 from a single source during the period covered by the Financial Disclosure Statement; and
- The \$10,000 or more in income from the single source amounted to more than 50% of the business’ gross income for the period covered by the Financial Disclosure Statement.

If a business is both “controlled” and “dependent,” it should be classified as such in the Financial Disclosure Statement.

Please note, the remaining questions in the Business Financial Interests section of the Financial Disclosure Statement only relate to controlled and dependent businesses. If you disclosed the name of a business interest in Question 12 but that business is neither “controlled” nor “dependent,” the remaining questions in the Financial Disclosure Statement need not be answered.

³⁰ A meeting, conference, or other event qualifies for potential disclosure regardless of whether the travel-related expenses were paid by an interest group, lobbyist, association, or the public officer’s or candidate’s own employer.

³¹ A public officer or candidate who was accompanied by a protective security detail at government expense need not disclose any travel-related expenses for the security detail.

2. Controlled Business Information

If you designated a business as “controlled” in Question 12 of the Financial Disclosure Statement, you must disclose the goods or services provided by the controlled business.

You must also disclose whether the controlled business has a “major client,” which applies if the following conditions are met:

- A single client or customer (whether a person or business) that accounted for more than \$10,000 in income during the period covered by the Financial Disclosure Statement; and
- The business income received from a single client or customer constitutes at least 25% of the controlled business’ gross income during the period covered by the Financial Disclosure Statement.

If the controlled business’ client or customer is deemed a “major client,” you must describe what services your controlled business provided to the major client (but you need not identify the major client by name). If the major client is a business, you must also describe the major client’s type of business activities.

3. Dependent Business Information

If you designated a business as “dependent” in Question 12 of the Financial Disclosure Statement, you must disclose the goods or services provided by the dependent business.

You must also disclose whether the dependent business has a “major client,” which applies if the following conditions are met:

- A single client or customer (whether a person or business) that accounted for more than \$10,000 in income during the period covered by the Financial Disclosure Statement; and
- The business income received from a single client or customer constituted at least 25% of the dependent business’ gross income during the period covered by the Financial Disclosure Statement.

If the dependent business’ client or customer is deemed a “major client,” you must describe what services your dependent business provided to the major client (but you need not identify the major client by name). If the major client is a business, you must also describe the major client’s type of business activities.

4. Real Property Owned by a Controlled or Dependent Business

You must disclose any Arizona land, and improvements to this land, which was owned by a controlled or dependent business during the period covered by the Financial Disclosure Statement, along with the approximate value of the land by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 + ³²

³² If the business is one that primarily deals in real property and improvements, you should select the category that corresponds to the aggregate value of all parcels held by the business during the period covered by the Financial Disclosure Statement.

You must also describe the property's location (city and state) and its approximate size (acreage or square footage).

Additionally, if the land was either acquired for the first time or completely divested (sold in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the land was first acquired or fully divested.

5. Controlled or Dependent Business' Creditors

You must disclose whether a controlled or dependent business has a "major creditor," which applies if the following conditions are met:

- The controlled or dependent business owed a debt of more than \$10,000 to a single creditor (whether a person or business) during the period covered by the Financial Disclosure Statement; and
- The debt owed by a controlled or dependent business to a single creditor constituted at least 30% of the controlled or dependent business' total indebtedness at any time during the period covered by the Financial Disclosure Statement.

If the controlled or dependent business' creditor is deemed a "major creditor," you must disclose the name and address of the creditor.

Additionally, if the debt was either incurred for the first time or completely discharged (paid in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the debt was incurred or discharged.

6. Controlled or Dependent Business' Debtors

You must disclose whether a controlled or dependent business has a "major debtor," which applies if the following conditions are met:

- The controlled or dependent business is owed a debt of more than \$10,000 by a single debtor (whether a person or business) during the period covered by the Financial Disclosure Statement; and
- The debt owed to a controlled or dependent business by a single debtor constituted at least 30% of the total indebtedness owed to the controlled or dependent business at any time during the period covered by the Financial Disclosure Statement.

If the controlled or dependent business' debtor is deemed a "major debtor," you must disclose the name of the debtor, along with the approximate value of the debt by financial category:

- \$1,000 to \$25,000;
- \$25,001 to \$100,000; or
- \$100,001 +

Additionally, if the debt was either incurred for the first time or completely discharged (paid in full) during the period covered by the Financial Disclosure Statement, you must identify the date and disclose whether the debt was incurred or discharged.

LAWS GOVERNING FINANCIAL DISCLOSURE

A. Arizona Revised Statutes

A.R.S. § 18-444. Duty to file financial disclosure statement; contents; exceptions

A. In addition to other statements and reports required by law, every public officer, as a matter of public record, shall file with the secretary of state on a form prescribed by the secretary of state a verified financial disclosure statement covering the preceding calendar year. The statement shall disclose:

1. The name and home or work address of the public officer, whether the public officer's spouse is a member of the public officer's household, the number of minor children who are members of the public officer's household and all names and addresses under which each does business. If disclosure of the identity of the public officer's spouse or minor child would otherwise be required, a public officer may comply with the identification requirement by using the term "spouse" or "minor child", as applicable.
2. The name and address of each employer and of each other source of compensation other than gifts amounting to more than one thousand dollars received during the preceding calendar year by the public officer and members of his household in their own names, or by any other person for the use or benefit of the public officer or members of his household, a description of the services for which the compensation was received and the nature of the employer's business. This paragraph shall not be construed to require the disclosure of individual items of compensation that constituted a portion of the gross income of the business from which the public officer or members of his household derived compensation.
3. For a controlled business, a description of the goods or services provided by the business, and if any single source of compensation to the business during the preceding calendar year amounts to more than ten thousand dollars and is more than twenty-five percent of the gross income of the business, the disclosure shall also include a description of the goods or services provided to the source of compensation. For a dependent business the statement shall disclose a description of the goods or services provided by the business and a description of the goods or services provided to the source of compensation from which the dependent business derived the amount of gross income described in § 38-541, paragraph 4. If the source of compensation for a controlled or dependent business is a business, the statement shall disclose a description of the business activities engaged in by the source of compensation.
4. The names and addresses of all businesses and trusts in which the public officer or members of his household, or any other person for the use or benefit of the public officer or members of his household, had an ownership or beneficial interest of over one thousand dollars at any time during the preceding calendar year, and the names and addresses of all businesses and trusts in which the public officer or any member of his household held any office or had a fiduciary relationship at any time during the preceding calendar year, together with the amount or value of the interest and a description of the interest, office or relationship.
5. All Arizona real property interests and real property improvements, including specific location and approximate size, in which the public officer, any member of his household or a controlled or dependent business held legal title or a beneficial interest at any time during the preceding calendar year, and the value of any such interest, except that this paragraph does not apply to a real property interest and improvements

thereon used as the primary personal residence or for the personal recreational use of the public officer. If a public officer, any member of his household or a controlled or dependent business acquired or divested any such interest during the preceding calendar year, he shall also disclose that the transaction was made and the date it occurred. If the controlled or dependent business is in the business of dealing in real property interests or improvements, disclosure need not include individual parcels or transactions as long as the aggregate value of all parcels of such property is reported.

6. The names and addresses of all creditors to whom the public officer or members of his household, in their own names or in the name of any other person, owed a debt of more than one thousand dollars or to whom a controlled business or a dependent business owed a debt of more than ten thousand dollars which was also more than thirty percent of the total business indebtedness at any time during the preceding calendar year, listing each such creditor. This paragraph shall not be construed to require the disclosure of debts owed by the public officer or any member of his household resulting from the ordinary conduct of a business other than a controlled or dependent business nor shall disclosure be required of credit card transactions, retail installment contracts, debts on residences or recreational property exempt from disclosure under paragraph 5 of this subsection, debts on motor vehicles not used for commercial purposes, debts secured by cash values on life insurance or debts owed to relatives. It is sufficient disclosure of a creditor if the name and address of a person to whom payments are made is disclosed. If the public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding calendar year, the report shall disclose that the transaction was made and the date it occurred.

7. The identification and amount of each debt exceeding one thousand dollars owed at any time during the preceding calendar year to the public officer and members of his household in their own names, or to any other person for the use or benefit of the public officer or any member of his household. The disclosure shall include the identification and amount of each debt exceeding ten thousand dollars to a controlled business or dependent business which was also more than thirty percent of the total indebtedness to the business at any time during the preceding calendar year. This paragraph shall not be construed to require the disclosure of debts from the ordinary conduct of a business other than a controlled or dependent business. If the public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this subsection during the preceding year, the report shall disclose that the transaction was made and the date it occurred.

8. The name of each source of any gift, or accumulated gifts from a single source, of more than five hundred dollars received by the public officer and members of his household in their own names during the preceding calendar year, or by any other person for the use or benefit of the public officer or any member of his household except gifts received by will or by virtue of intestate succession, or received by way of distribution from any inter vivos or testamentary trust established by a spouse or by an ancestor, or gifts received from any other member of the household or relatives to the second degree of consanguinity.

9. A list of all business licenses issued to, held by or in which the public officer or any member of his household had an interest at any time during the preceding calendar year, including the name in which the license was issued, the type of business and its location.

10. A list of all bonds, together with their value, issued by this state or any political subdivision of this state and held at any time during the preceding calendar year by the public officer or any member of his household, which bonds issued by a single entity had a value in excess of one thousand dollars. If the public officer or any

member of his household acquired or divested any bonds during the preceding calendar year which are reportable under this paragraph, the fact that the transaction occurred and the date shall also be shown.

11. The name of each meeting, conference or other event where the public officer is participating in the public officer's official capacity if travel-related expenses of one thousand dollars or more were incurred on behalf of the public officer and the travel-related expenses are not paid by the public officer.

B. If an amount or value is required to be reported pursuant to this section, it is sufficient to report whether the amount or value of the equity interest falls within:

1. Category 1, one thousand dollars to twenty-five thousand dollars.
2. Category 2, more than twenty-five thousand dollars to one hundred thousand dollars.
3. Category 3, more than one hundred thousand dollars.

C. This section does not require the disclosure of any information that is privileged by law.

D. The statement required to be filed pursuant to subsection A shall be filed by all persons who qualified as public officers at any time during the preceding calendar year on or before January 31 of each year with the exceptions that a public officer appointed to fill a vacancy shall, within sixty days following his taking of such office, file a financial disclosure statement covering as his annual period the twelve month period ending with the last full month prior to the date of his taking office, and a public officer whose final term expires less than thirty-one days into the immediately following calendar year may file the public officer's final financial disclosure at the same time as the disclosure for the last immediately preceding year.

E. The secretary of state shall prepare written guidelines, forms and samples for completing the financial disclosure statement required by this section. A copy of the guidelines, forms and samples shall be distributed to each public officer and shall be made available to each candidate required to file a financial disclosure statement pursuant to § 38-543.

F. Beginning January 1, 2017, the statement required to be filed in subsection D of this section may be filed by the public officer in a form prescribed by the secretary of state that includes authorization for future filings to be submitted in an electronic format. Any subsequent filings required to be filed in subsection D of this section may be filed in an electronic format as prescribed by the secretary of state. Beginning January 1, 2017, any statements that are required to be filed by a local public officer pursuant to an ordinance, rule, resolution or regulation adopted pursuant to § 38-545 may be filed in an electronic format as prescribed by the secretary of state.

A.R.S. § 38-541. Definitions

In this chapter, unless the context otherwise requires:

1. "Business" includes any enterprise, organization, trade, occupation or profession, whether or not operated as a legal entity or for profit, including any business trust, corporation, partnership, joint venture or sole proprietorship.
2. "Compensation" means anything of value or advantage, present or prospective, including the forgiveness of debt.

3. “Controlled business” means any business in which the public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a fifty percent interest.

4. “Dependent business” means any business in which the public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a ten percent interest, and during the preceding calendar year the business received from a single source more than ten thousand dollars and more than fifty percent of its gross income.

5. “Gift” includes any gratuity, special discount, favor, hospitality, service, economic opportunity, loan or other benefit received without equivalent consideration and not provided to members of the public at large. Gift does not include:

(a) Travel-related expenses that are publicly reported pursuant to this article.

(b) Political campaign contributions that are publicly reported pursuant to title 16, chapter 6.

6. “Local public officer” means a person holding an elective office of an incorporated city or town, a county or a groundwater replenishment district established under title 48, chapter 27.¹

7. “Member of household” means a public officer's spouse and any minor child of whom the public officer has legal custody.

8. “Public officer” means a member of the legislature and any judge of the court of appeals or the superior court, or a person holding an elective office the constituency of which embraces the entire geographical limits of this state. Members of Congress are not public officers as defined in this paragraph.

9. “Travel-related expenses” means any costs associated with transportation, food, lodging and registration fees and other expenses directly related to travel to or from a meeting, conference or other event where the public officer is participating in the public officer's official capacity.

A.R.S. § 38-543. Duty to file financial disclosure statement by candidate for public office

A candidate for public office as specified in § 38-541, paragraph 8 shall file a financial disclosure statement covering the preceding twelve-month period and containing the information described in § 18-444 on a form prescribed by the secretary of state at the time of filing of nomination papers.

A.R.S. § 38-544. Violation; classification

A. Any public officer, local public officer or candidate who knowingly fails to file a financial disclosure statement required pursuant to § 18-444, 38-543 or 38-545, who knowingly files an incomplete financial disclosure statement or who knowingly files a false financial disclosure statement is guilty of a class 1 misdemeanor.

B. Any public officer, local public officer or candidate who violates this chapter is subject to a civil penalty of fifty dollars for each day of noncompliance but not more than five hundred dollars that may be imposed as prescribed in §§ 16-937 and 16-938.

Notwithstanding the provisions of any law, charter or ordinance to the contrary, every incorporated city or town or county shall by ordinance, rule, resolution or regulation adopt standards of financial disclosure consistent with the provisions of this chapter applicable to local public officers.

B. Arizona Supreme Court Administrative Orders

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	Administrative Order
ADMINISTRATION § 1-307:)	<u>No. 2012 - 93</u>
SPECIAL JUDICIAL OFFICER)	
FINANCIAL DISCLOSURE)	
_____)	

The above-captioned provision implements the recommendations of the Presiding Judges and the Committee on Superior Court to uniformly apply to judges pro tempore, commissioners, and juvenile hearing officers the duty to file financial disclosure statements as provided by A.R.S. § 35-542 consistent with the purposes of financial disclosure statutes and the Code of Judicial Conduct. The above-captioned provision having come before the Arizona Judicial Council on June 18, 2012, and having been approved and recommended for adoption,

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above-captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration, effective January 1, 2013.

Dated this 5th day of December, 2012.

REBECCA WHITE BERCH
Chief Justice

C. Arizona Code of Judicial Administration

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 3: Judicial Officers and Employees
Section 1-307: Special Judicial Officer Financial Disclosure

A. Definitions. In this section the following definitions apply:

“Commissioner” means a person appointed pursuant to A.R.S. § 12-213.

“Judge pro tempore” means a person appointed pursuant to Article 6, § 3 of the Arizona Constitution and A.R.S. §§ 12-141 or 12-145.

“Juvenile hearing officer” means a person appointed pursuant to A.R.S. § 8-323.

B. Applicability. All judges pro tempore serving an appellate court or the superior court and all commissioners and juvenile hearing officers serving the superior court on a full time basis.

C. Purpose. To uniformly apply the duty to file financial disclosure statements as provided by A.R.S. § 38-541 et. seq. to full time judges pro tempore, commissioners and juvenile hearing officers consistent with the purposes of the financial disclosure statutes and Rule 3.15 of the Code of Judicial Conduct.

D. Reporting Procedures.

1. Full time judges pro tempore, commissioners and juvenile hearing officers shall file a financial disclosure statement as provided by A.R.S. § 38-541 et. seq. upon appointment and annually. Financial disclosure statements cover the entire year served, January 1 through December 31, even if service was for only one day.
2. Pursuant to A.R.S. § 38-542(E), financial disclosure statements shall be filed between January 1 and January 31 and delivered or mailed to Arizona Secretary of State, Attn: Election Services Division, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007.
3. Financial disclosure packets may be obtained from the presiding judge or court administrator or upon request from the Secretary of State Election Services. Printable versions are available through the Secretary of State web site www.azsos.gov.

D. Arizona Code of Judicial Conduct

Rule 3.15. Financial Reporting Requirements

(A) A judge shall file annually the financial disclosure statement required by A.R.S. § 38-542 or other applicable law. The completion and filing of the annual financial disclosure statement fulfills the reporting requirements set forth in this code.

(B) Reports made in compliance with this rule shall be filed as public documents in the office designated by law.

COMMENT

1. The information required to be reported by Rules 3.12, 3.13, and 3.14 is a portion of the information that must be included on the annual financial disclosure statement mandated by A.R.S. § 38-542 or other applicable law. A judge is obligated to disclose fully and accurately all information requested on the annual disclosure statement and does not fulfill the statutory obligation by reporting only the information required by Rules 3.12, 3.13, and 3.14. Applicable law requires sufficient disclosure of the financial interests of and gifts to a judge and members of his or her household to promote judicial accountability and integrity.

2. To avoid needless repetition of disclosure requirements, the Arizona judiciary deems compliance with the substantive legal requirement as sufficient to meet the ethical obligations of a judge and thus incorporates them in this code.

Chapter 4:

Signature Verification

INTRODUCTION

“Signature verification” means the process of manually comparing the signature on a voter’s affidavit envelope or ballot affidavit with the voter’s signature in the voter registration record. A.R.S. § 16-550.01(G)(4). This Guide will help the evaluators, those individuals who are designated by the County Recorder or other officer in charge of elections and who conducts signature verification, in determining whether the ballot affidavit signature and the voter’s signature in the voter registration record were authored by the same person.

STATUTORY REQUIREMENTS

On February 9, 2024, the Governor signed H.B. 2785, which codified the early ballot signature verification process. Laws 2024, Ch. 1, Section 7. Pursuant to this legislation, the County Recorder or other officer in charge of elections must conduct signature verification as prescribed by A.R.S. § 16-550.01 on receipt of the envelope containing the early ballot and ballot affidavit. The only exception to this requirement of verifying all early ballot signatures is for early ballots tabulated on-site on election day pursuant to A.R.S. § 16-579.02.

The evaluator shall examine all the broad characteristics of the signature on the ballot affidavit to determine whether they are clearly consistent with the broad characteristics of the voter’s signature in the voter’s registration record. A.R.S. § 16-550.01(B). If the signature is clearly consistent, the evaluator may accept the signature as valid.

If the evaluation finds discrepancies between the signature on the ballot affidavit and the voter’s signature in the voter’s registration record, the evaluator shall examine the local characteristics of the signature. If the local characteristics of the signature on the ballot affidavit are clearly consistent with the local characteristics of the voter’s signature in the voter’s registration record, the evaluator may accept the signature as valid. A.R.S. § 16-550.01(C).

If the evaluator finds a combination of broad and local characteristic differences between the signature on the ballot affidavit and the voter’s signature in the voter’s registration record, the evaluator shall denote the signature for a second review. The second review shall be conducted using the same standards as prescribed by A.R.S. § 16-550.01.

ANALYSIS

When conducting signature verification, it is important to keep in mind that everyone writes differently, and **no one signs their name exactly the same way twice**. A ballot affidavit signature should not be rejected because it does not look *exactly* the same as the signature in the voter's registration record.

The following analysis will allow the evaluator to confidently decide whether signatures are consistent with each other:

I. Evaluate the signature's broad characteristics.

Broad characteristics include:

1. The type of writing (e.g., cursive vs. print)
2. The speed of writing (e.g., harmonious vs. slow and deliberate)
3. Overall spacing
4. Overall size and proportions
5. Position of the signature (e.g., slanted vs. straight)
6. Spelling and punctuation

If the broad characteristics of the signature on the ballot affidavit are clearly consistent with the broad characteristics of the voter's signature in the voter registration record, you may accept the signature and move on.

II. Evaluate the signature's local characteristics.

If you find a combination of dissimilarities between the two signatures' broad characteristics, then evaluate local characteristics, which include:

1. Internal spacing
2. The size or proportions of a letter or letter combination
3. Curves, loops, and cross-points
4. The presence or absence of pen lifts
5. Beginning and ending strokes

After evaluating the signatures' local characteristics, you must decide whether to accept the ballot affidavit envelope signature as genuine, or flag it for a second check. Only a **combination** of characteristic differences between signatures should trigger a flag for a second check because no one signs their name the same way twice.

If, after going through the above analysis, you find a combination of differences between the signature on the ballot affidavit and the signature(s) in the voter registration record, consider whether the differences can be reasonably explained.


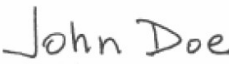
If you can reasonably explain the differences, then you may accept the signature. However, you should not waste time trying to “explain away” the differences that you see. If you find yourself laboring to do so, you should flag the signature for a second check.

Looking at more than one voter registration record signature, if available, may help with your analysis because people develop certain signature habits over time. Identify these habitual marks and determine whether they exist in the ballot affidavit’s signature.

BROAD CHARACTERISTICS

1. TYPE OF WRITING

Next to spelling, the type of writing is the easiest characteristic to notice a difference in. Does the voter's record have only cursive handwriting, but the ballot affidavit envelope has print? This is an immediate indicator for further research or possibly flagging a signature for a second check.

Genuine Signature	Questioned Signature
	

2. SPEED OF WRITING

A person writing their own signature will perform the act fairly quickly. This is because the person has likely signed their name thousands of times, so the gesture is automatic and harmonious, requiring little thought or concentration.

If someone other than the voter took a long time to copy the voter's signature, the copied signature will not have a free and natural look to it. Instead, you should see slower, more deliberate marks. If the forger attempted to create the signature quickly, then it should have various characteristic differences.

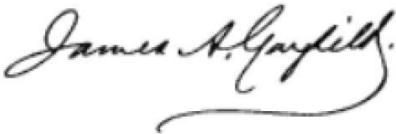



Keep in mind, however, that this situation may go in reverse. If the voter naturally has shaky or poor handwriting that is evident in the voter registration record signature, but the ballot affidavit's signature is suddenly of high quality, that could indicate a forgery.

Look to see whether the ballot affidavit's signature was made at the same speed as the signatures in the voter registration record. Please keep in mind that a reasonable explanation for a shaky signature is the voter's advanced age, decreased muscle strength, or the surface below the envelope.

Genuine Signature	Questioned Signature
	
	

3. OVERALL SPACING




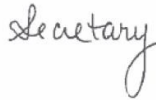


Writing a signature is a fixed and subconscious habit, so the signature's spacing should be reasonably similar. Determine whether the ballot affidavit's signature has odd or unnatural spacing that cannot be reasonably explained.

Genuine Signature	Questioned Signature
	
	

4. OVERALL SIZE AND PROPORTIONS



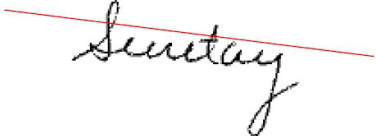



The signatures' size and proportions should also be reasonably similar. At your first impression, identify whether the ballot affidavit's signature is too large or small compared to the signatures in the voter registration record. You may find it difficult to perform this comparison by looking only at one voter registration record signature and may need to conduct further research or review.

The first example below has odd proportions because the letter's height compared to the name's length is very different than the genuine signature. The remaining two examples have unreasonably different sizes.

Genuine Signature	Questioned Signature
	
	
	

5. SLANT OF WRITING

A signature's slant may also show evidence of a forgery. The first slant to be aware of is the signature's position relative to the signature line. People tend to hold the pen and paper the same way each time they write, which causes their writing to slant in the same direction each time. You may also find that individual letters in the signature slant in the opposite direction. This type of deviation will usually accompany a difference in the signature's overall spacing. See the third example below. Look to see whether the entire signature slants or leans in a different direction than the signatures in the voter registration record. A writer's slant is one of the most consistent parts of their signature.

Genuine Signature	Questioned Signature
	
	
	

6. SPELLING

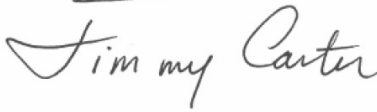
This one is simple—if the name is misspelled, you should not accept the signature. But an elector is permitted to use a common nickname or initials (for instance, a voter may sign as “Bobby” instead of “Robert”) so long as the characteristics of the signature remain the same.

Genuine Signature	Questioned Signature
	

LOCAL CHARACTERISTICS

1. INTERNAL SPACING



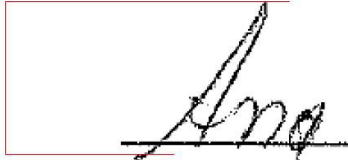

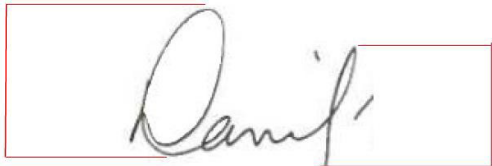

As mentioned before, the spacing and the relationship between successive letters should be reasonably similar. In the examples below, you will notice that the “R” in Ronald is much closer in the questioned signature than in the genuine one, and the questioned “Jimmy” has a great deal of space in between certain letters.

Genuine Signature	Questioned Signature
	
	

2. SIZE OR PROPORTIONS OF A LETTER OR LETTER COMBINATION

Letter sizes and proportions should be reasonably similar. Review whether letters are the same size and whether letter height, when compared to the name’s length, leads to suspicious proportions.

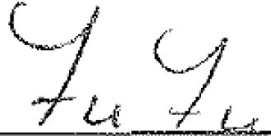

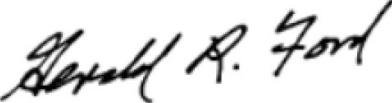

Below, the first questioned signature has unreasonable proportion in “Madison.” The remaining two signatures have noticeably different sizes in certain letters.

Genuine Signature	Questioned Signature
	
	
	

3. CURVES, LOOPS, AND CROSS-POINTS

Like size, these characteristics may be difficult to identify if you are comparing the ballot affidavit's signature to only one voter registration record signature. Some writers tend to have very loopy signatures while others have sharp, angular writing. Characteristics like loops and curves tend to be consistent across a person's handwriting, but keep in mind that cross-points can be reasonably impacted by simple factors like the type of pen the person used, which may be a reasonable explanation for such differences.





Find whether there are any noticeably different marks like in the examples below.

