



2023 **DRAFT** Elections Procedures Manual

The Arizona Secretary of State is required to produce an election procedures manual (EPM), in consultation with the counties. A.R.S. § 16-452. The manual must be submitted to the Attorney General and Governor by October 1, 2023. The Attorney General and Governor shall approve the manual by December 31, 2023. Once approved, rules in the manual have the force of law.

****Please note: This Elections Procedures Manual is in DRAFT form, and is subject to change as part of a statutorily mandated review and approval process.**

The manual's purpose is to prescribe rules to achieve and maintain the maximum degree of:

- Correctness
 - Impartiality
 - Uniformity
 - Efficiency
- The manual shall cover procedures for:
 - Early voting & voting
 - Producing, distributing, collecting, counting, tabulating, and storing ballots
 - Transmittal of election materials to/from absent military/overseas voters

Key Updates

Chapter 1: Voter Registration

- Incorporates amendments to voter registration law as established in 2022 legislation, HB2243 and HB2492, which are currently being challenged in Arizona federal district court in *Mi Familia Vota v. Fontes*. Examples of parts of the legislation being challenged are as follows:
 - A “federal-only” voter is not eligible to vote in presidential elections and is not eligible to vote early by mail.

- For a voter registration form to be deemed complete, the registrant shall provide documentary proof of location of residence, provide place of birth, and check the yes box attesting to be a U.S. citizen.
- Except for a form produced by the United States election assistance commission, any application for registration shall be accompanied by satisfactory evidence of documentary proof of citizenship (DPOC), and the county recorder shall reject any application for registration that is not accompanied by DPOC. A county recorder who knowingly fails to reject an application for registration as prescribed by this subsection is guilty of a class 6 felony.
- Provides guidance for voters unable to complete or sign their voter registration form due to physical disability.
- Clarifies that registered minors are eligible to sign candidate petitions (but remain ineligible to sign initiative, referendum, recall, or new party petitions).
- Adds tribal agencies to the list of agencies who may request voter registration forms from the Secretary of State and County Recorder.
- Clarifies applicable rules for determining residency for voters who are homeless or transient.
- Clarifies applicable rules and procedures relating to nonstandard residential addresses.
- Requires a notice to be sent to the address on record if a voter registration record is cancelled based on a confirmed soft match against state or federal death records.

Chapter 2: Early Voting

- Clarifies that, in counties that use a secrecy mailing envelope for early ballots, a voted ballot shall be accepted for processing so long as the completed ballot affidavit is also returned with the voted ballot.
- Specifies that security, transport, and custody requirements for voted ballots on Election Day also apply to voted early ballots.
- Provides that a county recorder may, but is not required to, provide on-site early voting locations.

Chapter 3: Vote by Mail

- Provides that vote totals in an all vote by mail elections may be released after all ballot replacement centers have been closed.

Chapter 4: Voting Equipment

- Requires testing of language accessibility functionality during logic and accuracy testing in counties covered by Section 203 of the Voting Rights Act.
- Requires counties to develop incident response plans for election incidents that have security implications and/or may disrupt election operations.

Chapter 7: Presidential Preference Election

- Eligible political parties are not required to participate in the Presidential Preference Election (PPE) and may opt to conduct their own election or caucus instead. A recognized political party, through the state party chair, shall notify the Secretary of State in writing no later than October 23, 2023 if they will not participate in Arizona’s PPE.
- Requires counties to consult with the appropriate tribal government(s) when selecting voting locations on reservations within the county.
- Requires that poll workers assigned to voting locations on tribal reservations be trained on common issues with nonstandard addresses and rules relating to tribal identification, and language assistance (if applicable).

Chapter 8: Pre-Election Procedures

- Added the No Labels (NOL) political party as a newly recognized political party statewide.
- Based on the 2020 U.S. Census data, updates the minority language requirements for counties that are currently independently covered under Section 203 of the Voting Rights Act and have an obligation to print (in the case of written languages) or provide (in the case of historically unwritten or oral languages) voting materials in the additional language.

Chapter 10: Central Count Procedures

- Incorporates procedures and requirements for electronic adjudication of ballots from the 2020 Addendum to the EPM.

Chapter 11: Hand Count Audit

- Prohibits a full hand county or manual tabulation of ballots in any federal, state, or county election except as otherwise provided by A.R.S. § 16-602.

Chapter 13: Certifying Election Results

- Clarifies that any official handling ballots during the post-election retention period must implement adequate procedures to maintain the security, integrity, and custody of the ballots for the duration of the applicable retention period.

Chapter 14: Campaign Finance

- Campaign finance statements or reports with a deadline that falls on a weekend or holiday will be deemed to being filed timely on the next business day.