Genuine Signature	Questioned Signature
	
	

4. THE PRESENCE OR ABSENCE OF PEN LIFTS

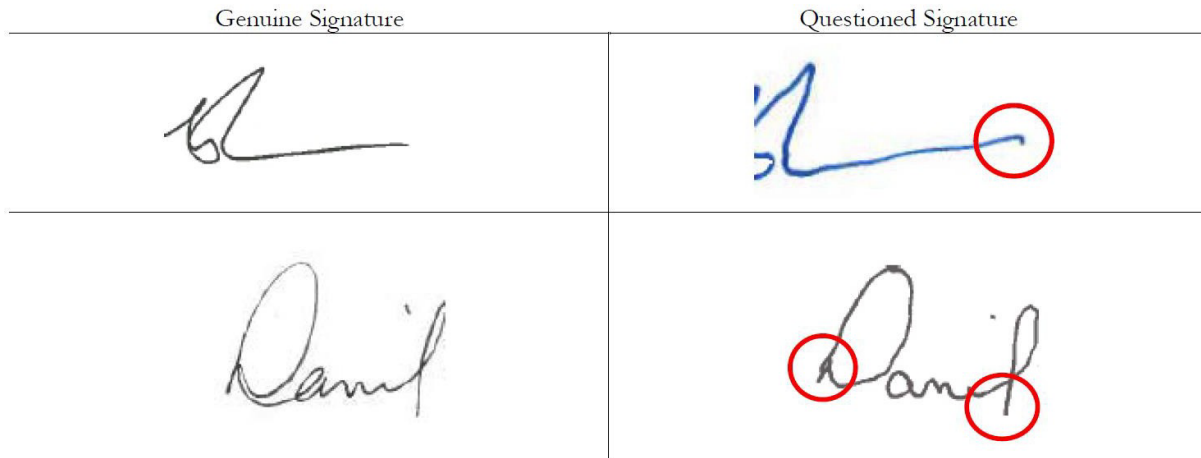
If someone attempted to copy a signature while looking at an example, they may have written in pieces or chunks while referring to the example several times. Generally, when this occurs the forger will leave connection or hesitation marks that will not appear in the voter registration record signatures. The forger may have also left the pen motionless on the page, leaving a hesitation mark, as he or she copies the signature.

Look to see whether there are any strange connection points or hesitation marks like in the examples below.

Genuine Signature	Questioned Signature
	
	

5. BEGINNING AND ENDING STROKES

A genuine signature becomes automatic over time. This automatic nature leads to what appears to be “flying starts and finishes,” where the signature’s start and end points seem to vanish off the paper. Genuine writers tend to begin writing their signature before the pen even hits the paper. A forger will generally start and finish with the pen on the paper, leaving larger ink dots or marks.



ELECTRONIC SIGNATURES

When reviewing signatures in the voter registration record, it is very likely that you will encounter some signatures that were created and captured electronically. The Arizona Motor Vehicle Division Driver's License offices use an electronic signature pad to record signatures. In addition, in some counties, voters will check-in at a vote location by signing on an electronic signature pad. These signatures are included in the voter's record in the voter registration record and are used as references when verifying their signature on the ballot affidavit. Electronic signatures create some unique circumstances that you should consider when verifying a ballot affidavit signature.

When comparing an electronic signature to a handwritten signature, you should continue to consider the factors listed on the previous pages.

- This means you should begin your analysis by looking at each signature's broad characteristics and if those characteristics are not clearly consistent, you should continue your analysis by examining the local characteristics.
- Keep in mind that the local characteristics of an electronic signature may be difficult to determine. Since the technology for electronic signatures is not as precise as pen and paper, it may be difficult, for example, to spot the presence or absence of pen lifts or beginning and ending strokes as space may be limited. Regardless, you should still consider all the factors described in the previous pages of this Guide when comparing these signatures and make a decision based on the totality of what you find.

If, after going through your analysis, you find a combination of differences between the signature on the ballot affidavit envelope and the signatures in the voter registration record, ask whether the differences can be reasonably explained.

- You should consider that electronic signatures in particular may not be as precise as their handwritten counterparts and may even appear "blurry" or "messy" in comparison. It is possible that this may reasonably explain the difference between a handwritten and an electronic signature.
- However, you should not waste time trying to "explain away" the differences that you see. If you find yourself laboring to do so, you should still flag it for a second check.

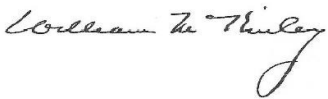
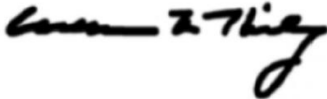


- **Remember:** You may always look through the voter's entire signature history to determine if the current ballot affidavit signature was written by the registered voter. If you find that the electronic signature found in the voter's history is difficult to read or match, it is possible there are other signatures on file that may be easier to read and distinguish. Before declining to accept a voter's signature on the ballot affidavit, review these other signatures to determine if the inconsistency is with the ballot affidavit signature or with the electronic signature in the voter registration record.

1. “MESSY” OR “BLURRY” ELECTRONIC SIGNATURES

Because the technology for capturing electronic signatures is not always as precise as a pen and paper signature, an electronic signature may appear “messy” or “blurry” in comparison. However, even a “messy” or “blurry” signature should be compared using the two-step process described above.

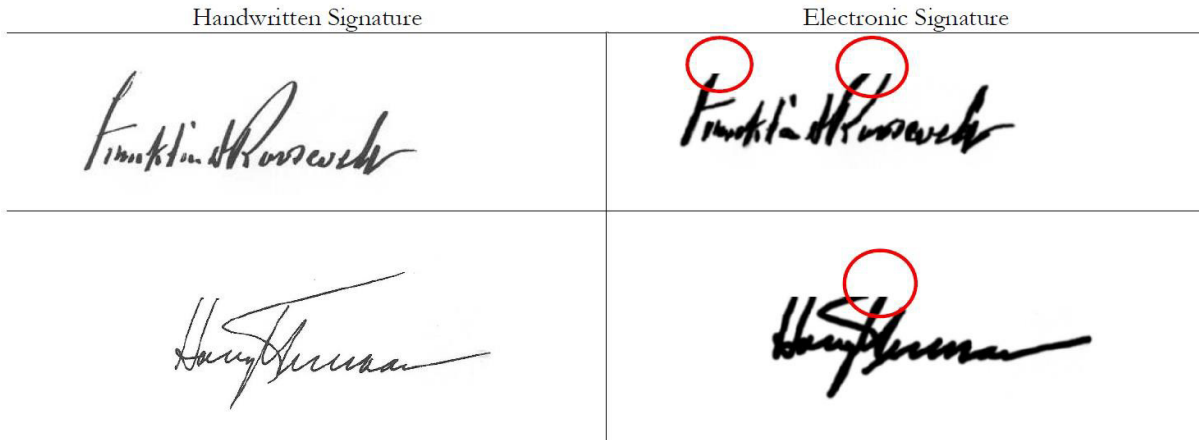
In the first example, the electronic signature found in the voter registration record looks vague and imprecise compared to the handwritten signature found on the ballot. However, the broad characteristics appear to be substantially similar. The type, speed, spacing, size, and position of each signature appear to be the same and any minor disparities can be explained by the fact that one signature was created using an electronic pad and the other was created using pen and paper.

In the second example, many of the broad characteristics are again substantially similar, although the electronic signature is not as precise as the handwritten signature. Regardless, these signatures can still be considered a match because the broad characteristics are substantially similar. If you decide an electronic signature is too “messy” or “blurry” compared to a handwritten signature to fairly compare, you should always look through the voter’s signature history to determine if there is a clearer signature on file before flagging the ballot affidavit signature for a second check.

Handwritten Signature	Electronic Signature
	
	

2. ELECTRONIC SIGNATURES THAT HAVE BEEN CUT-OFF

In some instances, a person signing an electronic signature pad may have some of their signature cut-off. This is likely because the voter's pen stroke went outside the area that the electronic signature pad could capture. You should still compare the full electronic signature to the handwritten signature using the two-step process outlined in this Guide. If you cannot verify the signatures using the two-step process, remember there may be more signatures in the voter's signature history that you can use to compare.



3. EMAILED OR FAXED ELECTRONIC SIGNATURES ON UOCAVA BALLOT AFFIDAVITS

There are some instances when a voter may return a ballot affidavit containing an electronic or digital signature. This most often happens when a UOCAVA voter returns his or her ballot electronically. Normally, voters returning their ballots this way are required to print their ballot affidavit, sign the affidavit, and then scan and e-mail or fax the signed paper. However, some voters have begun attaching a signature to the affidavit electronically.

An electronic signature on a returned ballot affidavit should not be disqualified solely because it is electronic. You should continue to review the signature as you would any other, completing the two-step process of comparison if necessary.

4. ELECTRONIC SIGNATURES USING TYPED FONT

Some voters have attempted to use a typed font as their electronic signature - the first signature below is an example of this. This typed font may also include an IP address “stamp” as in the second example below. While these signatures are becoming more common in commercial contracts, a signature using either of these methods should not be accepted when on a ballot affidavit. Electronic signatures that use typed font shall be rejected. A.R.S. § 16-550.01(E).

5. ELECTRONIC SIGNATURES THAT APPEAR TO BE CUT AND PASTE

It is now possible for voters to cut and paste a handwritten signature that has been scanned electronically onto a ballot affidavit that they then return electronically. These signatures may have the same issues as any other electronic signature; they may appear “messy” or “blurry,” may not be as precise as a handwritten signature or may be cut-off. Regardless, these signatures should be compared to the voter’s signature found in the voter registration record as you would any other signature. If you cannot verify the voter using the two-step process, then the signature should be flagged for a second check.

ASSISTED VOTERS

All Arizona ballot affidavit envelopes contain a line for the voter to sign and a line for the voter assistant, if any, to sign. A voter assistant signature is only required if the voter made a mark instead of signing the affidavit. Despite this, many voters have voter assistants sign their ballot affidavit unaware that this is not required. On the following pages are some examples of the situations you might face with ballots where the voter was assisted.

1. BALLOTS WITH A MARK AND A WITNESS SIGNATURE

The only ballots that must be signed by a voter assistant are those on which the voter has made a mark instead of signing or cannot sign for themselves. A mark is an “X” or other sign or marking made in lieu of a signature. A mark is most commonly represented with an “X” as in the example below. If a ballot contains a mark and a voter assistant signature, the voter’s mark need not be compared to the voter’s signature in the voter registration record, but the County Recorder should have specific procedures in place to confirm that the voter required assistance voting their ballot.

Mark Example



A hand-drawn 'X' mark, consisting of two intersecting diagonal lines, centered between two horizontal lines.

2. BALLOT AFFIDAVITS WITH A VOTER SIGNATURE AND A VOTER ASSISTANCE SIGNATURE

Ballot affidavit envelopes that contain both a voter signature and a voter assistant signature should have the voter’s signature verified (you can ignore the voter assistant signature). You should follow the normal two-step process outlined in this Guide to determine if the voter’s signature matches the signature found in the voter registration record. If you find that the voter’s signature does not match, the signature may be treated as a mark, triggering application of the County Recorder’s specific procedures for confirming that the voter required assistance voting their ballot.

3. BALLOT AFFIDAVITS WITH AN UNCLEAR PEN STROKE AND A VOTER ASSISTANCE SIGNATURE

It may sometimes be difficult to determine if a pen stroke on a voter signature line is a “mark” or a signature. If the ballot does not contain a voter assistant signature, then this pen stroke must be put through normal signature verification.

However, if a ballot does contain a voter assistance signature, then you must first determine whether the pen stroke on the voter signature line is a “mark” or a signature.

- i. If you determine that the pen stroke is a “mark,” then the voter’s mark need not be compared to the voter’s signature in the voter registration record, but the County Recorder may have specific procedures in place to confirm that the voter required assistance voting their ballot.
- ii. If you determine that the pen stroke is a signature, then you should put the signature through normal signature verification process.

Remember, a mark is an “X” or other sign or marking made in lieu of a signature. If a pen stroke on a ballot affidavit appears to be an attempt at a signature, that attempt need not be compared to the voter’s signature in the voter registration record, but the County Recorder may have specific procedures in place to confirm that the voter required assistance voting their ballot.

The example below appears to be a pen stroke that is meant as a signature. Remember, it is always possible that a voter’s signature has deteriorated over years. It is useful to look through the voter’s signature history when reviewing the pen stroke to see if the stroke is consistent with a pattern of signature deterioration from the voter. If so, the signature should be accepted. If not, treat the signature as a mark and follow applicable procedures.

Unclear Pen Stroke with Witness Example

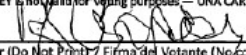
YAVAPAI COUNTY BALLOT AFFIDAVIT – STATE OF ARIZONA

I declare the following under penalty of perjury: I am a registered voter in Yavapai County Arizona; I have not voted and will not vote in this election in any other county or state and if this is a replacement ballot, that the ballot was lost, spoiled, destroyed or not received. I understand that knowingly voting more than once in any election is a Class 5 felony and I voted the enclosed ballot and signed this affidavit personally unless noted below.

VOTER MUST SIGN HERE
(EL VOTANTE DEBE FIRMAR AQUÍ)

STOP
ALTO

BALLOT WILL NOT BE COUNTED WITHOUT YOUR SIGNATURE — LA BOLETA ELECTORAL NO SE CONTARÁ SIN SU FIRMA
POWER OF ATTORNEY is not valid for voting purposes — UNA CARTA PODER no es válida para propósitos electorales

X 

Signature of Voter (Do Not Print) / Firma del Votante (No con letra de molde)

Voter's daytime phone number should we need to contact you regarding any problem with your ballot/signature. El número de teléfono para comunicarnos con el votante durante las horas del día si necesitamos comunicarnos con usted con respecto a algún problema con su boleta electoral o su firma.

IMPORTANT: The voter must sign the declaration in his or her own handwriting in order for the ballot to be counted.

IMPORTANTE: El votante tiene que firmar la declaración con su propia letra para que la boleta pueda ser contada.

VOTER ASSISTANCE

If the voter was assisted by another person in marking the ballot, complete the following: I declare the following under penalty of perjury: At the registered voter's request, I assisted the voter identified in this affidavit with marking the voter's ballot. I marked the ballot as directly instructed by the voter. I provided the assistance because the voter was physically unable to mark the ballot solely due to illness, injury or physical limitations and I understand that there is no power of attorney for voting and that the voter must be able to make their selection even if they cannot physically mark the ballot.



NAME, ADDRESS, & TELEPHONE NUMBER OF VOTER ASSISTANT

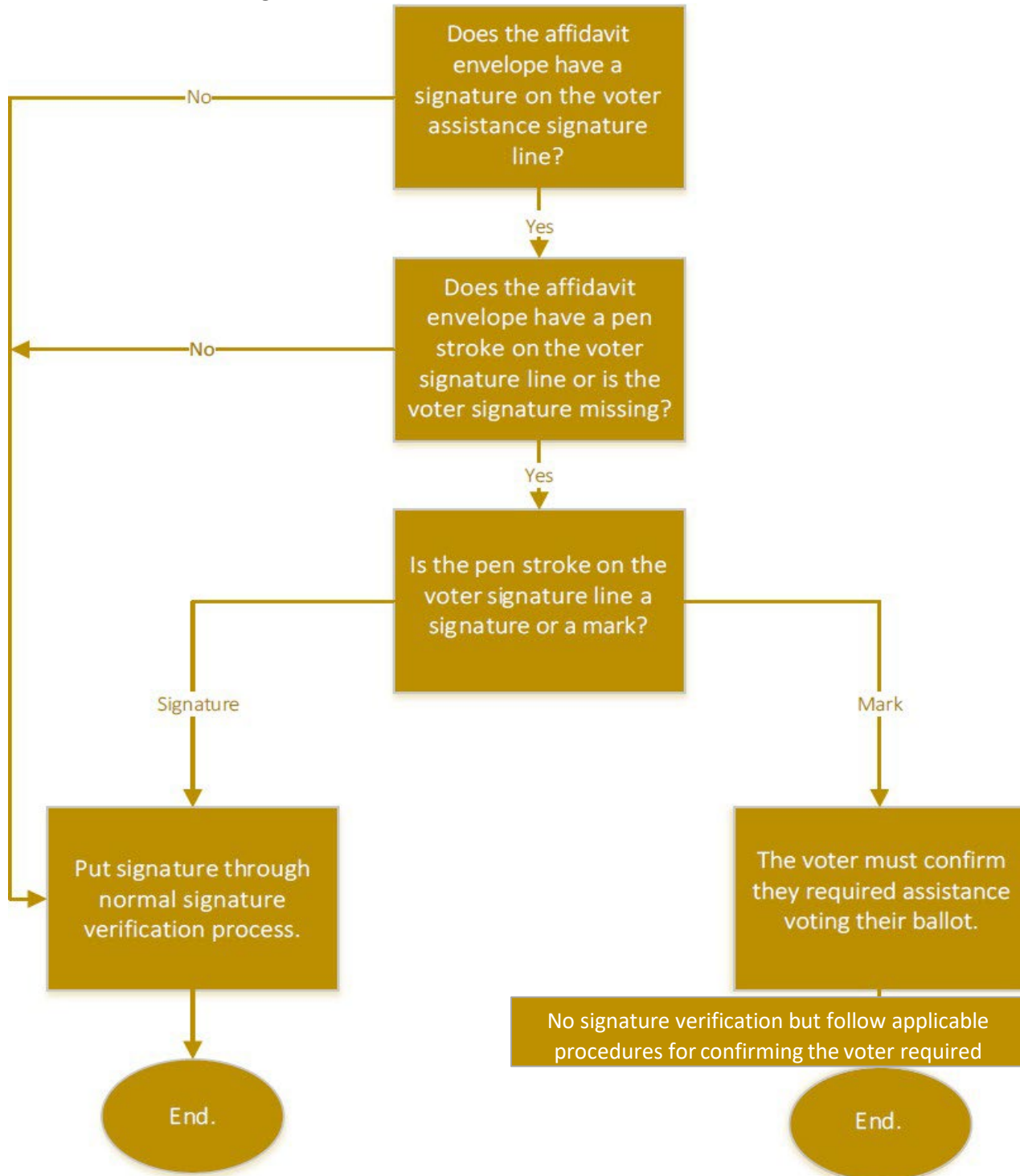
See back of this page for Spanish translation.
Vea el dorso de esta página para la traducción en español

4. BALLOT AFFIDAVITS WITH NO VOTER MARKING AND A VOTER ASSISTANT SIGNATURE

Some ballots may be returned without a signature for the voter but contains a signature for the voter assistant. In this circumstance, County Recorder staff should follow their office procedures for confirming that the voter required assistance voting their ballot.

5. FLOWCHART FOR VOTER ASSISTANT BALLOT AFFIDAVITS

Use the following flowchart to help you determine what to do with a ballot affidavit that has a voter assistance signature.



6. SIGNATURES FROM VOTERS IN GROUP RESIDENTIAL FACILITIES

Close attention should be paid to pen strokes found on ballot affidavit envelopes from voters living in group residential facilities. The signatures of these voters are at a higher risk of having changed or deteriorated over time and may look less and less like the comparison signature found in the voter registration record. With this risk in mind, the following precautions should be taken when reviewing signatures from these voters.

- Look for a pattern of deterioration in the voter's signature history. You may do this for any signature that you review, but for signatures from voters in group residential facilities, taking this extra step can be even more beneficial. If the signatures you review in the voter registration record reveal a pattern of deterioration, then this fact may reasonably explain the difference between the ballot's signature and the signatures found in the voter registration record.
- Make sure the signature you are reviewing is actually a signature and not a mark. Because these voters' signatures may deteriorate over time, it may be that the voter has chosen to make a mark instead of signing their ballot. Remember, if you determine that the voter made a mark and there is a voter assistant signature provided, the Recorder may have specific procedures in place to confirm that the voter required assistance voting their ballot.
- Be mindful of the voter's situation when reviewing signatures from group residential facility voters. Remember that if, after going through normal signature analysis, the differences between two signatures can be reasonably explained, you should accept a voter's signature as valid.

2. CAN YOU FIND THE MATCHES?

The 30 words below have 15 authors. Find each of the two handwritings that were authored by the same person. This exercise will make you look at local characteristics in order to find a match. The matching pairs are on the last page.

1 <i>State</i>	2 <i>State</i>	3 <i>State</i>	4 <i>State</i>
5 <i>State</i>	6 <i>State</i>	7 <i>State</i>	8 <i>State</i>
9 <i>State</i>	10 <i>State</i>	11 <i>State</i>	12 <i>State</i>
13 <i>State</i>	14 <i>State</i>	15 <i>State</i>	16 <i>State</i>
17 <i>State</i>	18 <i>State</i>	19 <i>State</i>	20 <i>State</i>
21 <i>State</i>	22 <i>State</i>	23 <i>State</i>	24 <i>State</i>
25 <i>State</i>	26 <i>State</i>	27 <i>State</i>	28 <i>State</i>
29 <i>State</i>	30 <i>State</i>		

ANSWERS

1-8

2-17

3-9

4-6

5-23

6-4

7-15

8-1

9-3

10-21

11-26

12-22

13-19

14-25

15-7

16-28

17-2

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Chapter 5:

Determining Voter Intent

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I. Introduction

This *Voter Intent Guide* (hereinafter referred to as “*Guide*”) outlines specific scenarios to assist county election workers and election board workers in determining voter intent in accordance with applicable statutes and the most current version of the *Elections Procedures Manual*. Bipartisan teams of election board workers may need to review ballots for voter intent in the following situations:

- When the county is conducting a post-election hand count audit;
- When a bipartisan team of election board workers is duplicating or adjudicating damaged ballots or ballots that are otherwise unreadable or read as blank by the electronic tabulation machine;
- When a bipartisan team of election board workers is duplicating or adjudicating races read as overvotes by the electronic tabulation machine or other markings on the ballot requiring determination of voter intent; or
- When a bipartisan team of election board workers is resolving ballots containing votes for write-in candidates.

II. Responsibilities of the Ballot Duplication Board and Electronic Vote Adjudication Board¹ in Determining Voter Intent

A Ballot Duplication Board manually duplicates ballots that cannot be scanned by the tabulation machine because the ballot is damaged or defective. This may include crumpled, torn, or otherwise damaged ballots, ballots with smudged ink, or ballots which are marked in the wrong color of ink or with a device (*e.g.*, crayon, white-out, labels) that cannot be read by the tabulation machine. The duplicated or adjudicated ballot then must be tabulated in place of the damaged ballot. [A.R.S. § 16-621](#).

An Electronic Vote Adjudication Board electronically adjudicates² ballots, which is the process for resolving flagged cast ballots to reflect voter intent. Common reasons for flagging include:

- write-ins,
- [overvotes](#),
- marginal [machine-readable mark](#),
- having no [contest selections](#) marked on the entire [ballot](#), or
- the ballot being unreadable by a scanner.

¹ Each Board shall be comprised of at least two members who are registered voters not of the same political party and who are appointed by the officer in charge of elections.

² The definition of commonly used election terms can be found at <https://pages.nist.gov/ElectionGlossary/>

During the manual duplication or electronic adjudication process, the Board shall determine whether a voter clearly indicated their intent to vote on a particular race or ballot measure. The general guidelines for determining voter intent are as follows:

- If a voter selects more than the maximum number of seats for a race, the tabulation machine will read the race as over-voted. Similarly, if a voter voted for a candidate whose name is printed on the ballot by marking the appropriate target area (*e.g.*, arrow, square, or oval) and wrote the candidate's name in the write-in area, the tabulation machine will read that race as over-voted. Over-voted ballots shall be sent to the Adjudication/Ballot Duplication Board. If voter intent can be determined, the ballot shall be adjudicated/duplicated and counted.
- If a voter has consistently marked their ballot by circling the name of the candidates, or circling yes or no for issues, or placing an x, check mark, punched hole, or other similar mark next to the voter's choices, the tabulation machine will read the ballot as blank or invalid. These ballots shall be sent to the Ballot Duplication Board or the Electronic Vote Adjudication Board for processing.
- For UOCAVA voters, if the voter writes the name of a candidate on a Federal Write-In Absentee Ballot (FWAB), the vote shall be counted for that candidate. If a voter writes the name of a political party on an FWAB in a general election, the vote shall be counted as a vote for the candidate of that party. Any abbreviation, misspelling, common nickname, or other minor variation in the name of candidate or political party shall be disregarded in determining the validity of the vote if the intent of the voter can be ascertained. [A.R.S. § 16-543.02\(C\)](#); [A.R.S. § 16-645\(A\)](#).

If voter intent is not clear and Board members do not agree on the voter intent for a particular ballot, that ballot should be referred to the Snag Board, redistributed to a new adjudication or duplication board, or officer in charge of elections for resolution prior to duplicating the ballot.

III. Standard for Determining Voter Intent During a Hand Count Audit

Ballots with vote choices that were marked improperly, corrected, or erased, or otherwise read as blank or unclear by the electronic tabulation machine will have likely been duplicated prior to being tabulated and/or committed to the Election Management System (EMS). Where necessary, for the Hand Count Audit, the Board members must also determine the voter's intent on such ballots, using the following standards:

1. If the voter did not select any choice for a particular race or ballot question, then no vote is counted for any candidate for that race or for or against that ballot measure.
2. If the voter attempted to erase or undo their original vote choice, the Hand Count Board must determine which mark is clearest and count it as the proper vote choice.

3. If the voter selected more than the allowed number of selections for a particular race and the voter's intended choice(s) cannot be positively determined, then no vote is counted for any candidate for that race or for or against that ballot measure.
4. If the voter clearly and unambiguously indicated their intended vote choice on the face of the ballot in a manner consistently used throughout the partisan v nonpartisan ballots but the vote choice was nonetheless unreadable by the electronic tabulation equipment, either due to the voter marking the ballot using an improper method or for other reasons, the Hand Count Board must count the voter's intended choice in the hand count.
5. If the voter properly marked the ballot (for example, filled in the oval or connected the arrow) but the ballot face includes other extraneous marks, the extraneous marks should be disregarded, and the Hand Count Board must consider the properly marked vote choice as the voter's intended selection.
6. If the voter marked the ballot using an improper method (for example, circling a vote choice rather than filling an oval) such that the selections were unreadable by the electronic tabulation equipment, but the markings indicate the clear and unambiguous intent of the voter and the improper method is used throughout the rest of the ballot, the Hand Count Board must count the voter's selections in the hand count, even if a ballot is slightly defaced or soiled.

If there is any question about the intent of the voter, the determination of voter intent must be made by unanimous consent of all three Hand Count Board members using the standards outlined above. If a unanimous decision cannot be reached by the Hand Count Board, either the officer in charge of elections shall make the final decision regarding the voter's intent or the ballot shall be resubmitted for a new Hand Count Board to review. A notation of the final decision shall be logged on the tally sheet and the inspector shall place the ballot into the proper stack for counting.

IV. Marks Made Within the Target Area

The "target area" is the oval or square adjacent to a candidate's name or ballot response that the voter is instructed to fill in to indicate their selection for each race. Examples of the target area are circled in red below.

JUDGE OF THE SUPERIOR COURT	
DIVISION I	
VOTE FOR NOT MORE THAN 1	
<input type="radio"/>	REED, TED
<input type="radio"/>	Write-in

QUESTION 1	
Shall Tempe be authorized to issue and sell \$134,000,000 general obligation, water and sewer revenue, or tax secured revenue bonds for water and sewer improvements?	
BOND APPROVAL, YES	<input type="radio"/>
BOND APPROVAL, NO	<input type="radio"/>

General Rule: Any marks made within the target area should be counted as a valid vote as long as the voter did not select more candidates or ballot measure responses than the maximum number allowed and none of the exceptions below apply.

Exceptions: Marks made inside the target area should not be counted as a valid vote if one or more of the following exceptions apply.

1. Obvious stray marks
2. Hesitation marks
3. Parts of written notes
4. Corrected votes or overvotes

Marks *outside* of the target area should be counted only if they form a pattern of similar marks as outlined in this Section, or if they qualify as written instructions by the voter to election officials.

A. Valid Markings Inside Target Area

→ EXAMPLE 1: VALID TARGET AREA MARKINGS

Each of the examples below show markings that are valid votes because they are within the target area and do not fall under one of the specified exceptions.

<p style="text-align: center;">STATE TREASURER VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> MANOIL, MARK (DEM)</p> <p><input checked="" type="radio"/> YEE, KIMBERLY (REP)</p> <p><input type="radio"/> _____ Write-in</p>	<p style="text-align: center;">ATTORNEY GENERAL VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> CONTRERAS, JANUARY (DEM)</p> <p><input checked="" type="radio"/> BRNOVICH, MARK (REP)</p> <p><input type="radio"/> _____ Write-in</p>
--	--

<p style="text-align: center;">U.S. REPRESENTATIVE IN CONGRESS DISTRICT 1 VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> O'HALLERAN, TOM (DEM)</p> <p><input type="radio"/> ROGERS, WENDY (REP)</p> <p><input type="radio"/> _____ Write-in</p>	<p style="text-align: center;">JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> REED, TED</p> <p><input type="radio"/> _____ Write-in</p>
--	---

→ EXAMPLE 2: INCOMPLETE MARKS THAT ARE VALID VOTES

An incomplete or defective mark in the target area should be counted as a valid vote as long as no other cross mark or comment appears indicating an intent to vote for a different or no candidate/response within the same contest. The example below is a valid vote.

GOVERNOR		
VOTE FOR NOT MORE THAN 1		
<input type="radio"/>	GARCIA, DAVID	(DEM)
<input checked="" type="radio"/>	DUCEY, DOUG	(REP)
<input type="radio"/>	TORRES, ANGEL	(GRN)
<input type="radio"/>	Write-in _____	

→ EXAMPLE 3: VALID TARGET AREA MARKINGS INDICATIVE OF VOTER FATIGUE

In the example below, the marks made on the ballot get smaller with each race, indicative of “voter fatigue.” All marks are in the target area and should be counted as valid votes. Does this example contradict the general rule on page 4? The machine likely would count the votes.

<p>STATE TREASURER VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> MANOIL, MARK (DEM)</p> <p><input type="radio"/> YEE, KIMBERLY (REP)</p> <p><input type="radio"/> Write-in _____</p>	<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> SLAYTON, DAN</p> <p><input type="radio"/> Write-in _____</p>
<p>SUPERINTENDENT OF PUBLIC INSTRUCTION VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> HOFFMAN, KATHY (DEM)</p> <p><input checked="" type="radio"/> RIGGS, FRANK (REP)</p> <p><input type="radio"/> Write-in _____</p>	<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> FRIDLUND-HORNE, ELAINE</p> <p><input type="radio"/> Write-in _____</p>

B. Exception: Obvious Stray Marks

→ EXAMPLE 4: OBVIOUS STRAY MARKS OUTSIDE TARGET AREA

In the example below, even though the mark partially extends into the target area Tom O'Halleran, it is primarily concentrated outside the target area, and therefore should be considered a stray mark and not a valid vote. This race should be counted as a valid vote for Wendy Rogers and should not be adjudicated as an overvote.

U.S. REPRESENTATIVE IN CONGRESS		
DISTRICT 1		
VOTE FOR NOT MORE THAN 1		
<input type="radio"/>	O'HALLERAN, TOM	(DEM)
<input checked="" type="radio"/>	ROGERS, WENDY	(REP)
<input type="radio"/>	_____	Write-in

→ EXAMPLE 5: OBVIOUS STRAY MARKS THROUGH TARGET AREA

The example below shows a stray mark that should not be counted as a valid vote, even though the mark extends through one candidate's target area. Note that to determine whether a mark in a target area is a stray mark, it may be necessary to review the race for consistent patterns.

U.S. REPRESENTATIVE IN CONGRESS		
DISTRICT 1		
VOTE FOR NOT MORE THAN 1		
<input type="radio"/>	O'HALLERAN, TOM	(DEM)
<input type="radio"/>	ROGERS, WENDY	(REP)
<input type="radio"/>	_____	Write-in

→ EXAMPLE 6: STRAY MARKS EXTENDING INTO ADJACENT TARGET AREA

In the example below, the mark extends outside one candidate's target area into another target area. However, because the mark clearly indicates a preference for Wendy Rogers and is concentrated in that candidate's target area, it should be counted as a valid vote for Wendy Rogers.

U.S. REPRESENTATIVE IN CONGRESS		
DISTRICT 1		
VOTE FOR NOT MORE THAN 1		
<input type="radio"/>	O'HALLERAN, TOM	(DEM)
<input checked="" type="radio"/>	ROGERS, WENDY	(REP)
<input type="radio"/>	_____	Write-in

→ EXAMPLE 7: CANDIDATE'S NAME STRICKEN

In this example, the voter has stricken the name of candidate Wendy Rogers. Part of this mark extends into that candidate's target area, but it is considered a stray mark. This race should be counted as a valid vote for Tom O'Halleran and should not be adjudicated as an overvote.

U.S. REPRESENTATIVE IN CONGRESS		
DISTRICT 1		
VOTE FOR NOT MORE THAN 1		
<input checked="" type="radio"/>	O'HALLERAN, TOM	(DEM)
<input type="radio"/>	ROGERS, WENDY	(REP)
<input type="radio"/>	Write-in _____	

C. Exception: Hesitation Marks

→ EXAMPLE 8: HESITATION MARKS

In the example below, there are marks in both candidates' target areas, but the mark in the target area for Steve Gaynor is far smaller than for Katie Hobbs. This smaller mark appears to be a hesitation mark and should be disregarded. This race should be counted as a valid vote for Katie Hobbs and should not be adjudicated as an overvote.

SECRETARY OF STATE		
VOTE FOR NOT MORE THAN 1		
<input checked="" type="radio"/>	HOBBS, KATIE	(DEM)
<input type="radio"/>	GAYNOR, STEVE	(REP)
<input type="radio"/>	Write-in _____	

D. Exception: Parts of Written Notes

→ EXAMPLE 9: WRITTEN NOTES TOUCHING TARGET AREA

In the examples below, although the written notes extend into a candidate's target area, the voter's intent is not to cast a valid vote for any candidate and should not be counted as valid.

U.S. SENATOR	
VOTE FOR NOT MORE THAN 1	
<input type="radio"/> SINEMA KYRSTEN	(DEM)
<input type="radio"/> MCSALLY, MARTHA	(REP)
<input type="radio"/> GREEN, ANGELA	(GRN)
<input type="radio"/> _____	Write-in

ALL BAD!!!

STATE MINE INSPECTOR	
VOTE FOR NOT MORE THAN 1	
<input type="radio"/> PIERCE, WILLIAM "BILL"	(DEM)
<input checked="" type="radio"/> HART, JOE	(REP)
<input type="radio"/> _____	Write-in

→ EXAMPLE 10: WRITTEN *INSTRUCTIONS* WITHIN TARGET AREA

In the example below, however, the voter provided clear instructions in the target area that dictate the vote be counted for Joe Hart.

STATE MINE INSPECTOR	
VOTE FOR NOT MORE THAN 1	
<input checked="" type="radio"/> NO PIERCE, WILLIAM "BILL"	(DEM)
<input checked="" type="radio"/> YES HART, JOE	(REP)
<input type="radio"/> _____	Write-in

V. Pattern of Similar Marks

General Rule: Marks made outside of the target area should be counted as valid votes if the voter uses a consistent pattern or method of marking throughout the ballot.

To be valid, the pattern or method of marking outside the target area must be consistent for all votes throughout the ballot. If the voter uses similar marks throughout but places some outside the target area and some inside the target area, only the marks inside the target area should be counted as valid votes.

→ EXAMPLE 11: CONSISTENT PATTERN OF MARKS OUTSIDE TARGET AREA

In each of the four examples below, the voter formed a pattern of similar marks outside the target area. Although the marks are outside the target area, these are all valid votes because the voter used a consistent pattern of marking.

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> REED, TED X</p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> SLAYTON, DAN X</p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE X</p> <p><input type="radio"/> _____ Write-in</p>

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>REED, TED</u></p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>SLAYTON, DAN</u></p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>FRIDLUND-HORNE, ELAINE</u></p> <p><input type="radio"/> _____ Write-in</p>

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> REED, TED ✓</p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> SLAYTON, DAN ✓</p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE ✓</p> <p><input type="radio"/> _____ Write-in</p>

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>REED, TED</u></p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>SLAYTON, DAN</u></p> <p><input type="radio"/> _____ Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> <u>FRIDLUND-HORNE, ELAINE</u></p> <p><input type="radio"/> _____ Write-in</p>

→ EXAMPLE 12: CONSISTENT PATTERN OF MARKS, SOME WITHIN TARGET AREA AND SOME OUTSIDE TARGET AREA

In the below examples, the voter used similar marks throughout, but placed some outside the target area and some inside the target area. Only the marks inside or immediately adjacent to the target area should be counted as valid votes. In the example on the left below, only the votes for Ted Reed and Dan Slayton should be counted as valid votes. In the example on the right below, only the vote for Ted Reed should be counted as a valid vote.

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> REED, TED</p> <p><input type="radio"/> Write-in</p>	<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> REED, TED</p> <p><input type="radio"/> Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> SLAYTON, DAN</p> <p><input type="radio"/> Write-in</p>	<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> SLAYTON, DAN ✓</p> <p><input type="radio"/> Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE ✗</p> <p><input type="radio"/> Write-in</p>	<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE ✓</p> <p><input type="radio"/> Write-in</p>

→ EXAMPLE 13: INVALID VOTES DUE TO INCONSISTENT MARKS OUTSIDE TARGET AREA

In the below example, the voter marked outside the target area for all races but used an inconsistent pattern of marking. These votes should not be counted.

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> REED, TED</p> <p><input type="radio"/> Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> SLAYTON, DAN ✓</p> <p><input type="radio"/> Write-in</p>
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE ✗</p> <p><input type="radio"/> Write-in</p>

→ EXAMPLE 14: INCONSISTENT TYPE OF MARKS INSIDE AND OUTSIDE TARGET AREA

In the below example, the voter used inconsistent types of marks inside and outside the target area, so the exception for patterns of similar marks does not apply. Only the vote for Ted Reed should count as a valid vote because it is marked in the target area.

<p>JUDGE OF THE SUPERIOR COURT DIVISION I VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="radio"/> REED, TED</p> <p><input type="radio"/> Write-in</p>	
<p>JUDGE OF THE SUPERIOR COURT DIVISION II VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> SLAYTON, DAN</p> <p><input type="radio"/> Write-in</p>	
<p>JUDGE OF THE SUPERIOR COURT DIVISION IV VOTE FOR NOT MORE THAN 1</p> <p><input type="radio"/> FRIDLUND-HORNE, ELAINE X</p> <p><input type="radio"/> Write-in</p>	

→ EXAMPLE 15: MARKS IN “VOTE FOR TWO OR MORE” RACES

If the voter can choose more than one candidate in a race, all marks must follow the same pattern or method. If the voter uses inconsistent marks and marks more choices than permitted, all marks for that race will be invalidated, except where a voter uses an inconsistent mark to clearly indicate the voter’s intent *not* to vote for a candidate or one type of mark used is consistent with how the voter marked their choices on the rest of the ballot.

In the example below, the voter placed all marks within the target area, but used inconsistent marks. Because the voter’s intent cannot be determined due to the inconsistent marks in this race, none of the marks should be counted as valid votes unless the voter marked the rest of their ballot using an “X” in the target area or by completely filling in the target area. Look at the rest of the ballot as an indicator of the voting pattern.

<p>CORPORATION COMMISSIONER VOTE FOR NOT MORE THAN 2</p>		
<input checked="" type="checkbox"/>	KENNEDY, SANDRA	(DEM)
<input type="checkbox"/>	SEARS, KIANA MARIA	(DEM)
<input checked="" type="checkbox"/>	GLASSMAN, RODNEY	(REP)
<input checked="" type="checkbox"/>	OLSON, JUSTIN	(REP)
<input type="checkbox"/>	Write-in	
<input type="checkbox"/>	Write-in	

→ EXAMPLE 16: CORRECTION MARKS IN “VOTE FOR TWO OR MORE” RACES

But in the example below, while the voter used inconsistent marks, the voter’s intent to correct their vote is clear. Thus, the votes for Sandra Kennedy and Rodney Glassman should be counted as valid votes because the voter has clearly corrected the vote for Justin Olson and indicated their intent not to vote for that candidate.

CORPORATION COMMISSIONER		
VOTE FOR NOT MORE THAN 2		
<input checked="" type="radio"/>	KENNEDY, SANDRA	(DEM)
<input type="radio"/>	SEARS, KIANA MARIA	(DEM)
<input checked="" type="radio"/>	GLASSMAN, RODNEY	(REP)
<input checked="" type="radio"/>	OLSON, JUSTIN	(REP)
<input type="radio"/>	_____	Write-in
<input type="radio"/>	_____	Write-in

VI. Overvotes and Corrected Votes

An overvote occurs where a voter marks more options than the maximum permitted for a race or ballot measure.

General Rule: No votes for an overvoted race or ballot measure should be counted, unless the voter has provided a correction, written instructions, or other clear indication of the voter’s intent.

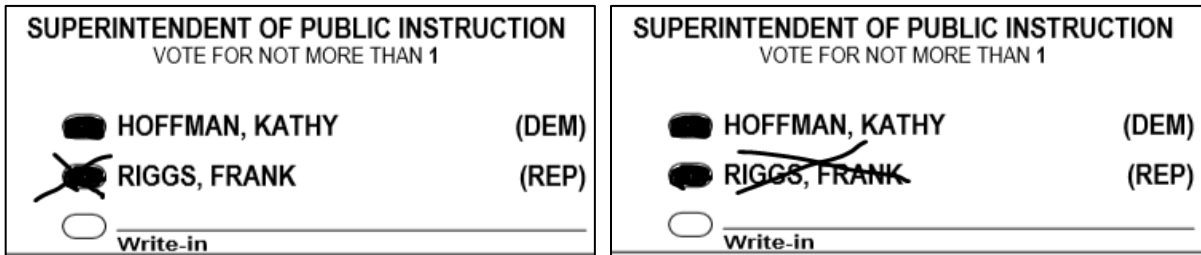
→ EXAMPLE 17: OVERVOTED RACE WHERE VOTER HAS NOT CLEARLY INDICATED A SINGLE CHOICE

In the example below, the voter marked in the target areas for two candidates in a race that only allows for one selection and has not corrected or otherwise clearly indicated a single choice. Neither of these votes are valid.

SUPERINTENDENT OF PUBLIC INSTRUCTION		
VOTE FOR NOT MORE THAN 1		
<input checked="" type="radio"/>	HOFFMAN, KATHY	(DEM)
<input checked="" type="radio"/>	RIGGS, FRANK	(REP)
<input type="radio"/>	_____	Write-in

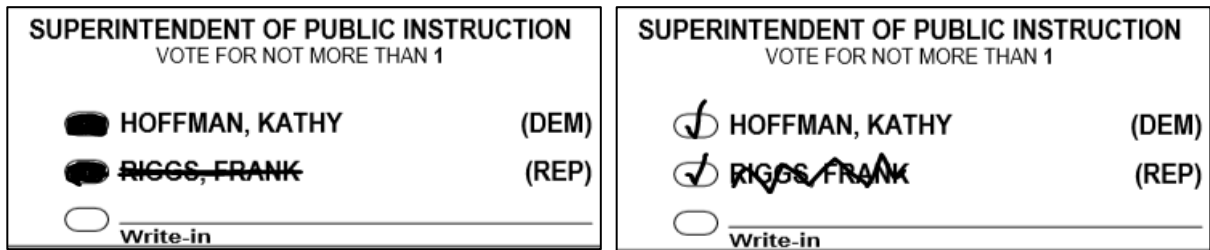
→ EXAMPLE 18: OVERVOTED RACE WHERE VOTER CORRECTED BY MARKING AN “X” OVER ONE CHOICE

In the examples below, the voter marked in the target areas for two candidates in a race that only allows for one selection. However, the voter attempted to clarify their vote by placing an “X” over the choice the voter did not wish to select. Because the correction clearly indicates the voter’s intent, these are both valid votes for Kathy Hoffman.



→ EXAMPLE 19: OVERVOTED RACE WHERE VOTER CORRECTED BY STRIKING THROUGH ONE CHOICE

In the examples below, the voter marked in the target areas for two candidates in a race that only allows for one selection. However, the voter attempted to clarify their vote by striking or scribbling through the choice the voter did not wish to select. Because the correction clearly indicates the voter’s intent, these are both valid votes for Kathy Hoffman.



→ EXAMPLE 20: OVERVOTED RACE WHERE VOTER CORRECTED USING WRITTEN INSTRUCTIONS

In the examples below, the voter marked in the target areas for two candidates in a race that only allows for one choice, but the voter used written instructions to clearly indicate their intent. Therefore, these should count as valid votes for Frank Riggs.

<p>SUPERINTENDENT OF PUBLIC INSTRUCTION VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="checkbox"/> HOFFMAN, KATHY <i>No</i> (DEM)</p> <p><input checked="" type="checkbox"/> RIGGS, FRANK <i>Yes!</i> (REP)</p> <p><input type="checkbox"/> _____ Write-in</p>	<p>SUPERINTENDENT OF PUBLIC INSTRUCTION VOTE FOR NOT MORE THAN 1</p> <p><input checked="" type="checkbox"/> HOFFMAN, KATHY <i>mistake</i> (DEM)</p> <p><input checked="" type="checkbox"/> RIGGS, FRANK (REP)</p> <p><input type="checkbox"/> _____ Write-in</p>
--	---

→ EXAMPLE 21: FILLED-IN TARGET AREA TO CORRECT AN INCOMPLETE OR INCORRECT MARK

In the example below, the voter may have marked their selection using an “X”, and filled in the entire target area, in an attempt to clearly indicate their vote choice. Because there is only one target area marked and no other markings for the race, the voter’s intent is to vote for Frank Riggs. This situation likely would not get flagged for electronic adjudication; the vote will count for Frank Riggs.

<p>SUPERINTENDENT OF PUBLIC INSTRUCTION VOTE FOR NOT MORE THAN 1</p> <p><input type="checkbox"/> HOFFMAN, KATHY (DEM)</p> <p><input checked="" type="checkbox"/> RIGGS, FRANK (REP)</p> <p><input type="checkbox"/> _____ Write-in</p>

VII. Written Instructions

General Rule: If a voter has attempted to vote or correct a vote by providing written instructions regarding their intent, the vote should be counted as the voter instructed. Written instructions may include words, arrows, circles, or lines.

→ EXAMPLE 22: VALID WRITTEN INSTRUCTIONS USING WORDS

In the examples below, although the voter has filled in the target area for more than one candidate, the written instructions clearly indicate the voter's intent. These should be counted as valid votes for Mark Manoil.

STATE TREASURER	
VOTE FOR NOT MORE THAN 1	
<input checked="" type="radio"/> MANOIL, MARK	YES! (DEM)
<input checked="" type="radio"/> YEE, KIMBERLY	NO (REP)
<input type="radio"/>	Write-in

STATE TREASURER	
VOTE FOR NOT MORE THAN 1	
<input checked="" type="radio"/> MANOIL, MARK	← this one (DEM)
<input checked="" type="radio"/> YEE, KIMBERLY	(REP)
<input type="radio"/>	Write-in

→ EXAMPLE 23: VALID WRITTEN INSTRUCTIONS WITHOUT WORDS

In the examples below, although the voter marked in the target area for more than one candidate, the voter also used non-verbal written instructions to clearly instruct that they intended to vote for Kimberly Yee, not Mark Manoil. These should be counted as valid votes for Kimberly Yee.

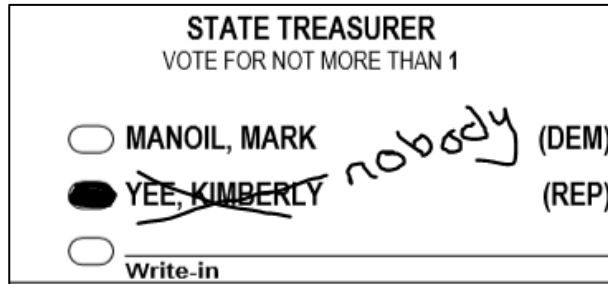
STATE TREASURER	
VOTE FOR NOT MORE THAN 1	
<input checked="" type="radio"/> MANOIL, MARK	(DEM)
<input checked="" type="radio"/> YEE, KIMBERLY	(REP)
<input type="radio"/>	Write-in

STATE TREASURER	
VOTE FOR NOT MORE THAN 1	
<input checked="" type="radio"/> MANOIL, MARK	(DEM)
<input checked="" type="radio"/> YEE, KIMBERLY	← (REP)
<input type="radio"/>	Write-in

→ EXAMPLE 24: VALID WRITTEN INSTRUCTIONS CANCELLING A VOTE

In the example below, the voter selected a candidate, but also drew an “X” through the selection and provided written instructions that the voter intended to vote for “nobody.” Similar acceptable words cancelling a vote include “none” and “neither.” This written instruction to election officials is that the voter’s intent was not to vote for any candidate. Thus, this example would result in an undervote.

This vote should be pulled (if possible) by Early Board for adjudication. If not caught, the vote will count the vote for Kimberly Yee.



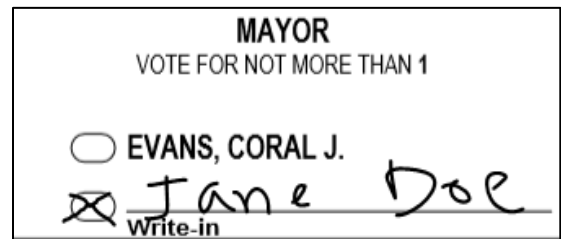
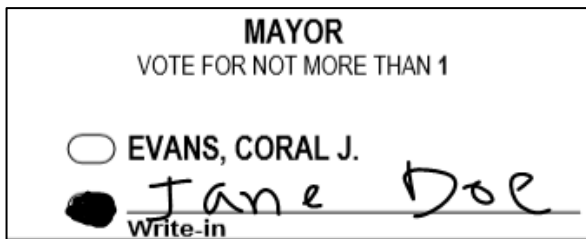
VIII. Write-In Candidates

Under Arizona law, a write-in vote is counted only if the voter properly marks the target area *and* writes in the name of a qualified write-in candidate. Abbreviations, misspellings, and minor variations in the write-in name should be disregarded if the voter’s intent can be determined.

For a federal write-in absentee ballot (FWAB), which does not have target areas, a voter may cast a valid write-in vote by simply writing in the name of a candidate or, for a partisan race in a general election, by writing in the name of a political party (in which case the ballot must be counted for the candidate of that political party). A.R.S. § 16-448; A.R.S. § 16-543.02(C); A.R.S. § 16-645(A).

→ EXAMPLE 25: VALID WRITE-IN VOTE

The examples below show a properly cast vote for a write-in candidate, assuming Jane Doe is a qualified write-in candidate for that race. The voter has both marked the target area for a write-in candidate and written in Jane Doe’s name in the provided area.



→ EXAMPLE 26: INVALID WRITE-IN VOTE (NON-FWAB)

In the example below, although the voter wrote in a write-in candidate in the space provided, the voter failed to mark the target area. Thus, this vote is not valid. (As explained above, FWABs do not have target areas, so valid write-in votes on a FWAB need only the written name of a candidate or party.)

MAYOR
VOTE FOR NOT MORE THAN 1

EVANS, CORAL J.

Jane Doe
Write-in

→ EXAMPLE 27: WRITE-IN OF CANDIDATE ALREADY ON THE BALLOT

In the examples below, the voter wrote in the name of a candidate who is also printed on the ballot. As long as one or both corresponding target areas is marked, it should be counted as a valid vote for the candidate and should not be adjudicated as an overvote.

MAYOR
VOTE FOR NOT MORE THAN 1

EVANS, CORAL J.

Coral Evans
Write-in

MAYOR
VOTE FOR NOT MORE THAN 1

EVANS, CORAL J.

Coral Evans
Write-in

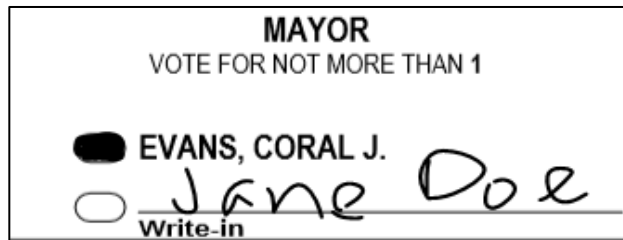
MAYOR
VOTE FOR NOT MORE THAN 1

EVANS, CORAL J.

Coral Evans
Write-in

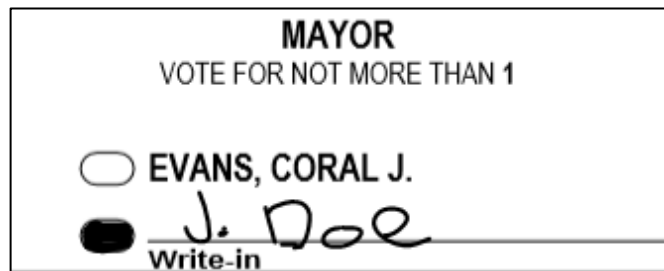
→ EXAMPLE 28: PRINTED CANDIDATE TARGET AREA MARKED, WRITE-IN CANDIDATE WRITTEN IN BUT UNMARKED

In the example below, the voter properly marked the target area for a printed candidate on the ballot. The voter also wrote in a different name in the write-in area, but did not mark the target area for the write-in. This is a valid vote for Coral Evans and should not be adjudicated as an overvote, regardless of whether the name written in is a qualified write-in candidate.



→ EXAMPLE 29: VALID WRITE-IN VOTE WITH MINOR VARIATIONS IN CANDIDATE'S NAME

In the example below, the voter properly marked the target area for a write-in candidate and wrote in "J. Doe." If Jane Doe is a qualified write-in candidate (and there are no other qualified candidates with the last name Doe and first name beginning with the letter J), this should be counted as a valid write-in vote for Jane Doe. The same would be true if the voter had written in "Jane D.," "Jayne Doe," or other similar minor variation on the name Jane Doe, as long as the voter's intent can be determined.



→ EXAMPLE 30: VALID WRITE-IN VOTE FOR PRESIDENTIAL ELECTORS

A write-in vote for president and vice president is valid so long as it includes a reasonably correct spelling of the last name of a qualified write-in candidate for president or vice president and a mark in the corresponding target area. In the examples below, assuming Jane Doe and Joe Lopez are qualified write-in candidates and running mates for president and vice president, the vote should be counted as a valid write-in vote for presidential electors for Doe/Lopez.

PRESIDENTIAL ELECTORS		
(VOTE FOR NOT MORE THAN 1)		
BOWYER, TYLER COTTLE, NANCY HOFFMAN, JAKE KERN, ANTHONY T LAMON, JAMES MONTGOMERY, ROBERT	MOORHEAD, SAMUEL I PELLEGRINO, LORRAINE B. SAFSTEN, GREG WARD, KELLI WARD, MICHAEL	TRUMP <input type="radio"/> PENCE <input type="radio"/> (REP)
GALLARDO, STEVE HEREDIA, LUIS ALBERTO JACKSON, CONSTANCE KENNEDY, SANDRA D. LEWIS, STEPHEN ROE MCLAUGHLIN, JAMES	NEZ, JONATHAN NORRIS, NED ROMERO, REGINA ROTELLINI, FELECIA YAMASHITA, FRED	BIDEN <input type="radio"/> HARRIS <input type="radio"/> (DEM)
BENJAMIN, TIMOTHY BLITZ, HOWARD DANIELS, JEFFERY T DANIELS FLORES, ALEJANDRO HESS, BARRY KIELSKY, MICHAEL	MARKS, DOUG PEPITON II, ROBERT A. SLAYTON, BRANDON STEWART, SCOTT WINDER, JONATHAN	JORGENSEN <input type="radio"/> COHEN <input type="radio"/> (LBT)
Write-In Candidate		<input checked="" type="radio"/>
J. Doe		

PRESIDENTIAL ELECTORS		
(VOTE FOR NOT MORE THAN 1)		
BOWYER, TYLER COTTLE, NANCY HOFFMAN, JAKE KERN, ANTHONY T LAMON, JAMES MONTGOMERY, ROBERT	MOORHEAD, SAMUEL I PELLEGRINO, LORRAINE B. SAFSTEN, GREG WARD, KELLI WARD, MICHAEL	TRUMP <input type="radio"/> PENCE <input type="radio"/> (REP)
GALLARDO, STEVE HEREDIA, LUIS ALBERTO JACKSON, CONSTANCE KENNEDY, SANDRA D. LEWIS, STEPHEN ROE MCLAUGHLIN, JAMES	NEZ, JONATHAN NORRIS, NED ROMERO, REGINA ROTELLINI, FELECIA YAMASHITA, FRED	BIDEN <input type="radio"/> HARRIS <input type="radio"/> (DEM)
BENJAMIN, TIMOTHY BLITZ, HOWARD DANIELS, JEFFERY T DANIELS FLORES, ALEJANDRO HESS, BARRY KIELSKY, MICHAEL	MARKS, DOUG PEPITON II, ROBERT A. SLAYTON, BRANDON STEWART, SCOTT WINDER, JONATHAN	JORGENSEN <input type="radio"/> COHEN <input type="radio"/> (LBT)
Write-In Candidate		<input checked="" type="radio"/>
Doe/Lopez		

→ EXAMPLE 31: WRITING IN THE NAME OF A POLITICAL PARTY IN A PARTISAN GENERAL ELECTION RACE

In the example below, the voter wrote in the name of a political party in a partisan general election on the FWAB. This should be counted as a valid vote for the candidate of the written-in political party in this race.

<h3>Official Backup Ballot</h3> <p>Federal Write-In Absentee Ballot (FWAB)</p> <p>Print clearly in blue or black ink.</p> <p>Instructions</p> <ul style="list-style-type: none"> This ballot can be used to vote for federal offices. DO NOT write your name or any identifying number (SSN, driver's license) on this ballot. Photocopy this page if you require additional room for candidates or ballot initiatives. If you are voting in American Samoa, Guam, Puerto Rico, or the U.S. Virgin Islands, you may vote for Delegate or Resident Commissioner, and in presidential primaries. State laws vary about using the FWAB for other offices like Governor or Mayor. Learn more online at FVAP.gov. <p>Federal offices</p> <p>President and Vice President</p>	<p>Vote by writing the NAME or PARTY of the candidates you choose. To find out about specific federal candidates and races go to FVAP.gov.</p>
<p>libertarian</p>	

→ EXAMPLE 32: WRITING IN THE NAME OF A POLITICAL PARTY IN A “VOTE FOR NOT MORE THAN 2” OR MORE RACE

If the voter can choose more than one candidate in a partisan general election race and the voter wrote in the name of a political party on the FWAB, it should be counted as a valid vote for each candidate printed on the ballot for that race for the written-in political party.

In the example below, the vote should be counted as a valid vote for each Democratic candidate qualified to appear on the ballot for State Representative and each Republican candidate qualified to appear on the ballot for Corporation Commissioner.

Non-federal offices		
Office	Candidate name	Political party
State Rep. LD 6		Dem.
Corp. Comm.		Rep.

IX. Practice Test: Determining an Overvote Based on Marking Patterns

Question: In the first example, there is a consistent marking pattern of filling in the entire oval. Would the first example be considered an overvote, or would the vote be given to Marvel, since that matches the voter's marking pattern? The second example shows inconsistent marking, so it would be considered an overvote.

<p>BEST DOG VOTE FOR NOT MORE THAN 2</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> BLUE BAY SHEPHERD <input checked="" type="radio"/> STAFFORDSHIRE BULL TERRIER <input type="radio"/> ENGLISH BULL DOG <input type="radio"/> FRENCH BULL DOG <input type="radio"/> MUTT <input type="radio"/> PIT BULL TERRIER <input type="radio"/> AUSTRALIAN SHEPHERD <input type="radio"/> GERMAN SHEPHERD <input type="radio"/> _____ <small>Write-in</small> <input type="radio"/> _____ <small>Write-in</small> 	<p>BEST FANDOM VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> HARRY POTTER <input checked="" type="radio"/> MARVEL <input type="radio"/> STAR WARS <input type="radio"/> _____ <small>Write-in</small> <p style="text-align: center;">PROPOSITION</p> <p>WOULD THE INCREDIBLE HULK BEAT SUPERMAN IN A FIGHT?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input checked="" type="radio"/> No
<p>BEST CAKE FLAVOR VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> CHOCOLATE 	

<p>BEST DOG VOTE FOR NOT MORE THAN 2</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> BLUE BAY SHEPHERD <input checked="" type="radio"/> STAFFORDSHIRE BULL TERRIER <input type="radio"/> ENGLISH BULL DOG <input type="radio"/> FRENCH BULL DOG <input type="radio"/> MUTT <input type="radio"/> PIT BULL TERRIER <input type="radio"/> AUSTRALIAN SHEPHERD <input type="radio"/> GERMAN SHEPHERD <input type="radio"/> _____ <small>Write-in</small> <input type="radio"/> _____ <small>Write-in</small> 	<p>BEST FANDOM VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> HARRY POTTER <input checked="" type="radio"/> MARVEL <input type="radio"/> STAR WARS <input type="radio"/> _____ <small>Write-in</small> <p style="text-align: center;">PROPOSITION</p> <p>WOULD THE INCREDIBLE HULK BEAT SUPERMAN IN A FIGHT?</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> Yes <input type="radio"/> No
<p>BEST CAKE FLAVOR VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> CHOCOLATE 	

Question: In the first example, there is a consistent marking pattern of filling in the entire oval. Would the first example be considered an overvote, or would the vote be given to Marvel, since that matches the voter's marking pattern? The second example shows inconsistent marking, so it would be considered an overvote.

<p align="center">BEST DOG VOTE FOR NOT MORE THAN 2</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> BLUE BAY SHEPHERD <input checked="" type="radio"/> STAFFORDSHIRE BULL TERRIER <input type="radio"/> ENGLISH BULL DOG <input type="radio"/> FRENCH BULL DOG <input type="radio"/> MUTT <input type="radio"/> PIT BULL TERRIER <input type="radio"/> AUSTRALIAN SHEPHERD <input type="radio"/> GERMAN SHEPHERD <p><input type="radio"/> _____ <small>Write-in</small></p> <p><input type="radio"/> _____ <small>Write-in</small></p>	<p align="center">BEST FANDOM VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> HARRY POTTER <input checked="" type="radio"/> MARVEL <input type="radio"/> STAR WARS <p><input type="radio"/> _____ <small>Write-in</small></p> <p align="center">PROPOSITION</p> <p align="center">WOULD THE INCREDIBLE HULK BEAT SUPERMAN IN A FIGHT?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input checked="" type="radio"/> No
<p align="center">BEST CAKE FLAVOR VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> CHOCOLATE 	

<p align="center">BEST DOG VOTE FOR NOT MORE THAN 2</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> BLUE BAY SHEPHERD <input checked="" type="radio"/> STAFFORDSHIRE BULL TERRIER <input type="radio"/> ENGLISH BULL DOG <input type="radio"/> FRENCH BULL DOG <input type="radio"/> MUTT <input type="radio"/> PIT BULL TERRIER <input type="radio"/> AUSTRALIAN SHEPHERD <input type="radio"/> GERMAN SHEPHERD <p><input type="radio"/> _____ <small>Write-in</small></p> <p><input type="radio"/> _____ <small>Write-in</small></p>	<p align="center">BEST FANDOM VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> HARRY POTTER <input checked="" type="radio"/> MARVEL <input type="radio"/> STAR WARS <p><input type="radio"/> _____ <small>Write-in</small></p> <p align="center">PROPOSITION</p> <p align="center">WOULD THE INCREDIBLE HULK BEAT SUPERMAN IN A FIGHT?</p> <ul style="list-style-type: none"> <input type="radio"/> Yes <input checked="" type="radio"/> No
<p align="center">BEST CAKE FLAVOR VOTE FOR NOT MORE THAN 1</p> <ul style="list-style-type: none"> <input checked="" type="radio"/> CHOCOLATE 	

Answers: These examples are complex. Most likely the tabulators will out stack these as overvotes. Once out stacked, the ballots go to the Snag Board, which reviews the ballots, confirms how the machine read the contents, and places them in one of two categories: 1) true overvotes and these are re-tabulated with this setting, or 2) requiring review for voter intent through duplication and they go to the duplication board. The Adjudication/Duplication Board ultimately determined the voter's intent on the new ballot.

For these four examples, the Snag Board could reasonably make the following findings:

1. The marking for Harry Potter is a heavy hesitation mark based on the voting pattern of this voter and it could be reasonably determined the voter intended to vote for Marvel.
2. The voter's pattern is inconsistent with examples of full oval completion and partial oval completion; therefore, the voter intent cannot be determined, and this would be an overvote.
3. Based on the voter's ballot pattern, the Board could reasonably determine that the intent was to vote for Marvel, not Harry Potter.
4. This voter's pattern is consistent. The Board would determine that it was an overvote.

X. Pattern of Partisan Voting

Voter intent in any single contest should not be determined based on a pattern of partisan voting in other races on the ballot. For example, the fact that a voter voted exclusively or primarily for candidates of one political party in other races should not be used to conclude that the voter intended to vote for the candidate of that party in a particular race where the voter's intent is otherwise unclear.

Conclusion

This updated version of the *Guide* is to provide real life examples and outcomes to ensure consistency among the Counties in determining voter intent in marking a duplicated or adjudicated ballot. Additionally, given that we should expect more recounts, voter intent should be discussed considering recounts and the hand count audit process. When the equipment in a recount is programmed to only tabulate certain contests, the voter intent will not be discerned from the ballot in its entirety. Instead, only the contests that are subject to a recount would be considered to determine voter intent, which may lead to a different outcome than the initial tabulation that read the entirety of the ballot.

Attached are additional examples of ballot marking for Adjudication/Duplication.

ADJUDICATION / DUPLICATION - VOTER INTENT EXAMPLES

= Vote Given

<p>EXAMPLE 1</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 2</p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 3</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 4</p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 5</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>_____ <input type="radio"/></p>
<p>EXAMPLE 6</p> <p>CANDIDATE 1</p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 7</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 8</p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2</p> <p><i>Voter's Initials</i> _____ <input type="radio"/></p>	<p>EXAMPLE 9</p> <p>CANDIDATE 1</p> <p>CANDIDATE 2</p> <p>Eligible Write-In _____ <input type="radio"/></p>	<p>EXAMPLE 10</p> <p>CANDIDATE 1</p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>
<p>EXAMPLE 11</p> <p><i>This one</i> <input checked="" type="radio"/></p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 12</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>Mistake <input type="radio"/></p>	<p>EXAMPLE 13</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 14</p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>	<p>EXAMPLE 15</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p> <p>_____ <input type="radio"/></p>
<p>EXAMPLE 16</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 - NO <input type="radio"/></p>	<p>EXAMPLE 17</p> <p>CANDIDATE 1 <input checked="" type="radio"/></p> <p>CANDIDATE 2 <input type="radio"/></p>	<p>EXAMPLE 18</p> <p>CAND 1 (REP) <input checked="" type="radio"/></p> <p>CAND 2 (DEM) <input type="radio"/></p>	<p>EXAMPLE 19</p> <p>CAND 1 (REP) <input checked="" type="radio"/></p> <p>CAND 2 (DEM) <input type="radio"/></p>	<p>EXAMPLE 20</p> <p>CANDIDATE 1 <input type="radio"/></p> <p>CANDIDATE 2 <input checked="" type="radio"/></p> <p>Candidate 1 - Write-In _____ <input type="radio"/></p>

ADJUDICATION / DUPLICATION - VOTER INTENT EXAMPLES

<p>CANNOT DETERMINE</p> <p><input checked="" type="radio"/> CANDIDATE 1</p> <p><input checked="" type="radio"/> CANDIDATE 2</p> <p><input type="radio"/> _____</p>	<p>CANNOT DETERMINE</p> <p><input type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input checked="" type="radio"/> Eligible Write-In</p>	<p>CANNOT DETERMINE</p> <p><input type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input type="radio"/> _____</p>	<p>CANNOT DETERMINE</p> <p><input checked="" type="radio"/> CANDIDATE 1</p> <p><input checked="" type="radio"/> CANDIDATE 2</p> <p><input type="radio"/> Eligible Write-In</p>	<p>CANNOT DETERMINE</p> <p><input checked="" type="radio"/> CANDIDATE 1</p> <p><input checked="" type="radio"/> CANDIDATE 2</p> <p><input type="radio"/> _____</p>
<p>CANNOT DETERMINE</p> <p><input type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input checked="" type="radio"/> Ineligible Write-In</p>	<p>CANNOT DETERMINE</p> <p><input checked="" type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input checked="" type="radio"/> Ineligible Write-In</p>	<p>CANNOT DETERMINE</p> <p><input type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input checked="" type="radio"/> Misspelled eligible Write-in</p>	<p>CANNOT DETERMINE</p> <p><input checked="" type="radio"/> CANDIDATE 1</p> <p><input type="radio"/> CANDIDATE 2</p> <p><input checked="" type="radio"/> Misspelled eligible Write-in</p>	<p>CANNOT DETERMINE</p> <p>VOTER MARKED AN "X"</p> <p>OVER ENTIRE BALLOT</p> <p>INK MAY HAVE HIT A TARGET ... A/D/DUP ZERO VOTES</p>

Chapter 6:

Vacancies in Office

Vacancies in Office An Overview

The method for filling a vacancy in office depends on the office vacated and may depend on the timing of the vacancy.

United States Senator

- Governor appoints person of same political party to fill the vacancy.
- Vacancy filled for the remainder of the unexpired term at the next General Election
- If vacancy occurs more than 150 days before the next regular primary election, the person appointed by the Governor serves until the vacancy is filled at the next General Election.

United States Representative

- If vacancy occurs and the next General Election will not be held within six months, within 72 hours of the vacancy the Governor calls a special primary election and special general election to fill the vacancy for the remainder of the unexpired term.

Governor

- In the event of a vacancy the Secretary of State succeeds to the office of Governor.

Other statewide office

- The Governor appoints a person of the same political party as the person vacating the office to fill the unexpired portion of the term unless the vacancy occurs within the first two years of the term, in which case candidates may file nomination papers to be elected to fill the unexpired term of office at the next primary and general election.

Legislature

- For a vacancy occurring in a seat held by a member of a recognized political party and that has at least 30 elected precinct committeemen (PCs) in the legislative district and county from which the member vacating the seat was elected, the Secretary of State notifies the Party Chairman of the vacancy. The Party Chairman gives notice of the vacancy to the elected PCs in the legislative district and county from which the seat was vacated. The PCs then nominate three qualified candidates to forward to the county board of supervisors in the county in which the vacancy occurred, and the board then appoints one of the three nominees to fill the vacancy.
- For a vacancy occurring in a seat held by a member of a recognized political party and that has fewer than 30 elected precinct committeemen (PCs) in the legislative district and county from which the member vacating the seat was elected, the Secretary of State notifies the board of supervisors of the county in which the person who held the vacated seat resided. The board appoints a citizen panel that nominates

three qualified candidates to forward to the board, which then appoints one of the three nominees to fill the vacancy.

- Any vacancy for which no other method is provided for by law will be filled by the Governor.⁶

County vacancy

- The Board appoints a person of the same political party as the person vacating the office to fill the unexpired portion of the term unless the vacancy occurs within the first two years of the term, in which case candidates may file nomination papers to be elected to fill the unexpired term of office at the next primary and general election.

City Council: Non-Charter City

- The city council fills a vacancy by appointment until the next regularly scheduled council election if the vacancy occurs more than thirty days before the nomination petition deadline, otherwise the appointment is for the unexpired term of office.
- Charter cities provide for the method of filling vacancies by the terms of their charter.

Chapter 7:

Political Party Recognition

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Introduction

In 2023, three different groups filed for new party recognition: No Labels Party, the Patriot Party, and the Green Party. No Labels Party (NOL) and the Green Party (GRN) were successful and will appear on Arizona’s Primary and General Election ballots for the 2024 and 2026 election cycles. The Green Party also received recognition as a new party in both Coconino and Pima Counties.

A recognized political party is entitled to representation on a partisan primary election ballot and subsequent placement of the prevailing candidate on the general election ballot. This handbook describes the process by which a political party achieves or maintains official recognition.

A political party may obtain first-time or new-party recognition by submitting a sufficient number of valid petition signatures to the appropriate filing officer. [A.R.S. § 16-801\(A\)](#); [A.R.S. § 16-802](#). Alternatively, an existing political party maintains its recognition by either receiving enough votes in the last general election or by achieving a sufficient number of registered voters. [A.R.S. § 16-801\(B\)](#); [A.R.S. § 16-804\(A\)-\(B\)](#).

I. NEW PARTY RECOGNITION

A group of qualified electors seeking to form a new political party is not required to establish a political committee unless the group raises or spends at least the current adjusted registration threshold pursuant to [A.R.S. § 16-931\(A\)\(1\)](#) in connection with the effort to seek new party recognition. [A.R.S. § 16-905](#). If the group is required to register as a committee (or decides to voluntarily register), the group must register as a political action committee. [A.R.S. § 16-905\(C\)](#). A group may only register as a political party committee after the filing officer has granted new party recognition pursuant to [A.R.S. § 16-803](#). [A.R.S. § 16-905\(G\)](#).

Qualified electors seeking to form a new political party must comply with the following requirements, depending on the jurisdiction.

A. Requirements for Seeking New Party Recognition

1. Statewide Recognition

To qualify for statewide recognition, qualified electors must timely submit the following documents to the Secretary of State:

- An affidavit signed by 10 qualified electors, requesting that a new political party be formed; and
- Petition signatures equal to at least 1/3 percent of the total votes cast for Governor at the last preceding general election at which a Governor was elected. The number of votes cast for Governor are determined based upon the applicable statewide canvass, calculated by the Secretary of State and published on the Secretary of State’s website.

[A.R.S. § 16-801\(A\)](#).

The new party affidavit must be completed on a form prescribed by the Secretary of State. Within seven business days of filing, the Secretary of State must send the affidavit to the applicable County Recorders to verify that each signer is a qualified elector. [A.R.S. § 16-801\(A\)\(1\)](#). The Secretary of State must transmit the affidavit to the County Recorders, and the County Recorders must verify that the affidavit signers are qualified electors, in accordance with the deadlines outlined in [A.R.S. § 16-803\(B\)](#) and [A.R.S. § 16-803\(E\)](#). The Secretary of State may deny party recognition if the County Recorders determine there are less than 10 qualified electors who signed the new party affidavit.

The new party petitions must be substantially in the form of candidate petitions but must be captioned “Petition for Political Party Recognition.” [A.R.S. § 16-801\(A\)\(2\)-\(3\)](#). Petitions for statewide recognition must be printed on a form prescribed by the Secretary of State. Petition signatures must be gathered from registered voters in at least five different counties, and at least 10% of the required total of qualified signers must be registered in counties with populations of less than 500,000 persons. [A.R.S. § 16-801\(A\)\(1\)](#).

Both the new party affidavit and new party petitions must be filed with the Secretary of State at least 250 days before the primary election for which the party seeks recognition. [A.R.S. § 16-803\(A\)](#). However, in order to be eligible to participate in the PPE, new parties must have filed their petition for recognition with the Secretary of State between 180 and 150 days before the PPE. [A.R.S. § 16-244\(A\)\(2\)](#).

The Secretary of State may require electronic filing for the affidavit and new party petitions.

2. County Recognition

To qualify for county recognition, qualified electors must timely submit petition signatures equal to at least 2% percent of the total votes cast for County Attorney at the last preceding general election at which the County Attorney was elected. The number of votes cast for County Attorney is determined based upon the applicable county canvass. The petitions must be filed with the officer in charge of elections. [A.R.S. § 16-802](#).

The new party petitions must be substantially in the form of candidate petitions but must be captioned a “Petition for Political Party Recognition.” [A.R.S. § 16-801\(A\)\(2\)-\(3\)](#). Petitions for county recognition must be printed on a form prescribed by the officer in charge of elections.

New party petitions must be filed with the officer in charge of elections at least 250 days before the primary election for which the party seeks recognition. [A.R.S. § 16-803\(A\)](#).

The County Recorder shall review new party petitions in the same manner as prescribed by [A.R.S. § 16-803](#) for petitions for new party recognition at the state level, including:

- Selecting a random sample of 20% of the total signatures eligible for verification, which shall be individually verified and certified;
- Performing a calculation and projection of the total number of valid signatures; and

- Making a determination whether the new party will be recognized, as prescribed by [A.R.S. § 16-803\(I\)](#).

[A.R.S. § 16-802](#).

3. Simultaneous Statewide and County Recognition

Qualified electors may simultaneously seek statewide and county recognition by filing the original petitions with the county officer in charge of elections and filing a certified copy with the Secretary of State. Petitions must be in the form prescribed by the Secretary of State. [A.R.S. § 16-803\(A\)](#).

Both filing officers must process the petitions in accordance with the procedures applicable to their jurisdiction. Accordingly:

- The electors must file the required affidavit with the Secretary of State; and
- The electors must submit petition signatures equal to at least:
 - 1/3 percent of the total votes cast for Governor at the last preceding general election for statewide recognition; and
 - 2% of the total votes cast for applicable County Attorney at the last preceding general election for county recognition.

[A.R.S. § 16-801\(A\)](#); [A.R.S. § 16-802](#).

If the petitions do not meet the requirements for certification at the statewide or county level, the political party will not be recognized in that jurisdiction.

4. City or Town Recognition

To qualify for city or town recognition, qualified electors must timely submit petition signatures equal to at least 2% of the total votes cast for Mayor at the last preceding election at which the Mayor was elected.

If a Mayor is not elected by voters (for example, the Mayor is appointed or elected by other councilmembers, not the city's or town's electorate), qualified electors must timely submit petition signatures equal to at least 2% of the highest total votes cast for any councilmember at the last preceding election at which a councilmember was elected. [A.R.S. § 16-802](#). The number of votes cast for Mayor or councilmember are determined based upon the applicable city or town canvass.

New party petitions must be filed with the applicable city or town clerk. [A.R.S. § 16-802](#).

The new party petitions must be substantially in the form of candidate petitions, but must be captioned "Petition for Political Party Recognition." [A.R.S. § 16-801\(A\)\(2\)-\(3\)](#). Petitions for municipal recognition must be printed on a form prescribed by the city or town clerk.

New party petitions must be filed with the city or town at least 250 days before the primary (or first) election for which the party seeks recognition. [A.R.S. § 16-803\(A\)](#).

B. Processing Statewide New Party Petitions

1. Secretary of State Processing

a. Out-of-County Signature Eliminations

Signatures must be grouped by county on the petition sheets. Signatures collected outside the county of the majority of signers must be eliminated from a petition sheet. [A.R.S. § 16-803\(B\)\(1\)](#).

The Secretary of State must initially assume that the signers of a petition sheet reside in the county listed in the caption of the petition sheet. The Secretary of State prints a three-letter code in the upper right-corner of each petition image that corresponds to this county. [A.R.S. § 16-803\(B\)\(1\)\(a\)](#).

The Secretary of State must then review each signature line to verify the signer resides in the county designated at the top of the petition sheet. Any signature line printed by a signer who appears to reside in a different county will be eliminated. [A.R.S. § 16-803\(B\)\(1\)\(b\)](#).

The Secretary of State does not have a duty to verify that each individual address falls within the designated county's boundary but must verify that the signer's city or town falls within the designated county. If the city or town is missing, the Secretary of State must verify that the signer's zip code falls within the county. For cities or towns that cross county lines, the Secretary of State may assume the signer resides in the county designated at the top of the petition sheet.

If a majority of signers on the petition sheet reside (based on the city or town listed) in a different county than what was designated at the top of the petition sheet, the Secretary of State must change the county code for that petition sheet to the majority county and eliminate signature lines printed by signers who do not reside in the majority county. [A.R.S. § 16-803\(B\)\(1\)](#).

Petition sheets must be organized by county prior to transmitting any petition sheets to a County Recorder. [A.R.S. § 16-803\(B\)\(1\)\(c\)](#).

b. Individual Signature Eliminations

In addition to striking signatures outside the county of the majority of signers, the Secretary of State must eliminate petition signatures for any of the following reasons:

1. The signature of the petition signer is missing, [A.R.S. § 16-803\(B\)\(2\)\(a\)](#):
 - However, the Secretary of State should not eliminate a signature line if the signature is illegible, if the first and last names are switched and printed in the wrong columns or if the printed name and signature are switched and printed in the wrong columns.
2. The signer did not provide a residence address or description of the signer's residence location, or provided a P.O. Box without a town, city, or zip code, [A.R.S. § 16-803\(B\)\(2\)\(b\)](#):

- If the signer provided any information that could be reasonably construed as a street name or street number, the Secretary of State should not eliminate the signature line.
 - The Secretary of State should not eliminate a signature line if the street type (such as “lane,” “boulevard,” or “circle”) is missing. *See Jenkins v. Hale*, 218 Ariz. 561, 564, 190 P.3d 175, 178 (2008).
 - The Secretary of State may not eliminate a signature line that uses quotation marks or “ditto” marks to incorporate the address from the signature line immediately above.
3. The petition signature date is missing, [A.R.S. § 16-803\(B\)\(2\)\(c\)](#):
- The Secretary of State should eliminate a signature line if it is missing the day or month of signing. *See Meyers v. Bayless*, 192 Ariz. 376, 378, 965 P.2d 768, 770 (1998).
 - The Secretary of State may not eliminate a signature line that is only missing the year of signing. *See Energy Fuels Nuclear, Inc. v. Coconino County*, 159 Ariz. 210, 213, 766 P.2d 83, 86 (1988).
 - The Secretary of State may not eliminate a signature line that uses quotation marks or “ditto” marks to incorporate the date from the signature line immediately above.

The Secretary of State does not have authority to reject petition sheets or signatures based on the following legal deficiencies:

1. A missing petition caption, modified petition caption, or a caption that contains inaccurate information; or
2. A missing county in the petition caption.

The foregoing legal deficiencies are not explicitly or implicitly referenced in [A.R.S. § 16-803\(B\)\(2\)](#), therefore these legal deficiencies must be reviewed by a court.

c. Preparing Signatures for County Recorder Verification

Within seven business days after receipt of a petition for statewide recognition, the Secretary of State must perform the following steps to determine whether signatures may be transmitted for County Recorder verification:

1. Count the number of signature lines on each valid petition sheet that have not been stricken and place the total number on the upper right-hand corner on the front side of each petition sheet.
2. Count the total number of petition sheets and signatures eligible for County Recorder verification. Each petition sheet has been labeled upon being scanned, therefore the petition sheets are not re-numbered after the Secretary of State has completed the sheet and signature count.
3. Determine whether the signatures eligible for verification exceed the required minimum:

- If the minimum has been met, the Secretary of State must conduct a 20% random sample and should issue a receipt to the applicant that includes the following information:
 - The total number of signatures eliminated by the Secretary of State;
 - The total number of signatures that remain eligible for County Recorder verification (this number must exceed the required minimum);
 - The total number of signatures that have been randomly sampled and transmitted to one or more County Recorders; and
 - The deadline for County Recorder review.
- If the minimum has not been met, the Secretary of State must issue a receipt to the applicant, stating that the political party is not eligible for recognition, and cease further processing of the petition.

[A.R.S. § 16-803\(B\)\(3\)-\(5\), \(C\).](#)

The Secretary of State’s selection of a random sample to transmit to County Recorders must also be conducted within seven business days after receipt of a petition for statewide recognition:

1. The Secretary of State must randomly select (whether manually or electronically) 20% of eligible signatures across all petition sheets that have not been eliminated;
2. The Secretary of State must mark the petition signature lines that have been randomly selected in a clear manner; and
3. The Secretary of State must transmit the front sides of any petition sheet containing a randomly sampled signature to the applicable County Recorder(s). This may be done electronically.

[A.R.S. § 16-803\(C\).](#) Although there is no deadline for transmitting the random sample to the applicable County Recorders, the Secretary of State should do so within a reasonable timeframe.

2. County Recorder Processing

Following receipt from the Secretary of State, a County Recorder shall determine which signatures of individuals whose names were transmitted shall be disqualified for any of the following reasons:

1. No residence address or description of residence location is provided. No date of signing is provided.
2. The signature is illegible and the signer is otherwise unidentifiable.
3. The address provided is illegible or nonexistent.
4. The individual was not a qualified elector on the date of signing the petition.

5. The individual was a registered voter but was not at least eighteen years of age on the date of signing the petition or affidavit.
6. The signature was disqualified after comparison with the signature on the affidavit of registration.
7. If a petitioner signed more than once, all but one otherwise valid signature shall be disqualified.
8. For the same reasons any signatures could have been removed by the secretary of state pursuant to this section.

[A.R.S. § 16-803\(E\)](#).

The County Recorder must issue a certification and transmit this certification to the Secretary of State and the electors within 10 business days of receiving the signatures. [A.R.S. § 16-803\(E\)](#). The County Recorder's certification must include:

- The total number of signatures that were transmitted to the County Recorder for verification;
- The total number of random signatures that were disqualified by the County Recorder; and
- The name of any signer whose petition signature was eliminated, including the petition page number and signature line number where the signature was eliminated.

[A.R.S. § 16-803\(F\)](#). The County Recorder must transmit this certification to the Secretary of State in the manner specified by the Secretary. If the Secretary of State electronically transmitted petition sheets to the County Recorder, it is unnecessary for the County Recorder to return the petition sheet images to the filing officer. *See* [A.R.S. § 16-803\(G\)\(1\)](#).

The Secretary of State should also transmit the County Recorder certifications to the chairperson or other representative of the party seeking new party recognition.

3. Final Certification by Secretary of State

Within three calendar days of receiving the last County Recorder's certification, the Secretary of State must determine whether there are sufficient valid signatures for the party to qualify for the ballot:

- The Secretary of State calculates the total number of petition signatures verified by County Recorders, including the percentage of verification.
- The Secretary of State then multiplies the total number of eligible signatures by the verification percentage.

[A.R.S. § 16-803\(H\)](#). The Secretary of State must also review the certification(s) regarding the affidavit of electors. *See* [A.R.S. § 16-801\(A\)\(1\)](#).

The new party qualifies for recognition if the number of presumed valid signatures exceeds the required minimum and all 10 electors were found to be qualified electors by the County Recorder(s). If the new party petition qualifies, the Secretary of State issues a certification and receipt to the electors and notifies the Boards of Supervisors, County Recorders, and officers in charge of elections. [A.R.S. § 16-803\(I\)](#).

If the new party petition does not qualify for recognition, the Secretary of State issues a certification and receipt to the electors explaining why the petition did not qualify for recognition and returns the original petition sheets to the electors. [A.R.S. § 16-803\(I\)](#).

C. Duration of New Party Recognition

A new political party that receives statewide recognition is entitled to recognition through the next two general elections for federal office immediately following recognition of the party. [A.R.S. § 16-801\(B\)](#). For example, if a new political party achieves statewide recognition in March 2024, the party is entitled to recognition through the 2026 general election.

D. Recognition Following Expiration of New Party Status

Following the expiration of new party status, the party may maintain recognition by:

- Qualifying for continued representation based upon votes cast at the election preceding the expiration of new party status or a requisite number of active registered voters; or
- Timely filing a new petition for new party recognition.

[A.R.S. § 16-801\(B\)](#); [A.R.S. § 16-804](#).

A political party that qualifies for continued representation is treated differently from a political party that files a new petition for new party recognition. For example, a member of a political party with continued representation may not sign a nomination petition for a candidate seeking a nomination from a different party with continued recognition. [A.R.S. § 16-321\(F\)](#). Thus, a voter registered with the Democratic Party—a party with continued representation—may sign a nomination petition for Democratic candidates, new party candidates, or independent candidates, but not for Republican candidates—another party with continued representation. Whereas a voter registered with a new party may sign any candidate’s petition.

As a corollary, members of a political party with continued representation are not included when calculating other continuously represented parties’ signature totals to run for office. For example, the number of signatures needed to run for the U.S. Senate as a Republican—a party with continued representation—are determined by calculating $\frac{1}{4}$ of one percent of all Republicans, new party registrants, independents, and registrants with no party designation. In contrast, the number of signatures needed to run for the U.S. Senate as a new party candidate excludes Republicans, Democrats, and any other recognized parties with continued representation. [A.R.S. § 16-322\(A\)\(1\)](#); [A.R.S. § 16-321\(F\)](#).

E. Expiration of New Party Status

If a new political party does not re-qualify for recognition as a new party, new party status expires when the Secretary of State, County Recorder, or city or town clerk (as applicable) issues their announcement regarding continued representation. *See* [A.R.S. § 16-804\(C\)-\(E\)](#).

II. QUALIFYING FOR CONTINUED RECOGNITION

To qualify for continued representation, a political party must meet one of two baseline levels of support: number of votes cast for the party's candidate or the number of active registered voters in the jurisdiction. [A.R.S. § 16-804\(A\)-\(B\)](#); *see also* [A.R.S. § 16-193\(5\)](#).

A. Statewide Continued Representation

To qualify for statewide continued representation:

- The new party's candidate for Governor or President must receive at least 5% of the votes cast at the federal general election immediately preceding the expiration of new party status; or
- The new party must have at least $\frac{2}{3}$ of 1% of active registered voters statewide as of October 1st of the year preceding expiration of new party status.

The Secretary of State must determine the political parties qualified for continued representation by December 1st of the appropriate year. [A.R.S. § 16-804\(A\)-\(C\)](#).

Promptly thereafter, the Secretary of State must notify the political party, county election officials, and the public about whether the party qualified for continued representation.

B. County Continued Representation

To achieve continued representation at the county level:

- The new party's candidate for County Attorney must receive at least 5% of the votes cast at the federal general election immediately preceding the expiration of new party status; or
- The new party must have at least $\frac{2}{3}$ of 1% of active registered voters in the county as of October 1st of the year preceding expiration of new party status.

[A.R.S. § 16-804\(A\)](#). The County Recorder must determine the political parties qualified for continued representation by December 1st of the appropriate year. [A.R.S. § 16-804\(D\)](#). Promptly thereafter, the County Recorder must notify the political party, county election officials, and the public about whether the party qualified for continued representation.

C. City or Town Continued Representation

To achieve continued representation in a city or town that conducts partisan elections:

- The new party's candidate for Mayor must receive at least 5% of the votes cast at the general election (or second or runoff election) immediately preceding the expiration of new party status; or
- The new party must have at least $\frac{2}{3}$ of 1% of active registered voters in the city or town (as determined by the applicable County Recorder) as of 155 days prior to the primary election (or first election) that will be conducted in the year new party status expires.

[A.R.S. § 16-804\(A\)](#).

The city or town clerk must determine the political parties that qualify for continued representation 140 days prior to the primary election (or first election) that will be conducted in the year new party status expires. [A.R.S. § 16-804\(E\)](#).

Promptly thereafter, the city or town clerk must notify the political party, county election officials, and the public about whether the party qualified for continued representation.

Chapter 8:

Voting Equipment Certification

VOTING EQUIPMENT CERTIFICATION

All components of a voting system must be properly certified prior to use in any election for a federal, state, or county office. [A.R.S. § 16-442\(B\)](#). In addition, a city, town, or agricultural improvement district may adopt for use in its elections any electronic voting system or vote tabulating device approved by the Secretary of State, and thereupon, the voting system or device may be used at any or all elections for voting, recording, and counting votes cast in an election. [A.R.S. § 16-442\(E\)](#).

A voting system is defined as the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used to define ballots, cast and count votes, report or display election results, and maintain and produce any audit trail information. [52 U.S.C. § 21081\(b\)\(1\)](#). Thus, a voting system consists of the electronic voting equipment (including central count equipment, precinct voting equipment, and accessible voting equipment) and election management system (EMS) used to tabulate ballots. The voter registration system, electronic pollbooks, and ballot on demand printers are separate from the voting system.

This section outlines the procedures under which voting systems are certified, recertified, or decertified for use in Arizona. A new voting system must be certified by:

1. A Voting System Test Laboratory (VSTL) accredited in accordance with the Help America Vote Act;
2. The federal Election Assistance Commission (EAC); and
3. The Secretary of State, based on a recommendation from the state Election Equipment Certification Committee.

[A.R.S. § 16-442\(A\)-\(B\)](#).

Certification includes a review of system documentation and/or conducting a demonstration and functionality test. Upgrades or modifications to an existing voting system require recertification, but if the upgrade or modification is *de minimis*, a demonstration and functionality test is optional and not necessarily required. A request for emergency conditional certification is subject to different standards.

The Secretary of State shall consult with and obtain recommendations regarding voting systems from nonprofit organizations and state agencies that represent persons who are blind or visually impaired, persons with expertise in accessible software, hardware, and other technology, county and local election officials, and other persons deemed appropriate by the Secretary of State. The Secretary of State shall submit these recommendations to the state Election Equipment Certification Committee to be considered for possible certification if the election equipment manufacturer submits an application for certification. [A.R.S. § 16-442.01\(C\)](#).

A. State Certification Process

A manufacturer's voting system must be tested and certified as a comprehensive suite, not as individual components. Therefore, a manufacturer's proposed combination of hardware, software, and firmware must be tested as an integrated whole to ensure the particular system accurately tabulates votes. As a result, a jurisdiction may not mix-and-match components from different manufacturers' certified voting systems. The officer in charge of elections may mix components from different manufacturers' voting systems only if those systems are not interconnected and under exceptional circumstances after notifying and receiving written approval from the Secretary of State.

1. Submitting an Application for Certification

To initiate state certification, a voting system manufacturer must submit an application to the Secretary of State. The application form is prescribed by the Secretary of State. A complete application packet consists of:

1. A completed application form, including a description of all voting system components and, if seeking recertification, a description of modifications to the prior certified voting system;
2. Product descriptions and/or sales brochures of the voting system components;
3. VSTL Test Report; and
4. EAC Certificate of Conformance, including EAC Certification Number and Scope of Certification.

A manufacturer may submit an application packet to the Secretary of State electronically or by mail. The Secretary of State must conduct a preliminary review of the application packet within 21 days of receipt of a completed packet or sooner if practicable. If the application packet is incomplete, the Secretary of State should inform the manufacturer and need not take further action until the application packet is complete.

2. Review by the Election Equipment Certification Committee

Once the application packet is deemed complete, the Secretary of State must notify and provide all relevant documentation to the Election Equipment Certification Committee and schedule a public meeting. If a demonstration and functionality test will be required, the Secretary of State must (1) coordinate with the manufacturer to receive test ballots; (2) develop a test script to vote the test ballots on all electronic voting equipment; (3) tabulate the test ballots (using alternative equipment provided by the manufacturer that is not the equipment to be tested in the demonstration and functionality test) in advance of the public meeting to ensure conformity with the test script; and (4) coordinate delivery and storage of the voting system as the test date nears.

Upon notification by the Secretary of State, to the extent practicable, the Election Equipment Certification Committee must conduct a public meeting within 90 days to consider an application for certification or recertification.

The Secretary of State coordinates the logistical details for holding the public meeting, including complying with notice requirements in accordance with Arizona open meeting laws, taking meeting minutes, and ensuring the presence of legal counsel. [A.R.S. § 38-431.01](#).

a. Composition of the Election Equipment Certification Committee

The state Election Equipment Certification Committee consists of three persons appointed by the Secretary of State with the following qualifications:

1. A faculty member of the engineering college at an Arizona university;
2. A lawyer member of the Arizona Bar Association; and
3. A person who is familiar with voting procedures in the state, such as a trained election official.

Committee members serve without compensation. No more than two of the Committee members may be registered with the same political party. At least one member must have at least five years of experience with, and be able to render an opinion based on knowledge of or training/education in, electronic voting systems, procedures, and security. [A.R.S. § 16-442\(A\)](#).

b. New Application for Certification

For a new application for certification, the Election Equipment Certification Committee must conduct the following activities in a public meeting:

1. Review the manufacturer's application packet for completeness;
2. Confirm VSTL approval and EAC certification;
3. Confirm the voting system under review is the same voting system certified by the EAC;
4. Review the voting system and test ballots for compliance with the legal standards for certification;
5. Conduct a demonstration and functionality test;
6. Ask questions to the manufacturer's representatives as necessary;
7. Seek legal advice in executive session as necessary; and
8. Vote on whether to recommend to the Secretary of State approval, conditional approval, or denial of the manufacturer's application.

The Election Equipment Certification Committee may issue a recommendation to the Secretary of State to approve or deny the application, including partial or conditional approval. The Committee may also recommend specific conditions under which the voting system may be used by a county, city, town, or special taxing district.

The Election Equipment Certification Committee must issue a written recommendation to the Secretary of State based on the majority vote from the public meeting.

i. Legal Standards for Certification

A voting system must comply with all federal and state laws, including the following:

1. The voting system must be tested and certified under federal law:
 - a. The voting system must be reviewed and/or tested by an accredited VSTL;
 - b. The voting system must be certified by the EAC; and
 - c. The voting system must otherwise comply with the then-applicable federal Voluntary Voting System Guidelines (VVSG) in effect;
2. The voting system must have the following functional capability and/or characteristics required under federal and state law:
 - a. The voting system must be suitably designed and be of durable construction;
 - b. The voting system must provide for secure, efficient, and accurate voting;
 - c. The voting system must record votes correctly and accurately, including aggregation of the voter's choices made on a single device;
 - d. The voting system must provide a durable paper document that visually indicates the voter's selections and can be (1) used to verify the voter's choices; (2) spoiled by the voter if they fail to reflect the voter's choices, in which case the voter would be permitted to cast a new ballot; and (3) used in recounts and manual audits;
 - e. The voting system must function for all types of elections;
 - f. The voting system must be capable of rotating candidate names within a race and accurately tabulating the results;
 - g. The voting system must aggregate the votes in the EMS in a way that prevents votes from being changed or deleted after voting has concluded; and
 - h. The voting system must contain security features that prevent unauthorized access or hacking;
3. Ballot marking devices and direct-recording electronic (DRE) voting machines must:
 - a. Allow the voter to vote for the candidate or ballot measure of choice, allow the voter to vote for or against as many candidates or ballot measures for which they are entitled to vote, and inform the voter if the number of vote choices exceeds the permitted amount or prevent the voter from selecting more than the permitted number of vote choices;
 - b. Prevent the voter from voting for the same person more than once for the same office;
 - c. Provide the voter with an opportunity (in a private, secret, and independent manner) to verify the votes selected by the voter on the ballot;
 - d. Permit the voter to correct (in a private, secret, and independent manner) any error before the ballot is cast and counted or cast a replacement ballot if the previous ballot is spoiled or unable to be changed or corrected;

- e. Have the capability to be sealed and prevent further voting after the close of the polls and/or after the last voter has voted; and
 - f. DRE voting machines must produce a paper ballot or voter verifiable paper audit trail (VVPAT) for audit purposes, including the ability to change the ballot or correct any error before submitting the ballot for tabulation and noting a spoiled or voided ballot when the voter changes the ballot or corrects an error;
4. Accessible voting equipment must be capable of:
- a. Allowing the voter to cast and verify (both visually and with audio or synthesized speech) the voter's selections, including a synthesized (or actual) speech recording and braille keyboard or other input method that is ADA compliant;
 - b. Producing a paper ballot or VVPAT for audit purposes, including the ability to change the ballot or correct any error before submitting the ballot for tabulation and noting a spoiled or voided ballot when the voter changes the ballot or corrects an error;
 - c. Displaying the on-screen ballot in a format substantially similar to that of paper ballots;
 - d. Displaying, providing audio or synthesized speech (and if applicable, printing) the ballot in English and in any minority language required under federal or state law;¹ and
 - e. Otherwise providing voters with visual impairments equivalent access to the voting experience compared to that provided for voters without visual impairments;
5. The voting system must not have been subject to a recent decertification proceeding or otherwise have been utilized in violation of federal or state law.²

[A.R.S. § 16-442\(B\)](#); [A.R.S. § 16-442.01\(A\)-\(B\)](#); [A.R.S. § 16-446\(A\)-\(B\)](#); [A.R.S. § 16-502\(H\)](#); [52 U.S.C. § 20971\(a\)-\(b\)](#); [52 U.S.C. § 21081\(a\)](#).

ii. Demonstration and Functionality Test

A demonstration and functionality test consists of the Equipment Certification Committee:

1. Explaining the testing process (of both primary and general election test ballots) during the public meeting;
2. Casting ballots on all electronic voting equipment in accordance with the test script prepared for the meeting;
3. Casting ballots on the accessible voting equipment in English and any minority language required under federal or state law, including testing the audio equipment;

¹ If the applicable minority language is not a written language, the accessible voting machine must be capable of providing audio or synthesized reading of the ballot to the voter.

² For example, under [A.R.S. § 16-1004\(B\)](#), it is a class 5 felony to knowingly modify the software, hardware, or source code for voting equipment without receiving certification from the Election Equipment Certification Committee.

4. If the system captures digital ballot images, determining whether the system:
 - a. Produces digital images of readable quality, including clearly displaying write-in votes;
 - b. Produces digital images that are capable of being sorted by criteria such as race, district, ballot type, or precinct;
 - c. Encrypts the digital images; and
 - d. Is capable of transferring or downloading the digital images at a reasonably fast rate;
5. If the system includes electronic adjudication and/or electronic write-in tallying functionality, determining the electronic adjudication and/or electronic write-in tallying program functions in compliance with applicable state law;
6. Ensuring the aggregate vote totals for each race in the EMS match the pre-determined test results prepared by the Secretary of State; and
7. Demonstrating the voting system's ability to function in compliance with applicable state and federal law.

c. Application for Recertification of Updated/Modified Systems

Any upgrades or modifications to any aspect of an existing certified voting system as defined in Section I require recertification as a precondition for the upgraded/modified system to be used in Arizona elections. Like new applications, an application for recertification requires VSTL approval, EAC certification, and certification by the Secretary of State, based on review and recommendation by the Election Equipment Certification Committee. However, depending on the nature of the upgrade/modification, a demonstration and functionality test may not be necessary.

An upgrade or modification is documented through an engineering change order (ECO) prepared by the manufacturer and submitted to the appropriate VSTL. If the VSTL concludes, and the EAC agrees, that the ECO represents a *de minimis* change to the existing certified voting system, the Secretary of State may:

1. Notify the Election Equipment Certification Committee that the upgrade or modification has been deemed *de minimis* by the EAC;
2. Recommend the Committee conduct its review without a demonstration and functionality test; and
3. If the Committee agrees to forego a demonstration and functionality test, schedule a public meeting to review the manufacturer's application for recertification.

If the Election Equipment Certification Committee foregoes a demonstration and functionality test, the Committee must:

1. Review the manufacturer's application for recertification for completeness in a public meeting, whether in-person, telephonically, or by video teleconference;
2. Confirm VSTL approval and EAC certification;

3. Ask questions to the manufacturer’s representatives as necessary;
4. Seek legal advice in executive session as necessary;
5. Make an independent finding that the upgrade or modification is *de minimis* in nature; and
6. Vote on the manufacturer’s application for recertification.

The Election Equipment Certification Committee must issue a written recommendation to the Secretary of State based on the majority vote from the public meeting. The Election Equipment Certification Committee may recommend approval or denial of the application, including partial or conditional approval.

If the Committee determines that the upgrade or modification is not *de minimis*, or the application for recertification otherwise requires additional review or testing, the Committee may vote to schedule a subsequent meeting to conduct a demonstration and functionality test. In that case, the Committee must evaluate the upgraded or modified voting system under the standards applicable to a new application for certification.

3. Secretary of State Final Decision

Within a reasonable period after receiving the Election Equipment Certification Committee’s recommendation, the Secretary of State must issue a final decision on an application for certification or recertification. The Secretary of State may accept, deny, or modify the Election Equipment Certification Committee’s recommendation, including issuance of a partial or conditional certification.

The Secretary of State must issue the final decision in writing and notify the manufacturer by mail or email.

A final decision denying certification must include notice that the decision constitutes an appealable agency action. The notice must:

1. Identify the statute, rule, or provision upon which the decision was based;
2. Identify with reasonable particularity the reason why certification was denied or conditioned;
3. Include a description of the manufacturer’s right to request a hearing on the decision; and
4. Include a description of the manufacturer’s right to request an informal settlement conference pursuant to [A.R.S. § 41-1092.06](#).

[A.R.S. § 41-1092\(3\)](#); [A.R.S. § 41-1092.03\(A\)](#).

4. Appeal Process

A manufacturer may appeal the Secretary of State’s final decision denying an application for certification, conditional certification, or recertification.

a. Filing Notice of Appeal

A manufacturer must file the notice of appeal with the Secretary of State within 30 days after receiving the final decision. The notice of appeal must:

1. Identify the manufacturer;
2. Provide the manufacturer's address;
3. Identify the agency and action being appealed; and
4. Contain a concise statement of the reasons for the appeal.

The notice of appeal must be served by personal delivery or certified mail, return receipt requested.

Within five business days of receiving an appeal, the Secretary of State must:

1. Notify any local jurisdictions who use the manufacturer's voting system or are otherwise potentially affected by the appeal; and
2. Request a hearing from the Office of Administrative Hearings.

[A.R.S. § 41-1092.03\(A\)-\(B\)](#); [A.R.S. § 41-1092.04](#).

b. Hearing on Appeal

If an informal settlement conference pursuant to [A.R.S. § 41-1092.06](#) is not requested, a hearing before the Office of Administrative Hearings:

1. Must be conducted no later than 60 days after the appeal was filed with the Secretary of State;
2. Must include a complete and accurate record;
3. Must be conducted in accordance with [A.R.S. § 41-1092.07](#); and
4. Must be presided over by an administrative law judge, who must issue a recommended decision pursuant to [A.R.S. § 41-1092.08\(A\)](#).

The manufacturer bears the burden of persuasion to establish that the voting system should have been certified or recertified. The administrative law judge must issue a recommended decision within 20 days after the hearing is concluded. [A.R.S. § 41-1092.08\(A\)](#).

The only remedy available is recommended reversal or modification of the Secretary of State's final decision. Damages of any kind may not be awarded.

[A.R.S. § 41-1092.05](#).

c. Action on Recommended Decision

Within 30 days following issuance of the administrative law judge's recommendation, the Secretary of State may accept, reject, or modify the decision. [A.R.S. § 41-1092.08\(B\)](#).

The Secretary of State's decision constitutes the final determination of the application for certification or recertification. The Secretary of State must provide notice of the final determination to the manufacturer and any other interested parties.

B. Requirements for Equipment Decertification

If the Secretary of State has reason to believe that a certified voting system or specific equipment or component thereof is not performing or being utilized in accordance with federal or state law, the Secretary of State may issue an Intent to Decertify the voting system or any component of the system. [A.R.S. § 16-442\(C\)-\(D\)](#).

In reaching the preliminary decision to decertify, the Secretary of State may take into account any of the following:

1. Material breach of contract with any Arizona jurisdiction;
2. Submission of a fraudulent, misleading, or otherwise ineligible application for certification or recertification;
3. Installation or use of an unauthorized voting system;
4. Failure to properly function or perform, including security vulnerabilities;
5. Federal decertification by the EAC;
6. Failure to place election equipment source code in escrow and/or failure to authorize the State of Arizona to access or receive the source code;
7. Loss of physical custody and control to an unauthorized or untrusted source; and
8. Failure to continue to meet any requirements for certification.

Upon issuance of an Intent to Decertify, the Secretary of State must promptly notify the manufacturer and any affected parties. Within 30 days of issuance, the manufacturer and any affected parties may submit written comments to the Secretary of State in support of or opposition to decertification.

Within 120 days of issuance, the Secretary of State must convene the Election Equipment Certification Committee. At a public meeting the Committee must:

1. Review the evidence for and against decertification;
2. Ask questions to the manufacturer's representatives (as necessary);
3. Seek legal advice in executive session (as necessary); and
4. Vote on whether to recommend decertification.

The Election Equipment Certification Committee may recommend full or partial decertification. The Committee may also specify the conditions under which the voting system may continue to be used by a county, city, town, or special taxing district. The Election Equipment Certification

Committee must issue a written recommendation to the Secretary of State based on the majority vote from the public meeting.

Within a reasonable period after receiving the Election Equipment Certification Committee's recommendation, the Secretary of State must issue a final decision on the Intent to Decertify. The Secretary of State may accept, deny, or modify the Election Equipment Certification Committee's recommendation, including issuance of a conditional recertification. The Secretary must follow the remaining procedures applicable to issuance of a final decision for an application for certification or recertification. See [Chapter 4, Section I\(A\)\(3\)](#) above.

The manufacturer or affected party may appeal a decertification in accordance with the appeal procedures for denials of certification and recertification. See [Chapter 4, Section I\(A\)\(4\)](#) above.

In addition to decertification, the Secretary of State may prohibit the purchase, lease, or use of any voting system (or component thereof) if a manufacturer or jurisdiction: (1) installs, uses, or permits the use of a voting system that is not certified for use or approved for experimental use; or (2) uses or includes hardware, firmware, or software in a voting system version that is not certified for use or approved for experimental use. [A.R.S. § 16-442\(D\)](#).

C. Emergency Conditional Certification of Upgrade/Modification

If a local jurisdiction requires an emergency upgrade or modification to its existing certified voting system, the jurisdiction must apply to the Secretary of State for emergency conditional certification of the upgrade or modification. Emergency conditional certification allows the voting system to be upgraded or modified without seeking VSTL testing or EAC certification. [A.R.S. § 16-442\(G\)](#).

To apply for emergency conditional certification, the local jurisdiction must:

1. Convene its governing board to pass a resolution outlining why the forthcoming election cannot be conducted without the requested emergency conditional certification;
2. Make a written request to the Secretary of State that outlines the need for conditional emergency certification, including:
 - a. A description of the proposed upgrade/modification;
 - b. A description of what aspects of the voting system will be affected;
 - c. An explanation why the upgrade/modification is necessary in order to conduct the next election, including a copy of the governing board's resolution;
 - d. An explanation why the upgrade/modification could not have been sought earlier through the standard recertification process;
 - e. A description of what safeguards or contingency plans will be implemented if the proposed upgrade/modification does not function as intended during the election; and
 - f. Any other information deemed relevant by the local jurisdiction.

Upon receipt of a request for emergency conditional certification, the Election Equipment Certification Committee must convene as soon as practicable (but no later than 30 days from the

date of the request) and follow the same procedures applicable to an application for recertification, except:

- VSTL approval and EAC certification are not required; and
- Both the local jurisdiction and manufacturer are expected to participate in the public meeting and answer the Election Equipment Certification Committee's questions.

Upon receipt of the Election Equipment Certification Committee's recommendation, the Secretary of State must issue a final decision within 15 days or sooner if practicable.

Any grant of conditional emergency certification is limited to six months from the date of the Secretary's final decision. If the manufacturer has not applied for (and been granted) recertification before expiration of the 6-month period, the conditionally certified voting system is automatically decertified and ineligible for continued use. [A.R.S. § 16-442\(G\)](#).

The local jurisdiction may appeal a denial of emergency certification in accordance with the appeal procedures for denials of certification and recertification. Election vendors who have voting equipment certified for use in Arizona elections and whose equipment is currently in use or will be used in an upcoming election shall notify the Secretary of State, in writing, by January 31 of each year where the source code is held in escrow.

Chapter 9:

Electoral Count Reform and Presidential Transition Improvement Act of 2022

3 U.S.C.A. § 1. Time of appointing electors

The electors of President and Vice President shall be appointed, in each State, on election day, in accordance with the laws of the State enacted prior to election day.

§ 3. Number of electors

The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice President to be chosen come into office; except, that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

§ 4. Vacancies in electoral college

Each State may, by law enacted prior to election day, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

§ 5. Certificate of ascertainment of appointment of electors

(a) **In general.**—

(1) **Certification.**--Not later than the date that is 6 days before the time fixed for the meeting of the electors, the executive of each State shall issue a **certificate of ascertainment of appointment of electors**, under and in pursuance of the laws of such State providing for such appointment and ascertainment enacted prior to election day.

(2) **Form of certificate.**--Each certificate of ascertainment of appointment of electors shall--

(A) set forth the names of the electors appointed and the canvass or other determination under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast;

(B) bear the seal of the State; and

(C) contain at least one security feature, as determined by the State, for purposes of verifying the authenticity of such certificate.

(b) **Transmission.**--It shall be the duty of the executive of each State—

(1) to transmit to the Archivist of the United States, immediately after the issuance of a certificate of ascertainment of appointment of electors and by the most expeditious method available, such certificate of ascertainment of appointment of electors; and

(2) to transmit to the electors of such State, on or before the day on which the electors are required to meet under [section 7](#), six duplicate-originals of the same certificate.

(c) **Treatment of certificate as conclusive.**--For purposes of [section 15](#):

(1) **In general.**--

(A) **Certificate issued by executive.**--Except as provided in subparagraph (B), a certificate of ascertainment of appointment of electors issued pursuant to subsection (a)(1) shall be treated as conclusive in Congress with respect to the determination of electors appointed by the State.

(B) **Certificates issued pursuant to court orders.**--Any certificate of ascertainment of appointment of electors required to be issued or revised by any State or Federal judicial relief granted prior to the date of the meeting of electors shall replace and supersede any other certificates submitted pursuant to this section.

(2) **Determination of Federal questions.**--The determination of Federal courts on questions arising under the Constitution or laws of the United States with respect to a certificate of ascertainment of appointment of electors shall be conclusive in Congress.

(d) **Venue and expedited procedure.**--

(1) **In general.**--Any action brought by an aggrieved candidate for President or Vice President that arises under the Constitution or laws of the United States with respect to the issuance of the certification required under [section \(a\)\(1\)](#),

or the transmission of such certification as required under subsection (b), shall be subject to the following rules:

(A) Venue.--The venue for such action shall be the Federal district court of the Federal district in which the State capital is located.

(B) 3-Judge Panel.--Such action shall be heard by a district court of three judges, convened pursuant to [section 2284 of title 28, United States Code](#), except that--

(i) the court shall be comprised of two judges of the circuit court of appeals in which the district court lies and one judge of the district court in which the action is brought; and

(ii) section 2284(b)(2) of such title shall not apply.

(C) Expedited procedure.--It shall be the duty of the court to advance on the docket and to expedite to the greatest possible extent the disposition of the action, consistent with all other relevant deadlines established by this chapter and the laws of the United States.

(D) Appeals.--Notwithstanding [section 1253 of title 28, United States Code](#), the final judgment of the panel convened under subparagraph (B) may be reviewed directly by the Supreme Court, by writ of certiorari granted upon petition of any party to the case, on an expedited basis, so that a final order of the court on remand of the Supreme Court may occur on or before the day before the time fixed for the meeting of electors.

(2) Rule of construction.--This subsection--

(A) shall be construed solely to establish venue and expedited procedures in any action brought by an aggrieved candidate for President or Vice President as specified in this subsection that arises under the Constitution or laws of the United States; and

(B) shall not be construed to preempt or displace any existing State or Federal cause of action.

§ 6. Duties of Archivist

The certificates of ascertainment of appointment of electors received by the Archivist of the United States under [section 5](#) shall--

(1) be preserved for one year;

(2) be a part of the public records of such office; and

(3) be open to public inspection.

§ 7. Meeting and vote of electors

The electors of President and Vice President of each State shall meet and give their votes on the first Tuesday after the second Wednesday in December next following their appointment at such place in each State in accordance with the laws of the State enacted prior to election day.

§ 8. Manner of voting

The electors shall vote for President and Vice President, respectively, in the manner directed by the Constitution.

§ 9. Certificates of votes for President and Vice President

The electors shall make and sign six certificates of all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President and the other of the votes for Vice President, and shall annex to each of the certificates of votes one of the certificates of ascertainment of appointment of electors which shall have been furnished to them by direction of the executive of the State.

§ 10. Sealing and endorsing certificates

The electors shall seal up the certificates of votes so made by them, together with the annexed certificates of ascertainment of appointment of electors and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice President, are contained therein.

§ 11. Transmission of certificates by electors

The electors shall immediately transmit at the same time and by the most expeditious method available the certificates of votes so made by them, together with the annexed certificates of ascertainment of appointment of electors, as follows:

- (1) One set shall be sent to the President of the Senate at the seat of government.
- (2) Two sets shall be sent to the chief election officer of the State, one of which shall be held subject to the order of the President of the Senate, the other to be preserved by such official for one year and shall be a part of the public records of such office and shall be open to public inspection.
- (3) Two sets shall be sent to the Archivist of the United States at the seat of government, one of which shall be held subject to the order of the President of the Senate and the other of which shall be preserved by the Archivist of the United States for one year and shall be a part of the public records of such office and shall be open to public inspection.
- (4) One set shall be sent to the judge of the district in which the electors shall have assembled.

§ 12. Failure of certificates of electors to reach President of the Senate or Archivist of the United States; demand on State for certificate

When, after the meeting of the electors shall have been held, no certificate of vote mentioned in [sections 9 and 11](#) of this title from any State shall have been received by the President of the Senate or by the Archivist of the United States by the fourth Wednesday in December, the President of the Senate or, if the President of the Senate be absent from the seat of government, the Archivist of the United States shall request, by the most expeditious method available, the chief election officer of the State to send up the certificate lodged with such officer by the electors of such State; and it shall be the duty of such chief election officer of the State upon receipt of such request immediately to transmit same by the most expeditious method available to the President of the Senate at the seat of government.

§ 13. Same; demand on district judge for certificate

When, after the meeting of the electors shall have been held, no certificates of votes from any State shall have been received at the seat of government on the fourth Wednesday in December, the President of the Senate or, if the President of the Senate be absent from the seat of government, the Archivist of the United States shall send a special messenger to the district judge in whose custody one certificate of votes from that State has been lodged, and such judge shall forthwith transmit that certificate by the hand of such messenger to the seat of government.

§ 15. Counting electoral votes in Congress

(a) In general.--Congress shall be in session on the sixth day of January succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon on that day, and the President of the Senate shall be their presiding officer.

(b) Powers of the President of Senate.--

(1) Ministerial in nature.--Except as otherwise provided in this chapter, the role of the President of the Senate while presiding over the joint session shall be limited to performing solely ministerial duties.

(2) Powers explicitly denied.--The President of the Senate shall have no power to solely determine, accept, reject, or otherwise adjudicate or resolve disputes over the proper certificate of ascertainment of appointment of electors, the validity of electors, or the votes of electors.

(c) Appointment of tellers.--At the joint session of the Senate and House of Representatives described in subsection (a), there shall be present two tellers previously appointed on the part of the Senate and two tellers previously appointed on the part of the House of Representatives by the presiding officers of the respective chambers.

(d) Procedure at joint session generally.--

(1) In general.--The President of the Senate shall--

(A) open the certificates and papers purporting to be certificates of the votes of electors appointed pursuant to a certificate of ascertainment of appointment of electors issued pursuant to section 5, in the alphabetical order of the States, beginning with the letter A; and

(B) upon opening any certificate, hand the certificate and any accompanying papers to the tellers,

who shall read the same in the presence and hearing of the two Houses.

(2) Action on certificate.--

(A) In general.--Upon the reading of each certificate or paper, the President of the Senate shall call for objections, if any.

(B) Requirements for objections or questions.--

(i) Objections.--No objection or other question arising in the matter shall be in order unless the objection or question--

(I) is made in writing;

(II) is signed by at least one-fifth of the Senators duly chosen and sworn and one-fifth of the Members of the House of Representatives duly chosen and sworn; and

(III) in the case of an objection, states clearly and concisely, without argument, one of the grounds listed under clause (ii).

(ii) Grounds for objections.--The only grounds for objections shall be as follows:

(I) The electors of the State were not lawfully certified under a certificate of ascertainment of appointment of electors according to [section 5\(a\)\(1\)](#).

(II) The vote of one or more electors has not been regularly given.

(C) Consideration of objections and questions.--

(i) In general.--When all objections so made to any vote or paper from a State, or other question arising in the matter, shall have been received and read, the Senate shall thereupon withdraw, and such objections and questions shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections and questions to the House of Representatives for its decision.

(ii) Determination.--No objection or any other question arising in the matter may be sustained unless such objection or question is sustained by separate concurring votes of each House.

(D) Reconvening.--When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No vote or paper from any other State shall be acted upon until the objections previously made to any vote or paper from any State, and other questions arising in the matter, shall have been finally disposed of.

(e) Rules for tabulating votes.--

(1) Counting of votes.--

(A) In general.--Except as provided in subparagraph (B)--

(i) only the votes of electors who have been appointed under a certificate of ascertainment of appointment of electors issued pursuant to [section 5](#), or who have legally been appointed to fill a vacancy of any such elector pursuant to [section 4](#), may be counted; and

(ii) no vote of an elector described in clause (i) which has been regularly given shall be rejected.

(B) Exception.--The vote of an elector who has been appointed under a certificate of ascertainment of appointment of electors issued pursuant to [section 5](#) shall not be counted if--

(i) there is an objection which meets the requirements of subsection (d)(2)(B)(i); and

(ii) each House affirmatively sustains the objection as valid.

(2) Determination of majority.--If the number of electors lawfully appointed by any State pursuant to a certificate of ascertainment of appointment of electors that is issued under [section 5](#) is fewer than the number of electors to which the State is entitled under [section 3](#), or if an objection the grounds for which are described in subsection (d)(2)(B)(ii)(I) has been sustained, the total number of electors appointed for the purpose of determining a majority of the whole number of electors appointed as required by the Twelfth Amendment to the Constitution shall be reduced by the number of electors whom the State has failed to appoint or as to whom the objection was sustained.

(3) List of votes by tellers; declaration of winner.--The tellers shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted according to the rules in this subchapter provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

§ 16. Same; seats for officers and Members of two Houses in joint session

At such joint session of the two Houses seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators, in the body of the Hall upon the right of the presiding officer; for the Representatives, in the body of the Hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint session shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this subchapter, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first session of the two Houses, no further or other recess shall be taken by either House.

§ 17. Same; limit of debate in each House

When the two Houses separate to decide upon an objection pursuant to [section 15\(d\)\(2\)\(C\)\(i\)](#) that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter--

- (1) all such objections and questions permitted with respect to such State shall be considered at such time;
- (2) each Senator and Representative may speak to such objections or questions for up to five minutes, and not more than once;
- (3) the total time for debate for all such objections and questions with respect to such State shall not exceed two hours in each House, equally divided and controlled by the Majority Leader and Minority Leader, or their respective designees; and
- (4) at the close of such debate, it shall be the duty of the presiding officer of each House to put each of the objections and questions to a vote without further debate.

§ 18. Same; parliamentary procedure at joint session

While the two Houses shall be in session as provided in this chapter, the President of the Senate shall have power to preserve order; and no debate shall be allowed and no question shall be put by the presiding officer except to either House on a motion to withdraw under [section 15\(d\)\(2\)\(C\)\(i\)](#).

§ 19. Vacancy in offices of both President and Vice President; officers eligible to act

(a)

(1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

(b) If, at the time when under subsection (a) of this section a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, act as President.

(c) An individual acting as President under subsection (a) or subsection (b) of this section shall continue to act until the expiration of the then current Presidential term, except that--

(1) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the President-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(2) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the

President or Vice President, then he shall act only until the removal of the disability of one of such individuals.

(d)(1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to act as President under subsection (b) of this section, then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President shall act as President: Secretary of State, Secretary of the Treasury, Secretary of Defense, Attorney General, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor, Secretary of Health and Human Services, Secretary of Housing and Urban Development, Secretary of Transportation, Secretary of Energy, Secretary of Education, Secretary of Veterans Affairs, Secretary of Homeland Security.

(2) An individual acting as President under this subsection shall continue so to do until the expiration of the then current Presidential term, but not after a qualified and prior-entitled individual is able to act, except that the removal of the disability of an individual higher on the list contained in paragraph (1) of this subsection or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) of this subsection shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to act as President.

(e) Subsections (a), (b), and (d) of this section shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (d) of this section shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(f) During the period that any individual acts as President under this section, his compensation shall be at the rate then provided by law in the case of the President.

§ 20. Resignation or refusal of office

The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

§ 21. Definitions

As used in this chapter the term--

(1) "election day" means the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice President held in each State, except, in the case of a State that appoints electors by popular vote, if the State modifies the period of voting, as necessitated by force majeure events that are extraordinary and catastrophic, as provided under laws of the State enacted prior to such day, "election day" shall include the modified period of voting.

(2) "State" includes the District of Columbia.

(3) "executive" means, with respect to any State, the Governor of the State (or, in the case of the District of Columbia, the Mayor of the District of Columbia), except when the laws or constitution of a State in effect as of election day expressly require a different State executive to perform the duties identified under this chapter.

Chapter 10:

Common Election Acronyms & Abbreviations

A

AACO

Arizona Association of Counties

ACP

Address Confidentiality Program (SOS)

ACTIC

Arizona Counter Terrorism Information Center

ADA

Americans with Disabilities Act

ADOA

Arizona Department of Administration

AEVL

Active Early Voting List

AHCCCS

Arizona Health Care Cost Containment System

AL

Authorized Lobbyist

APE

Apache County

APL

Authorized Public Lobbyist

ARS

Arizona Revised Statute

AVID

Arizona Voter Information Database

AVIP

Arizona Voter Information Portal

AZ MVD NOW

Office Website of the ADOT MVD

AZSOS

Arizona Secretary of State

B

BBM

Ballot-by-Mail

BOD

Ballot On Demand

BOS

Board of Supervisors (County)

C

CCEC

Arizona Citizens Clean Elections Commission

CCN

Coconino County

CD

Congressional District

CF

Campaign Finance

CHS

Cochise County

CISA

Cybersecurity and Infrastructure Security Agency

CONG

US Congress

CX

Cancelled (Voter Registration)

D

DEM

Democratic Party

DEMA

Arizona Department of Emergency and Military Affairs

DES

Arizona Department of Economic Security

DHS

US Department of Homeland Security *or* Arizona Department of Health Services

DL

Designated Lobbyist

DLN

Driver's License Number

DOB

Date of Birth

DoD

US Department of Defense

DOJ

US Department of Justice

DPL

Designated Public Lobbyist

DPOC

Documentary Proof of Citizenship (Voter Registration)

DRE

Direct Recording Electronic (Voting Machine)

E

EAC

US Election Assistance Commission

EAVS

Election Administration & Voting Survey

ECAC

Equipment Certification Advisory Committee (SOS)

ED

Election Day

EDR

Effective Date of Registration

EI-ISAC

Elections Infrastructure Information Sharing and Analysis Center

ELE

County Elections Office

EMS

Election Management System

ENR

Election Night Reporting

EOC

Election Officer Certification (SOS)

EPM

Elections Procedures Manual

ERIC

Electronic Registration Information Center

EV

Early Voting

F

FDS

Financial Disclosure Statement

FEC

Federal Election Commission

FED

Federal-Only (Ballot)

FPCA

Federal Post Card Application

FVAP

Federal Voting Assistance Program

FWAB

Federal Write-In Absentee Ballot

FY

Fiscal Year

G

GAO

US Government Accountability Office

GE

General Election

GIL

Gila County

GRE

Greenlee County

GRM

Graham County

GRN

Green Party

H

HAVA

Help America Vote Act

HB

House Bill

I

IA

Inactive (Voter Registration)

ID

Identification

IND

Independent

IRC

Independent Redistricting Commission

IRR

Initiative, Referendum, and Recall

J

JLBC

Joint Legislative Budget Committee

JP

Justice of the Peace

L

L&A

Logic & Accuracy Testing

LBT

Libertarian Party

LD

Legislative District

LEG

Legislature

LFC

Lobbyist for Compensation

LPZ

La Paz County

M

MAR

Maricopa County

MHV

Mohave County

MOVE

Military and Overseas Voters Empowerment Act

MVD

Arizona Motor Vehicle Division

N

NASED

National Association of State Elections Directors

NASS

National Association of Secretaries of State

NAV

Navajo County

NCOA

National Change of Address (USPS)

NIST

National Institute of Standards and Technology

NP

Nomination Paper

NVRA

National Voter Registration Act

O

OAG

Office of the Attorney General

P

P

Principal

PAC

Political Action Committee

PB

Public Body

PCT

Precinct

PE

Primary Election

PEVL

Permanent Early Voting List

PIM

Pima County

PND

Party Not Designated

PNL

Pinal County

PPB

Principal/Public Body

PPE

Presidential Preference Election

PROP

Proposition (on a ballot)

PRR

Public Records Request

PSA

Public Service Announcement

Q

QA

Quality Assurance

R

REC

County Recorder's Office

REP

Republican Party

S

SAZ

Service Arizona

SB

Senate Bill

SCZ

Santa Cruz County

SE

Special Election

SOI

Statement of Interest

SOS

Secretary of State

SOVC

Statement of Votes Cast

SSN

Social Security Number

SSN4

Last Four Digits of Social Security Number

T

TLO

Terrorism Liaison Officer

TTX

Table-Top Exercise

U

UAT

User Acceptance Testing

UOCAVA

Uniformed and Overseas Citizens Absentee Voting Act

USC

United States Code

USPS

United States Postal Service

V

VAOs

Federal Voting Assistance Officers

VBM

Vote-by-Mail

VC

Vote Center

VCVC

Vote Count Verification Committee (SOS)

Y

YAV

Yavapai County

YUM

Yuma County

Chapter 11:

2024 Election Cycle Calendar

**Arizona Secretary of State
Election Calendar 2023-2024**

DATE	DATE IN STATUTE	Cat 1	Cat 2	EVENT	REFERENCE	HOLIDAY/ WEEKEND STATUS
1/2/2023	Jan 2	SOS	REC	Begin compiling county-provided January 2 Voter Registration Report	16-168(G)(2)(a)	HOLIDAY
1/3/2023	AugE-210	BOS		Deadline for 210 day notice by Board of Supervisors for August 1, 2023 Election.	16-205(A)	
1/28/2023	MarE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for March 14, 2023 election	16-544(F)	SATURDAY
1/28/2023	MarE-45	REC		Mail UOCAVA ballots by 45th day before March 14, 2023 Election for all requests received on or before the 48th day before the election	16-543(A) MOVE Act	SATURDAY
2/12/2023	MayE-93	REC		Begin accepting ballot-by-mail requests for May 16, 2023 Election (UOCAVA voters and protected voters under 16-153 can request ballots before this date.)	16-542(A)(B) 16-153	SUNDAY
2/13/2023	MarE-29 (until 11:59 pm)	REC		Last day to Register to Vote for March 14, 2023 Election (11:59 p.m.)	16-120(A)	
2/15/2023	MarE-27	ELEC		Begin Early Voting for March 14, 2023 Election	16-542(C)	
2/15/2023	MarE-27	REC		Mail Early Ballots for March 14, 2023 Election to voters on active early voting list and voters who have requested a one-time ballot-by-mail	16-544(F)	
2/15/2023	MarE-27	ELEC		Tallying of early ballots for March 14, 2023 Election may begin	16-550(B)	
2/25/2023	MarE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for March 14, 2023 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
3/3/2023	MarE-11	REC		Deadline for accepting requests for a Ballot-by-Mail for the March 14, 2023 Election	16-542(E)	
3/10/2023	MarE-4	ELEC		Deadline to Vote Early In-Person for the March 14, 2023 Election by 5:00 p.m.	16-542(E)	
3/14/2023	MarE (2nd Tuesday in March)	ALL		March 14, 2023 Election	16-204(F)(1)	
3/17/2023	MarE+3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures. For counties that have a 4-day work week, the deadline will be the next business day: Monday March 20, 2023	16-579(A)(2) 16-550(A) Procedures Manual	
3/20/2023	MarE + 6	BOS		First day to canvass returns for March 14, 2023 Election	16-642(A) 16-645(A)	
4/1/2023	Apr 1	SOS	REC	Begin compiling county-provided April 1 Voter Registration Report	16-168(G)(2)(b)	SATURDAY
4/1/2023	MayE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for May 16, 2023 Election	16-544(F)	SATURDAY
4/1/2023	MayE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before May 16, 2023 Election	16-543(A)	SATURDAY

**Arizona Secretary of State
Election Calendar 2023-2024**

4/3/2023	MarE+20	BOS		Last day to canvass returns for March 14, 2023 Election	16-642(A) 16-645(A)	
4/11/2023	NovE-210	BOS		Deadline for 210 day notice by Board of Supervisors for November 7, 2023 Election	16-205(A)	
4/17/2023	MayE-29	REC		Last day to register to vote for May 16, 2023 Election (11:59 p.m.)	16-120(A)	
4/19/2023	MayE-27	ELEC		Begin early voting for May 16, 2023 Election	16-542(C)	
4/19/2023	MayE-27	REC		Mail early ballots for May 16, 2023 Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
4/19/2023	MayE-27	ELEC		Tallying of early ballots for May 16, 2023 Election may begin	16-550(B)	
4/29/2023	MayE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for May 16, 2023 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
4/30/2023	AugE-93	REC		Begin accepting ballot-by-mail requests for August 1, 2023 Election (UOCAVA voters and protected voters under 16-153 can request ballots before this date.)	16-542(A)(B) 16-153	SUNDAY
5/3/2023	AugE - 90	ELEC		Mail Notice of August 1, 2023 Election to Active Early Voters	16-544(D)	
5/5/2023	MayE-11	REC		Deadline for accepting requests for a ballot-by-mail for the May 16, 2023 Election	16-542(E)	
5/6/2023	MayE- 10	SOS		Deadline for filing Standing Committee 2023 May Pre-Election Campaign Finance Report covering April 1, 2023 - April 29, 2023	16-927(A)(2)(a) 16-928(B) 1-243(A) 1-303	SATURDAY
5/6/2023	MayE-10	ELEC		Deadline for filing Candidate 2023 May Pre-Election Campaign Finance Report covering April 1, 2023 - May 6, 2023 (Applicable County or Local Races)	16-927(A)(2)(a) 16-927(B) 1-243(A) 1-303	SATURDAY
5/12/2023	MayE - 4	ELEC		Deadline to Vote Early In-Person for the May 16, 2023 Election by 5:00 p.m.	16-542(E)	
5/16/2023	MayE (3rd Tuesday in May)	ALL		May 16, 2023 Election	16-204(F)(2)	
5/19/2023	MayE + 3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures. For counties that have a 4-day work week, the deadline will be the next business day: Monday May 22, 2023	16-579(A)(2) 16-550(A) Procedures Manual	
5/22/2023	MayE + 6	BOS		First day to canvass returns for May 16, 2023 Election	16-642(A) 16-645(A)	
6/5/2023	MayE+20	BOS		Last day to canvass returns for May 16, 2023 Election	16-642(A)	
6/17/2023	AugE-45	REC		Deadline for Active early voters to notify county that an early ballot not be sent for August 1, 2023 Election	16-544(F)	SATURDAY
6/17/2023	AugE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before August 1, 2023 Election	16-543(A)	SATURDAY

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7/1/2023	Jul 1	SOS	REC	Begin compiling county-provided July 1 Voter Registration Report	16-168(G)(2)(c)	SATURDAY
7/3/2023	AugE-29	REC		Last day to Register to Vote for August 1, 2023 Election (Until 11:59 PM)	16-120(A)	
7/5/2023	AugE-27	ELEC		Begin early voting for August 1, 2023 Election	16-542(C)	
7/5/2023	AugE-27	REC		Mail early ballots for August 1, 2023 Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
7/5/2023	AugE-27	ELEC		Tallying of early ballots for August 1, 2023 Election may begin	16-550(B)	
7/15/2023	AugE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for August 1, 2023 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
7/21/2023	AugE-11	REC		Deadline to accept requests for a Ballot-by-Mail for the August 1, 2023 Election	16-542(E)	
7/28/2023	AugE-4	ELEC		Deadline to Vote Early In-Person for the August 1, 2023 Election by 5:00 p.m.	16-542(E)	
7/28/2023	AugE-4	ELEC		Begin emergency early voting in a manner prescribed by the BOS due to an emergency occurring between 5:00 p.m. on July 28, 2023 and 5:00 p.m. on July 31, 2023 that would prevent the elector from voting at the polls	16-542(H)	
7/31/2023	Jul 31	CCEC	SOS	End of CCEC Exploratory Period for 2024 Election. Exploratory Period covers November 9, 2022 - July 31, 2023	16-961(B)(2)	
8/1/2023	AugE (1st Tuesday in August)	ALL		August 1, 2023 Election	16-204(F)(3)	
8/1/2023	Aug 1	CCEC	SOS	Begin CCEC Qualifying Period for 2024 Election. Qualifying Period covers August 1, 2023 - July 30, 2024	16-961(B)(3)	
8/4/2023	AugE+3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures. For counties with a 4-day work week, the deadline is the following Monday, August 7, 2023.	16-579(A)(2) 16-550(A) Procedures Manual	
8/6/2023	Nov E-93	REC		Begin accepting ballot-by-mail requests for November 7, 2023 Election (UOCAVA voters and protected voters under 16-153 can request ballots before this date.)	16-542(A)(B) 16-153	SUNDAY
8/7/2023	AugE+6	BOS		First day to canvass returns for August 1, 2023 Election	16-642(A)	
8/15/2023	MarE-210	BOS		Deadline for 210 day notice by Board of Supervisors for March 12, 2024 Election	16-205(A)	
8/21/2023	AugE+20	BOS		Last day to canvass returns for August 1, 2023 Election	16-642(A)	
9/14/2023	MarE-180	BOS		Deadline for jurisdictions to notify BOS of intent to hold March 12, 2024 election	16-226 (A)	
9/14/2023	MarE-180	BOS		Deadline for jurisdictions to call March 12, 2024 election	16-226 (A)	

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9/21/2023	PPE-180			Deadline for Governor's proclamation to move PPE	16-241(B)	
9/21/2023	PPE-180	SOS		Begin filing period of New Party Petitions for Recognition in PPE	16-244(A)(2) 16-804	
9/23/2023	NovE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for November 7, 2023 Election	16-544(F)	SATURDAY
9/23/2023	NovE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before November 7, 2023 Election	16-543(A)	SATURDAY
10/1/2023	Oct 1	SOS		Deadline for Secretary of State to submit updated Elections Procedures Manual to Governor and Attorney General for review	16-452(B)	SUNDAY
10/1/2023	Oct 1	SOS	REC	Begin compiling county-provided October 1 Voter Registration Report	16-168(G)(2)(d)	SUNDAY
10/1/2023	Oct 1	SOS		Continued party recognition calculated based on registered voters as of October 1, 2023	16-804(A), (B) 16-168(G)	
10/1/2023	Oct 1	SOS		Begin filing 2023 3rd Qtr Lobbyist Expenditure Report covering July 1, 2023 - September 30, 2023	41-1232.02(B) 41-1232.03(B)	
10/1/2023	Oct 1	BOS		Deadline to establish new election precincts and boundaries	16-411(A)	
10/10/2023	NovE-29 (October 9 is an observed holiday, moved to next business day)	REC		Last day to register to vote for November 7, 2023 Election (11:59 p.m.)	16-120(A)	HOLIDAY
10/11/2023	NovE-27	ELEC		Begin early voting for November 7, 2023 Election	16-542(C)	
10/11/2023	NovE-27	REC		Mail early ballots for November 7, 2023 Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
10/11/2023	NovE-27	ELEC		Tallying of early ballots for November 7, 2023 Election may begin	16-550(B)	
10/14/2023	MarE-150	ELEC		Begin Accepting Nomination Papers from Write-In Candidates (March Local Elections)	16-312(B)	SATURDAY***
10/21/2023	NovE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for November 7, 2023 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
10/21/2023	PPE-150	SOS		Deadline for filing Petitions for Recognition of New Party in PPE	16-244(A)(2)	SATURDAY
10/24/2023	MayE-210	BOS		Deadline for 210 day notice by Board of Supervisors for May 21, 2024 Election	16-205(A)	
10/27/2023	NovE-11	REC		Deadline to accept requests for a Ballot-by-Mail for the November 7, 2023 Election	16-542(E)	
10/30/2023	90 + 1 Days after Legislature adjourns sine die	ALL		General effective date of legislation passed during 2023 56th Legislature, First Regular Session (Legislature adjourned on July 31, 2023.)	Const. Art. IV, Pt. 1, § 1(3) 1-243(A)	

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11/3/2023	NovE-4	ELEC		Deadline to Vote Early In-Person for the November 7, 2023 Election by 5:00 p.m.	16-542(E)	
11/3/2023	Nov 3	ELEC		Begin emergency early voting in a manner prescribed by the BOS due to an emergency occurring between 5:00 p.m. on Nov. 3, 2023 and 5:00 p.m. on Nov. 6, 2023 that would prevent the elector from voting at the polls	16-542(H)	
11/7/2023	NovE (1st Tuesday after 1st Monday in November)	ALL		November 7, 2023 Election	16-204(F)(4)	
11/10/2023	PPE-130	SOS		Begin accepting Candidate Nomination Papers and Petitions for PPE	16-242(B)	
11/10/2023	NovE+3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures. Due to Veteran's Day Holiday, the deadline is the following Monday, November 13, 2023.	16-579(A)(2) 16-550(A) Procedures Manual	HOLIDAY
11/13/2023	NovE+6	BOS		First day to canvass returns for November 7, 2023 Election	16-642(A)	
11/23/2023	MayE-180	BOS		Deadline for jurisdictions to notify BOS of intent to hold May 21, 2024 election	16-226 (A)	
11/23/2023	MayE-180	BOS		Deadline for jurisdictions to call May 21, 2024 election	16-226 (A)	
11/27/2023	NovE+20	BOS		Last day to canvass returns for November 7, 2023 Election	16-642(A)	
11/30/2023	PE-250	REC		Deadline for filing new party petitions with Secretary of State (for statewide recognition) or the county officer in charge of elections (for county recognition) for signature verification	16-803(A)	
12/1/2023	Dec 1	SOS	REC	Deadline to determine political parties for continued representation based on votes cast for Governor or presidential electors at last General Election, or based on October 1 county voter registration report	16-804(A)-(D) 16-168(G)	
12/10/2023	MarE - 93	REC		Begin accepting ballot-by-mail requests for March 12, 2024 Election (UOCAVA voters and protected voters under 16-153 can request ballots before this date.)	16-542(A)(B) 16-153	SUNDAY
12/11/2023	PPE-100 (next business day due to weekend)	SOS		Deadline for filing PPE Candidate Nomination Papers and Petitions	16-242(B)	
12/11/2023	+7 business days after receipt of new party petitions	SOS		Deadline for Secretary of State to remove ineligible sheets and signatures from new party petition sheets and transmit random sample to County Recorders for signature verification	16-803(B), (C)	
12/13/2023	MarE-90	ELEC		Mail Notice of March 12, 2024 Election to Active Early Voters	16-544(D)	
12/14/2023	PPE-96 (72 hours after close of candidate filing)	SOS		Deadline for Secretary of State to issue certification of those candidates qualified for the Presidential Preference Election ballot to the officer in charge of elections within 72 hours of the close of filing	16-242(F)	
12/18/2023	PPE-92	SOS		Secretary of State to hold public meeting for the purpose of the ballot order drawing for the Presidential Preference Election	16-245(B)	
12/19/2023	PPE-91	ELEC		Deliver proof of sample ballots to qualified party chair(s) no later than five days following receipt of the candidate certification from the Secretary of State.	16-245(C)	
12/20/2023	PPE-90	ELEC		Mail Notice of Presidential Preference Election to active early voters	16-544(D)	

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12/27/2023	+10 business days after receipt of random sample	REC		Deadline for County Recorders to verify new party petitions petition signatures for Primary Election and provide certified results to Secretary of State	16-803(E), (F)	
12/31/2023	Dec 31	SOS		Deadline for issuance of updated Elections Procedures Manual, following approval by Governor and Attorney General	16-452(B)	HOLIDAY
1/1/2024	Jan 1	SOS		Begin Filing Nomination Papers, Petitions, & QCs for CCEC Candidates	16-951	HOLIDAY
1/2/2024	Jan 2	SOS	REC	Begin compiling county-provided January 2 Voter Registration Report	16-168(G)(1)(a)	
1/2/2024	Jan 2	REC		Deadline to transfer voters into newly established precincts and boundaries	16-411 16-412	
1/2/2024	Jan 2	SOS	ELEC	Calculate petition signature requirements for candidates for the 2024 Primary and General Elections based on the Jan. 2 voter registration numbers	16-322(B) 16-168(G) 16-193(1) 16-321(F)	
1/2/2024	72 hours (business days only) after receipt of certification from County Recorders	SOS		Deadline for Secretary of State to determine new party petition results of random sample, issue receipt to sponsor committee and issue party recognition (deadline may vary depending on timing of county certification)	16-803(H), (I)	
1/9/2024	PE-210	BOS		Deadline for 210 day notice by Board of Supervisors for August 6, 2024 Primary Election	16-205(A)	
1/27/2024	MarE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for March 12, 2024 Election	16-544(F)	SATURDAY
1/27/2024	MarE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before March 12, 2024 Election	16-543(A)	SATURDAY
2/1/2024	MarE-40	ELEC		Deadline for Write-In Candidates to file Nomination Papers (March Local Elections)	16-312(B)	
2/1/2024	PE-180	BOS		Deadline for jurisdictions to call July 30, 2024 election	16-226 (A)	
2/1/2024	PE-180	BOS		Deadline for jurisdictions to notify BOS of intent to hold July 30, 2024 election	16-226 (A)	
2/3/2024	PPE-45	ELEC		Prepare proof of sample ballots and (1) Submit to each county party chairman, and (2) Mail a copy to each candidate who has properly filed a Nomination Paper.	16-461(A)	SATURDAY
2/3/2024	PPE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for March 19, 2024 Presidential Preference Election	16-544(F)	SATURDAY
2/3/2024	PPE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before March 19, 2024 Presidential Preference Election	16-543(A)	SATURDAY
2/8/2024	PPE-40	ELEC		Last day to accept suggestions from county party chairmen on changes to sample ballot due to error or omission	16-461(B)	
2/8/2024	PPE-40	BOS		Deadline to print sample ballots	16-461(B), (C)	
2/9/2024	Legislative Change			Governor signed HB 2785 primary; identification; canvass; recounts; ballots into law (changed dates regarding the Primary Election with emergency clause)	HB 2785	

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2/12/2024	MarE-29	REC		Last day to register to vote for March 12, 2024 Election at 11:59 p.m.	16-120(A)	
2/14/2024	MarE-27	ELEC		Begin early voting for March 12, 2024 Election	16-542(C)	
2/14/2024	MarE-27	REC		Mail early ballots for March 12, 2024 Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
2/14/2024	MarE-27	ELEC		Tallying of early ballots for March 12, 2024 Election may begin	16-550(B)	
2/14/2024	EV-7	SOS	BOS	Logic and Accuracy Tests before Early Voting for the Presidential Preference Election Begins for Accessible Voting System Units	16-449 Procedures manual	
2/18/2024	MayE - 93	REC		Begin accepting ballot-by-mail requests for May 21, 2024 Election (UOCAVA voters and protected voters under 16-153 can request ballots before this date)	16-542(A)(B) 16-153	SUNDAY
2/19/2024	PPE-29	SOS	REC	Begin Compiling county-provided PPE Voter Registration Report	16-168(G)(1)(e)	HOLIDAY
2/20/2024	PPE-29 (next business day due to holiday)	REC		Last day to register to vote for March 19, 2024 Presidential Preference Election at 11:59 p.m.	16-120(A)	
2/21/2024	PPE-27	ELEC		Begin Early Voting for March 19, 2024 Presidential Preference Election	16-542(C)	
2/21/2024	PPE-27	REC		Mail early ballots for March 19, 2024 Presidential Preference Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
2/21/2024	PPE-27	ELEC		Tallying of early ballots may begin for March 19, 2024 Presidential Preference Election	16-550(B)	
2/24/2024	MarE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for March 12, 2024 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
3/1/2024	MarE-11	REC		Deadline to accept requests for a Ballot-by-Mail for the March 12, 2024 Election	16-542(E)	
3/2/2024	PPE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for March 19, 2024 Presidential Preference Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
3/2/2024	PE-150	SOS		Beginning of filing period for Nomination Papers, Nomination Petitions, and Financial Disclosure Statements for Primary Election candidates seeking partisan nomination	16-311(A) 16-314(A) 38-543	SATURDAY
3/2/2024	PE-150	SOS	ELEC	Beginning of filing period for Nomination Papers, Nomination Petitions, and Financial Disclosure Statements for Primary Election candidates seeking "Nomination Other than by Primary" (Independent Candidates)	16-341(A), (C) 38-543	SATURDAY
3/2/2024	PE-150	ELEC		Beginning of filing period for Non-Partisan candidate Nomination Petitions and Papers for Primary Election (Applicable County and Local Jurisdictions)	16-311(B) 16-204	SATURDAY
3/2/2024	PE-150	SOS	ELEC	Beginning of filing period for Write-in Candidate Nomination Papers for Primary Election	16-312(B)	SATURDAY
3/8/2024	MarE-4	ELEC		Deadline to Vote Early In-Person for the March 12, 2024 Election by 7:00 p.m.	16-542(E)	

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3/8/2024	PPE-11	ELEC	SOS	Last Day to Request Early Ballot for March 19, 2024 Presidential Preference Election	16-542(E) Procedures Manual	
3/8/2024	PPE-11	BOS		Mail sample ballots	16-245(D)	
3/11/2024	PPE-8 (2nd Monday Prior to PPE)	BOS		Complete tabulation contingency plans	Procedures Manual	
3/12/2024	MarE (2nd Tuesday in March)	ALL		March 12, 2024 Election	16-204(F)(1)	
3/12/2024	PPE-7	ELEC		Deadline for political parties to provide names of persons intending to participate in PPE hand count by 5:00 p.m.	16-602(B)(7)	
3/13/2024	PPE-6	ELEC		Deadline for officer in charge to notify political parties of shortage in number of persons intending to participate in PPE hand count by 9:00 a.m.	16-602(B)(7)	
3/14/2024	PPE-5	ELEC		Deadline for political parties to provide sufficient number of additional persons to cover hand count board shortages by 5:00 p.m.	16-602(B)(7)	
3/15/2024	MarE+3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures.	16-579(A)(2) 16-550(A) Procedures Manual	
3/15/2024	PPE-4	ELEC		Deadline to Vote Early In-Person for the March 19, 2024 Presidential Preference Election by 7:00 p.m.	16-246(C) 16-542(E)	
3/18/2024	MarE+6	BOS		First day to canvass returns for March 12, 2024 Election	16-642(A) 16-645(A)	
3/19/2024	PPE (1st Tuesday after March 15th of Presidential Election Year)	ALL		March 19, 2024 Presidential Preference Election	16-241(A)	
3/20/2024	PPE+1	ELEC		Hand Count begins within 24 hours of the closing of the polls	16-602(I)	
3/20/2024	PPE+1	ELEC		Select by lot 2% of polling places pursuant to 16-248 and perform hand count on those ballots	16-602(B)(3)	
3/24/2024	PPE+5 Days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures.	16-579(A)(2) 16-550(A) Procedures Manual	
3/29/2024	PPE+10 Days	BOS		Recommended deadline date for BOS to canvass March 19, 2024 Presidential Election	Procedures Manual	
4/1/2024	MarE+20	BOS	ELEC	Last day for County BOS to canvass returns for March 12, 2024 Election	16-642(A) 16-645(A)	
4/1/2024	Apr 1	SOS	REC	Begin compiling county-provided April 1, 2024 Voter Registration Report	16-168(G)(1)(b)	
4/1/2024	PE-120	SOS		Deadline for Secretary of State to send notice to Board of Supervisors designating state and federal offices for which candidates are to be nominated at the August 6, 2024 Primary Election	16-202	
4/1/2024	PE-120	SOS		Deadline for accepting Nomination Papers, Nomination Petitions, and Financial Disclosure Statements for Primary Election candidates seeking partisan nomination	16-311(A) 16-314(A) 38-543	

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4/1/2024	PE-120	SOS		Deadline for accepting Nomination Papers, Nomination Petitions, and Financial Disclosure Statements for Primary Election candidates seeking "Nomination Other than by Primary" (Independent Candidates)	16-341(A), (C) 38-543	
4/1/2024	PE-120	ELEC		Deadline for accepting Nonpartisan Candidate Nomination Petitions and Papers for Primary Election (Applicable County and Local Jurisdictions)	16-311(B) 16-204	
4/1/2024	PPE+14	BOS	ELEC	County BOS Deadline to Canvass Returns for March 19, 2024 Presidential Preference Election	16-241(C) 16-642(A) 16-645(A)	
4/4/2024	PPE+3rd Thursday	SOS		Official Statewide Canvass of the March 19, 2024 Presidential Preference Election	16-241(C) 16-645(B)	
4/4/2024	PPE+3rd Thursday	SOS		Certify election results to party chairs	16-241(C) 16-249(A) 16-645(B)	
4/6/2024	MayE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for May 21, 2024 Election	16-544(F)	SATURDAY
4/6/2024	MayE-45	REC		Mail UOCAVA ballots for all requests received on or before the 48th day before May 21, 2024 Election	16-543(A)	SATURDAY
4/9/2024	GE-210	BOS		Deadline for 210 day notice by Board of Supervisors for November 5, 2024 General Election	16-205(A)	
4/15/2024	Apr 15 (10 business days after close of candidate filing)	SOS	ELEC	Deadline for filing challenges to candidate Nomination Petitions	16-351(A)	
4/16/2024	PE-105	BOS		Earliest day Board of Supervisors may cancel election for certain offices held under Title 15, Title 48, or 16-822 based on number of candidates who have filed Nomination Paper and appoint those candidates to the office	16-410(A)	
4/21/2024	PE-100**	ELEC		Recommended deadline to order ballot cards/stock for Primary Election	16-508	SUNDAY
4/22/2024	MayE-29	REC		Last day to register to vote for May 21, 2024 Election at 11:59 p.m.	16-120(A)	
4/24/2024	MayE-27	REC		Begin early voting for May 21, 2024 Election	16-542(C)	
4/24/2024	MayE-27	REC		Mail early ballots for May 21, 2024 Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-542(C) 16-544(F)	
4/24/2024	MarE-27	ELEC		Tallying of early ballots for March 21, 2024 Election may begin	16-550(B)	
4/28/2024	PE-93	REC		Begin accepting ballot-by-mail requests for Primary Election and ballot-by-mail requests for both Primary and General Elections (UOCAVA voters and protected voters under 16-153 can request ballots before this date)	16-542(A)(B)	SUNDAY
5/1/2024	PE-90	ELEC		Mail Notice of Primary Election to active early voters	16-544(D)	
5/1/2024	PE-90	BOS		Accept lists of Election Board nominees submitted by political party chairmen for Primary Election	16-531(A)	
5/4/2024	MayE-17	ELEC	SOS	File Computer Program and Voting Equipment Certification for May 21, 2024 Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY

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5/9/2024	GE-180	BOS		Deadline for jurisdictions to notify BOS of intent to hold November 5, 2024 election		
5/10/2024	MayE-11	REC		Deadline to accept requests for a ballot-by-mail for the May 21, 2024 election	16-542(E)	
5/16/2024	PE-75**	BOS		Recommended deadline to schedule instruction classes for Precinct Election Boards for Primary Election	16-532	
5/17/2024	MayE-4	ELEC		Deadline to Vote Early In-Person for the May 21, 2024 Election by 7:00 p.m.	16-542(E)	
5/21/2024	MayE (3rd Tuesday in May)	ALL		May 21, 2024 Election	16-204(F)(2)	
5/24/2024	MayE+3 business days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures for May 21, 2024 Election.	16-579(A)(2) 16-550(A) Procedures Manual	
5/27/2024	MayE+6	BOS		First day to canvass returns for May 21, 2024 Election	16-642(A) 16-645(A)	
5/28/2024	PE-63 (9 weeks)	CCEC		Begin CCEC Primary Election Period (9 week period ending on the day of the Primary Election)	16-961(B)(4)	
5/28/2024	PE-63 (9 weeks)	CCEC		CCEC payment to qualified participating candidates	16-951(A)	
5/31/2024	PE-60	REC		Accept lists of nominees for Special Election Boards from the county party chairmen and begin appointing Special Election Boards for Primary Election	16-549(A)	
6/8/2024	GE-150 = Jun 8 (Saturday)	ELEC		Begin accepting Nonpartisan Candidate Nomination Petitions and Papers for General Election (applicable county and local jurisdictions)	16-311(B) 16-204	SATURDAY
6/8/2024	GE-150	SOS	ELEC	Beginning of Filing Period for Write-in Candidate Nomination Papers for General Election	16-312(B)	SATURDAY
6/10/2024	MayE+20	BOS		Last day to canvass returns for May 21, 2024 Election	16-642(A) 16-645(A)	
6/10/2024	PE-50**	BOS		Recommended deadline to prepare materials and supplies for instruction classes for Precinct Election Boards	16-532	
6/10/2024	PE-50**	BOS		Recommended deadline to print instructions and check list for Election Board and Inspectors	16-532	
6/15/2024	PE-45	BOS		Instruction classes for Precinct Election Boards may begin	16-532(A)	SATURDAY
6/15/2024	PE-45	ELEC		Prepare proof of sample ballots and: (1) Submit to each county party chairman, and (2) Mail a copy to each candidate who has properly filed a Nomination Paper	16-461(A)	SATURDAY
6/15/2024	PE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for Primary Election	16-544(F)	SATURDAY
6/15/2024	PE-45	REC		Deadline to mail UOCAVA ballots for all requests received on or before the 48th day before Primary Election	16-543(A)	SATURDAY

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6/20/2024	PE-40	ELEC		Last day to accept suggestions from county party chairmen on changes to sample ballot due to error or omission	16-461(B)	
6/20/2024	PE-40	BOS		Deadline to print sample ballots	16-461(B) 16-461(C)	
6/20/2024	PE-40	SOS	ELEC	Deadline for Write-in Candidate Nomination Papers for Primary Election at 5:00 p.m.	16-312(B)	
6/21/2024	PE-39**	SOS	ELEC	Deliver notice of Write-in Candidates who have filed Nomination Papers	16-312(E) Procedures Manual	
6/21/2024	PE-39**	BOS		Include list of eligible Write-in Candidates in supplies for Precinct Inspectors	16-312(C) 16-312(E)	
6/26/2024	(EV-7)	SOS	BOS	Deadline to begin Logic and Accuracy Tests before early voting for the Primary Election for accessible voting system units	16-449 Procedures Manual	
6/27/2024	PE-33	BOS		Print early ballots and deliver to County Recorder	16-503 16-545(B)(1)	
6/27/2024	PE-33**	REC		Print instructions and envelopes needed for early voting for the Primary Election	16-547(C)	
6/27/2024	PE-33**	REC		Recommended deadline to appoint Special Election Boards	16-549(A)	
6/28/2024	PE-32**	BOS		Recommended date to begin accepting political party election observer lists submitted by county party chairmen for Primary Election	16-590	
6/28/2024	PE-32**	BOS		Designate locations for Central Counting Place Boards, Precinct Boards, Early Boards, Data Processing Boards and Receiving Site Boards	Procedures Manual	
7/1/2024	PE-29	REC		Last day to register to vote for Primary Election at 11:59 p.m.	16-120(A)	
7/1/2024	PE-29	SOS	REC	Begin compiling county-provided Primary Election Voter Registration Report	16-168(G)(1)(c)	
7/1/2024	PE-29	BOS		Recommended deadline for designating locations for Receiving Sites, Central Counting Place, Computer Center and Early Processing Center	16-551	
7/3/2024	GE - 4 months and 1 day	SOS		Deadline for filing statewide initiative petitions with the Secretary of State	Const. Art. IV, Pt. 1 § 1(4)	
7/3/2024	PE-27	REC		Begin early voting for Primary Election	16-542(C)	
7/3/2024	PE-27	REC		Mail early ballots for Primary Election to voters on Active Early Voting List and voters who have requested a one-time ballot-by-mail	16-544(F)	
7/3/2024	PE-27	ELEC		Tallying of early ballots for Primary Election may begin	16-550(B)	
7/8/2024	GE-120	ELEC		Deadline for accepting Nonpartisan Candidate Nomination Petitions and Papers for General Election (Applicable County and Local Jurisdictions)	16-311(B) 16-204	

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7/9/2024	July 9 (8 days after close of registration)	REC		Deadline to deliver complete copies of precinct registers to county and state party chairmen	16-168(C)	
7/10/2024	PE-20	BOS		Designate polling places including emergency voting and dropbox locations (except for special district and mail ballot elections)	16-411(B)	
7/10/2024	PE-20	BOS		Deadline to appoint all Election Boards by BOS	16-531 16-535 16-551	
7/12/2024	PE-18**	BOS		Recommended deadline to outline polling place support plan for General Election Day	Procedures Manual	
7/13/2024	PE-17	BOS	SOS	Deadline to file Computer Program and Voting Equipment Certification for Primary Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
7/13/2024	PE-17	SOS		SOS performs Logic and Accuracy tests within 17 days of Primary Election - Notify public 48 hours in advance	16-449(A) Procedures Manual	SATURDAY
7/16/2024	PE-14**	BOS		Mail notice to county party chairmen as to time and place when voting devices can be inspected	16-447(B)	
7/17/2024	90 + 1 Days after Legislature adjourns sine die	ALL		General effective date of legislation passed during 2024 56th Legislature, Second Regular Session (Based on anticipated adjournment of April 17, 2024; this date will change if Legislature adjourns on a different date.)	Const. Art. IV, Pt. 1, § 1(3) 1-243(A)	
7/19/2024	PE-11	REC		Deadline for accepting requests for assistance by Special Election Board due to "continuing" illness at 5:00 p.m.	16-549(C)	
7/19/2024	PE-11	REC		Deadline for accepting requests for a ballot-by-mail for Primary Election	16-542(E)	
7/19/2024	PE-11	BOS		Deadline to mail sample ballots	16-461(D)	
7/19/2024	PE-11 (after 5:00 p.m. on 2nd Friday prior to PE)	REC		Begin accepting requests for assistance by Special Election Board due to "unanticipated" illness or disability	16-549(D)	
7/20/2024	PE-10	SOS		Deadline for the Vote Count Verification Committee to meet and consider revision of the designated margins to be used in the hand count audit, which will be simultaneously posted to the Secretary of State's website	16-602(K)(4)	SATURDAY
7/20/2024	PE-10	REC		Prepare official precinct registers	16-168(A)	SATURDAY
7/20/2024	PE-10**	REC		Provide inactive voter list to each precinct on or before Election Day	16-583(A)	SATURDAY
7/22/2024	10 business days after close of candidate filing	ELEC		Deadline for filing challenges to Candidate Nonpartisan Nomination Petitions for the General Election	16-351(A)	
7/22/2024	PE-8 (2nd Monday Prior to PE)	BOS	ELEC	Complete tabulation contingency plans	Procedures Manual	
7/23/2024	GE-105	BOS		Earliest day Board of Supervisors may cancel election for certain offices held under Title 15, Title 48, or 16-822 based on number of candidates who have filed Nomination Paper and appoint those candidates to the office	16-410(A)	
7/23/2024	PE-7**	BOS		Recommended deadline to complete ballot and supply dispersal plan	16-509	

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7/23/2024	PE-7	ELEC		Deadline for political parties to provide names of persons intending to participate in hand count by 5:00 p.m.	16-602(B)(7)	
7/23/2024	PE-7	CCEC	SOS	Deadline for filing Application for Certification form with the Secretary of State as a CCEC participating candidate	16-947(A) 16-961(B)(3)	
7/23/2024	PE-7	CCEC	SOS	End of CCEC Qualifying Period for 2022 Election, covers August 1, 2023 - July 30, 2024	16-961(B)(3)	
7/24/2024	PE-6 (Wednesday prior to PE)	ELEC		Deadline for officer in charge of elections to notify political parties of shortage in number of persons intending to participate in hand count by 9:00 a.m.	16-602(B)(7)	
7/25/2024	PE-5 (Thursday prior to PE)	ELEC		Deadline for political parties to provide sufficient number of additional persons to cover hand count board shortages by 5:00 p.m.	16-602(B)(7)	
7/26/2024	PE-4 (Friday prior to PE)	REC		Deadline for "overseas" voter as defined in UOCAVA who was recently discharged or separated from employment to register to vote for the Primary Election at 5:00 p.m.	16-103(D)	
7/26/2024	PE-4	ELEC		Deadline to Vote Early In-Person for the July 30, 2024 Primary Election by 7:00 p.m.	16-542(E)	
7/26/2024	July 26	ELEC		Begin emergency early voting in a manner prescribed by the BOS; available to electors who experience an emergency between 7:00 p.m. on July 26, 2024 and 5:00 p.m. on July 29, 2024 that would prevent them from voting at the polls	16-542(H)	
7/28/2024	GE-100			Beginning of Filing Period for Independent Presidential Candidate Nomination Papers for General Election.	16-341(G)	SUNDAY
7/28/2024	PE-2	BOS		If BOS fails to designate polling places, the Justice of the Peace may designate polling places	16-411(C)	SUNDAY
7/28/2024	PE-2	BOS		Deliver ballots to Inspector	16-509	SUNDAY
7/29/2024	PE-1**	BOS		Recommended deadline to complete instruction classes for Precinct Boards, Receiving and Central Counting Place Boards and Data Processing Boards	16-532	
7/29/2024	PE-1**	BOS		Recommended deadline to deliver polling place supplies	16-404 16-405 16-447 16-511	
7/29/2024	PE-1	REC		Deadline for Accepting Requests for Assistance by Special Election Board due to "unanticipated" Illness or Disability	16-549(D)	
7/29/2024	PE-1	REC		Deliver list of all electors who were issued early ballots to Precinct Inspectors	16-542(G)	
7/29/2024	PE-1**	BOS		Recommended deadline to deliver list of qualified write-in candidates to Inspector to be posted in polling place on Election Day	16-312(E)	
7/30/2024	PE	ALL		July 30, 2024 Primary Election	16-201 16-204(E)(1) 16-204(F) 16-206(A)	
7/30/2024	PE	REC		Continue delivery of early ballots to Early Boards for processing until 7:00 p.m.	16-551(C)	
7/30/2024	PE	REC		Deadline for uniformed and overseas citizens residing outside of Arizona to register to vote for the Primary Election at 7:00 p.m.	16-103(C)	

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7/30/2024	PE	CCEC		End of CCEC Primary Election Period	16-961(B)(4)	
7/31/2024	PE+1	ELEC		Hand count begins within 24 hours of the closing of the polls	16-602(I) Procedures Manual	
7/31/2024	PE+1	ELEC		Select by lot 2% of precincts/vote centers and perform hand count on those ballots; randomly select from sequestered early ballot batches a number equal to 1% of early ballots cast or 5,000 early ballots (whichever is less) for manual audit	16-602(B)(1) 16-602(F) Procedures Manual	
7/31/2024	PE+1	ELEC		Select contested races to be hand counted	16-602(B)(2) 16-602(C)	
7/31/2024	PE+1	CCEC		Begin CCEC General Election Period	16-961(B)(5)	
7/31/2024	PE+1	CCEC		CCEC payment to qualified participating candidates	16-951(C)	
7/31/2024	PE+1	CCEC		CCEC candidates to return monies above sufficient amount to pay unpaid bills during Primary Election Period	16-953(A)	
8/1/2024	Filing date+ 20 business days (Date may vary for early filings)	SOS		Deadline for Secretary of State to remove ineligible initiative petition sheets and signatures and transmit random sample to County Recorders	19-121.01(A) 19-121.01(B) 19-121.01(D)	
8/4/2024	GE-93	REC		Begin accepting requests for early ballots for the November 5, 2024 General Election (UOCAVA voters and protected voters can request ballots before this date)	16-542(A)(B) 16-153	SUNDAY
8/4/2024	GE-93**	REC		Begin accepting requests for assistance by Special Election Board due to "continuing" illness	16-549	SUNDAY
8/4/2024	PE+5 Calendar Days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures.	16-579(A)(2) 16-550(A) Procedures Manual	SUNDAY
8/5/2024	PE+1st Monday	BOS		Deadline to hear early ballot challenges (by 5:00 p.m.)	16-552(E)	
8/5/2024	PE+6	BOS		First day to canvass returns for July 30, 2024 Primary Election, and issue Letters of Nomination and Certificates of Election	16-642(A) 16-645(A)	
8/6/2024	PE+5 business days	REC		Deadline to process provisional ballots from the July 30, 2024 Primary Election	16-135(D) 16-584(E)	
8/7/2024	GE-90	BOS		Accept lists submitted by party chairmen of Election Board nominees for November 5, 2024 General Election	16-531(A)	
8/7/2024	GE-90	SOS	BOS	Begin accepting retention paperwork for judicial officers of Supreme and Appellate courts (SOS) and Superior Court (CLK)	Const. Art. VI, § 38(A)	
8/9/2024	PE+10	SOS		Deadline for party chairs to file nomination papers for presidential electors for November 5, 2024 general election	16-344(A)	
8/12/2024	PE+2nd Mon after PE	BOS		Last day for County BOS to canvass returns for July 30, 2024 Primary Election, and issue Letters of Nomination and Certificates of Election	16-642(A) 16-645(A) 16-645(B)	
8/12/2024	PE	BOS		Deliver Canvass to Secretary of State	16-645(B)	

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8/13/2024	MarE-210	BOS		Deadline for 210 day notice by Board of Supervisors for March 11, 2025 Election	16-205	
8/15/2024	PE+ 3rd Thursday	SOS		Deadline for the OFFICIAL CANVASS OF THE JULY 30, 2024 PRIMARY ELECTION: Canvass returns for all Federal, Statewide, and Legislative Offices	16-645(B)	
8/15/2024	PE+ 3rd Thursday	SOS		Issue Letters of Nomination to all prevailing Federal, Statewide, and Legislative Candidates who filed Nomination Papers with the Secretary of State	16-645(B)	
8/17/2024	GE-80	SOS		Deadline for Independent Presidential Candidate Nomination Papers for General Election at 5:00 p.m.	16-341(G)	SATURDAY
8/20/2024	JulE+5 days after canvass			Deadline to file a state election contest	16-673(A)	SUNDAY
8/22/2024	Receipt of Random Sample +15 Business Days (Date may vary for early filings)	REC		Deadline for County Recorders to verify initiative petition signatures and provide certified results to the Secretary of State	19-121.02	
8/22/2024	GE-75**	BOS		Recommended deadline to schedule instruction classes for Precinct Election Boards for November 5, 2024 General Election	16-532	
8/27/2024	GE-70	CCEC	SOS	Deadline for participating candidate to file Application to Receive Funds and Qualifying Contributions Report with original qualifying slips to the Secretary of State	16-950(B)	
8/27/2024	72 hours (business days only) after receipt of certification from County Recorders (Date may vary for early filings)	SOS		Deadline for Secretary of State to determine initiative petition results of random sample, issue receipt to sponsor committee, and notify Governor	19-121.04	
8/29/2024	PE+30	CCEC		CCEC candidates shall pay uncontested / unpaid bills from Primary Election	16-953(C)	
9/6/2024	GE-60	REC		Accept list of nominees for Special Election Boards from the county party chairmen and begin appointing Special Election Boards for November 5, 2024 General Election	16-549(A)	
9/6/2024	GE-60	SOS	BOS	Deadline to accept retention paperwork for judicial officers of Supreme and Appellate courts (SOS) and Superior Court (CLK)	Const. Art. VI § 38(A)	
9/16/2024	GE-50**	BOS		Recommended deadline to prepare materials and supplies for instruction classes for Precinct Election Boards	16-532	
9/16/2024	GE-50**	BOS		Recommended deadline to print instructions and check list for Election Board and Inspectors	16-532	
9/21/2024	GE-45	BOS		Prepare proof of sample ballots and submit to each county party chairman; Mail a copy to each candidate whose name did not appear on the Primary Election ballot.	16-461(A)	SATURDAY
9/21/2024	GE-45	BOS		Begin instruction classes for Precinct Election Boards	16-532	SATURDAY
9/21/2024	GE-45	REC		Deadline for active early voters to notify county that an early ballot not be sent for November 5, 2024 General Election	16-544(F)	SATURDAY
9/21/2024	GE-45	REC		Deadline to mail UOCAVA ballots for all requests received on or before the 48th day before November 5, 2024 General Election	16-543(A)	SATURDAY
9/26/2024	GE-40	BOS		Last day to accept suggestions from county party chairmen on changes to sample ballot due to error or omission	16-461(B)	

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9/26/2024	GE-40	SOS	ELEC	Deadline for Write-in Candidate Nomination Papers for General Election at 5:00 p.m.	16-312(B)	
9/27/2024	GE-39**	SOS	ELEC	Recommended date to deliver notice to counties of Write-in Candidates filing Nomination Papers with Secretary of State	16-312(E)	
9/27/2024	GE-39**	BOS		Include list of eligible Write-in Candidates in supplies for Precinct Inspectors	16-312(E)	
10/2/2024	(EV-7)	SOS	BOS	Deadline to begin Logic and Accuracy Tests begin for accessible voting system units before early voting for General Election	16-449 Procedures Manual	
10/3/2024	GE-33	BOS		Print early ballots and deliver to County Recorders	16-503 16-545	
10/6/2024	GE-30**	BOS		Recommended date to begin accepting political party election observer lists submitted by county party chairmen for November 5, 2024 General Election	16-590(A)	SUNDAY
10/6/2024	GE-30			Deadline for Issuance of Proclamation of General Election by Governor	16-214	SUNDAY
10/7/2024	GE-29	REC		Last day to register to vote for November 5, 2024 General Election at 11:59 p.m.	16-120(A)	
10/7/2024	GE-29	SOS	REC	Begin compiling county-provided General Election Voter Registration Report	16-168(G)(1)(d)	
10/9/2024	GE-27	REC		Begin early voting for November 5, 2024 General Election	16-542(C)	
10/9/2024	GE-27	REC		Mail early ballots for November 5, 2024 General Election to voters on Active Early Voting List and voters who requested a one-time ballot-by-mail	16-544(F)	
10/9/2024	PE-27	ELEC		Tallying of early ballots for November 5, 2024 General Election may begin	16-550(B)	
10/11/2024	GE-25**	BOS		Recommended deadline to print challenge lists and payroll vouchers	16-536 16-594	
10/11/2024	GE-25**	BOS		Recommended deadline to have ballot labels ready for voting devices	16-405	
10/11/2024	GE-25**	BOS		Recommended deadline to print poll lists	16-516	
10/11/2024	GE-25**	BOS		Recommended deadline to print official and unofficial return envelopes	16-511(A) 16-615 16-616	
10/11/2024	GE-25**	BOS		Recommended deadline to print duplicate ballot report forms	16-608(A)	
10/15/2024	Oct 15 (8 days after close of registration)	REC		Deliver complete copies of precinct registers to county and state party chairmen	16-168(C)	
10/16/2024	GE-20	BOS		Designate polling places including emergency voting and dropbox locations (except for special district and mail ballot elections)	16-411(B)	

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10/16/2024	GE-20	BOS		Deadline to appoint all Election Boards	16-531 16-535 16-551	
10/18/2024	GE-18**	BOS		Recommended deadline to print log books and forms for Receiving Sites, Central Counting Place, Computer Center and Early Ballot Processing Center	16-608	
10/18/2024	GE-18**	BOS		Recommended deadline to outline polling place support plan for General Election Day	Procedures Manual	
10/19/2024	GE-17	SOS	BOS	Perform Logic and Accuracy Tests within 17 days of November 5, 2024 General Election - Notify public 48 hours in advance	16-449(A) Procedures Manual	SATURDAY
10/19/2024	GE-17	BOS	SOS	File Computer Program and Voting Equipment Certification for November 5, 2024 General Election with Secretary of State	16-445(A) Procedures Manual	SATURDAY
10/22/2024	GE-14**	BOS		Mail notice to county party chairmen as to time and place when voting devices can be inspected	16-447(B)	
10/22/2024	MayE-210	BOS		Deadline for 210 day notice by Board of Supervisors for May 20, 2025 Election	16-205	
10/25/2024	GE-11	REC		Deadline for accepting requests for a ballot-by-mail for November 5, 2024 General Election	16-542(E)	
10/25/2024	GE-11	BOS		Deadline to mail sample ballot to every household that contains a registered voter not on the Active Early Voting List	16-510(C)	
10/25/2024	GE-11 (2nd Friday prior to GE)	REC		Deadline for accepting requests for assistance by Special Election Board due to "continuing" illness or disability at 5:00 p.m.	16-549(C)	
10/26/2024	GE-10	SOS		Deadline for the Vote Count Verification Committee to meet and consider revision of the designated margins to be used in the hand count audit, which will be simultaneously posted to the Secretary of State's website	16-602(K)(4)	SATURDAY
10/26/2024	(After 2nd Friday before GE)	REC		Begin accepting requests for assistance by Special Election Board due to "unanticipated" illness or disability	16-549(D)	SATURDAY
10/26/2024	GE-10	BOS		Deadline to publish Election Proclamation made by Governor	16-214(C)	SATURDAY
10/26/2024	GE-10	REC		Prepare official precinct registers	16-168(A)	SATURDAY
10/26/2024	GE-10	REC		Provide inactive voter list to each precinct on or before Election Day	16-583*	SATURDAY
10/29/2024	GE-7 (Tuesday preceding GE)	ELEC		Deadline for political parties to provide names of persons intending to participate in hand count by 5:00 p.m.	16-602(B)(7)	
10/30/2024	GE-6 (Wednesday preceding GE)	ELEC		Deadline for officer in charge of elections to notify political parties of shortage in number of persons intending to participate in hand count by 9:00 a.m.	16-602(B)(7)	
10/31/2024	GE-5 (Thursday preceding GE)	ELEC		Deadline for political parties to provide sufficient number of additional persons to cover hand count board shortages by 5:00 p.m.	16-602(B)(7)	
11/1/2024	GE-4 (Friday preceding GE)	REC		Deadline for "overseas" voter as defined in UOCAVA who was recently discharged or separated from employment to register to vote for the General Election at 5:00 p.m.	16-103(D)	

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11/1/2024	GE-4	ELEC		Deadline to Vote Early In-Person for the November 5, 2024 General Election by 7:00 p.m.	16-542(E)	
11/1/2024	Nov 1	ELEC		Begin emergency early voting in a manner prescribed by the BOS due to an emergency occurring between 7:00 p.m. on Nov. 1, 2024 and 5:00 p.m. on Nov. 4, 2024 that would prevent the elector from voting at the polls	16-542(H)	
11/3/2024	GE-2	BOS		If BOS fails to designate polling places, the Justice of the Peace may designate polling places	16-411(C)	SUNDAY
11/3/2024	GE-2	BOS		Deliver ballots to Inspector	16-509	SUNDAY
11/4/2024	GE-1	BOS		Complete instruction classes for Precinct Boards, Receiving and Central Counting Place Boards and Data Processing Boards	16-532	
11/4/2024	GE-1	BOS		Deliver polling place supplies	16-404 16-447(D) 16-511	
11/4/2024	GE-1	REC		Deadline for accepting requests for assistance by Special Election Board due to "unanticipated" illness or disability	16-549(D)	
11/4/2024	GE-1	REC		Deliver list of all electors who were issued early ballots to Precinct Inspectors	16-542(G)	
11/4/2024	GE-1**	BOS		Recommended deadline to deliver lists of qualified Write-in Candidates to Inspector to be posted in polling place on Election Day	16-312(E)	
11/5/2024	GE	ALL		November 5, 2024 General Election	16-204(E)(2) 16-204(F)(4) 16-206(A) 16-211	
11/5/2024	GE	REC		Continue delivery of early ballots to Early Boards for processing until 7:00 p.m.	16-551(C)	
11/5/2024	GE	REC		Deadline for UOCAVA voters temporarily absent from the state to register to vote for November 5, 2024 General Election at 7:00 p.m.	16-103(C)	
11/5/2024	GE	CCEC		End of CCEC General Election Period	16-961(B)(5)	
11/6/2024	GE+1	ELEC		Hand count audit begins within 24 hours of the closing of the polls	16-602(I)	
11/6/2024	GE+1	ELEC		Select by lot 2% of precincts/vote centers and perform hand count on those ballots; randomly select from sequestered early ballot batches a number equal to 1% of early ballots cast or 5,000 early ballots (whichever is less) for manual audit	16-602(B)(1) 16-602(F) Procedures Manual	
11/6/2024	GE+1	ELEC		Select contested races to be hand counted	16-602(B)(2) 16-602(C)	
11/6/2024	GE+1	CCEC		Candidates to return monies above sufficient amount to pay unpaid bills during General Election Period	16-953(B)	
11/6/2024	GE+1	CCEC	SOS	Begin CCEC Exploratory Period for candidates for 2026 Election. Exploratory period covers November 6, 2024 - July 31, 2025	16-961(B)(2)	
11/10/2024	GE+5 Calendar Days	REC		Last day for identification verification for Conditional Provisional Ballots and curing of early ballot affidavit signatures.	16-579(A)(2) 16-550(A) Procedures Manual	SUNDAY

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11/11/2024	GE+6	BOS		Deadline to hear early ballot challenges (by 5:00 p.m.)	16-552(E)	HOLIDAY
11/11/2024	GE+6	BOS		First day to canvass returns for November 5, 2024 General Election, and issue Certificates of Election for County and Local offices	16-642(A) 16-645(A)	HOLIDAY
11/15/2024	GE+10	REC		Deadline to process Provisional Ballots from the November 5, 2024 General Election	16-135(D) 16-584(E)	
11/21/2024	GE+3rd Thurs	BOS		Last day for County BOS to canvass returns for November 5, 2024 General Election, and issue Certificates of Election for County and Local Offices	16-642(A) 16-645(A)	
11/25/2024	GE+ 3rd Monday	SOS		Deadline for the OFFICIAL CANVASS OF THE NOVEMBER 5, 2024 GENERAL ELECTION: Canvass returns for all Federal, Statewide, and Legislative Offices, Supreme and Appellate Judicial Officers, and all Statewide Ballot Measures	Const. Art V § 10 16-648(A)	
11/30/2024	NovE+5 days after canvass			Deadline to file a state election contest	16-673(A)	SATURDAY
12/2/2024	GE+ 4th Monday	SOS		First day to issue Certificates of Election to all prevailing Federal, Statewide, and Legislative Candidates who filed Nomination Papers with the Secretary of State	Const. Art V § 10 16-650	
12/2/2024	GE + 4th Monday			Upon completion of Canvass, Governor shall issue Proclamation on Constitutional Amendments and Measures	16-651	
12/5/2024	GE+30	CCEC		Clean Elections candidates shall pay uncontested and unpaid bills from General Election	16-953(C)	
12/11/2024		SOS		Arizona Electors Safe Harbor Deadline	16-212	
12/17/2024	1st Tuesday after 2nd Wednesday in December	SOS		Meeting of the Electoral College	3 U.S.C. Ch. 1 § 7	
12/31/2024	Dec 31	SOS		Deadline for SOS to inform legislature about plan for election officer certification and training	16-407(D)	

