



NOTICE OF PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION OF THE STATE OF ARIZONA CITIZENS CLEAN ELECTIONS COMMISSION

Location: Citizens Clean Elections Commission

1110 W. Washington, Suite 250

Phoenix, Arizona 85007

Date: Thursday, July 27, 2023

Time: 9:30 a. m.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Commissioners of the Citizens Clean Elections Commission and the general public that the Citizens Clean Elections Commission will hold a regular meeting, which is open to the public on July 27, 2023. This meeting will be held at 9:30 a.m. **This meeting will be held in person and virtually.** Instructions on how the public may participate in this meeting are below. For additional information, please call (602) 364-3477 or contact Commission staff at ccec@azcleanelections.gov.

The meeting may be available for live streaming online at <https://www.youtube.com/c/AZCCEC/live>. You can also visit <https://www.azcleanelections.gov/clean-elections-commission-meetings>. Members of the Citizens Clean Elections Commission will attend in person, by telephone, video, or internet conferencing.

Join Zoom Meeting

<https://us02web.zoom.us/j/82964776668>

Meeting ID: 829 6477 6668

Please note that members of the public that choose to use the Zoom video link must keep their microphone muted for the duration of the meeting. If a member of the public wishes to speak, they may use the Zoom raise hand feature and once called on, unmute themselves on Zoom once the meeting is open for public comment. Members of the public may participate via Zoom by computer, tablet or telephone (dial in only option is available but you will not be able to use the Zoom raise hand feature, meeting administrator will assist phone attendees). Please keep yourself muted unless you are prompted to speak. The Commission allows time for public comment on any item on the agenda. Council members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing Council staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item listed on the agenda, pursuant to A.R.S. § 38-431.03 (A)(3). The Commission reserves the right at its discretion to address the agenda matters in an order different than outlined below.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Meeting Minutes for June 22, 2023.
- III. Discussion and Possible Action on Executive Director's Report, Enforcement and Regulatory Updates and Legislative Update.
- IV. Discussion and Possible Action regarding Opening a Public Comment Period on Proposed Rules related to the Voter's Right to Know Act, Proposition 211.
 - A. R2-20-809 - Complaint Procedures.
 - B. R2-20-810 - Response Procedures.
 - C. R2-20-811 - Investigation and Enforcement Procedures.
 - D. R2-20-812 - Enforcement Hearing Procedures.
 - E. R2-20-813 - Transactions and Structuring.

Please note: The Commission may discuss other aspects of the Act, Chapter 6.1 of Arizona Revised Statutes Title 16, including other topics on which rulemaking should be considered and other rules related to Chapter 6.1. Please see the Commission's regulatory agenda for further information. The Commission will not act to open a public comment period on rule language that has not been listed on this agenda. All language for proposed rules is available from the Commission at ccec@azcleanelections.gov.

- V. Discussion and Possible Action on the following 2022 Primary & General Election Candidate Audits.
 - A. Anna Lynn Abeytia, State Representative, LD 29, Primary
 - B. Maryn Brannies, State Senate, LD 27, General
- VI. Public Comment.

This is the time for consideration of comments and suggestions from the public. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date or responding to criticism
- VII. Adjournment.

This agenda is subject to change up to 24 hours prior to the meeting. A copy of the agenda background material provided to the Commission (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission's office, 1110 W Washington St, #250, Phoenix, AZ 85007.

Dated this 25th day of July, 2023
Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission at (602) 364-3477. Requests should be made as early as possible to allow time to arrange accommodations.

THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

June 22, 2023

9:30 a.m.

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<p style="text-align: right;">2</p> <p>1 PUBLIC MEETING, BEFORE THE CITIZENS CLEAN ELECTIONS 2 COMMISSION, convened at 9:30 a.m. on June 22, 2023, at the 3 State of Arizona, Citizens Clean Elections Commission, 1110 4 West Washington, Suite 250, Phoenix, Arizona, in the 5 presence of the following Board Members: 6 Mr. Mark S. Kimble, Chairman 7 Ms. Amy Chan (Videoconference) 8 Mr. Steve Titla (Videoconference)</p> <p>8 OTHERS PRESENT:</p> <p>9 Thomas Collins, Executive Director 10 Paula Thomas, Executive Officer 11 Mike Becker, Policy Director 12 Gina Roberts, Voter Education Director 13 Alec Shaffer, Web Content Manager 14 Kara Karlson, Assistant Attorney General 15 Cathy Herring, meeting planner 16 Bob Robson, Debate Work Group</p> <p>14 OTHERS PRESENT BY VIDEOCONFERENCE:</p> <p>15 Mary O'Grady, Osborn Maledon 16 Christine Jones, Debate Work Group 17 Meredith Parnell, Elias Law Group 18 Rivko Knox, Member of the Public 19 Mary Jo Pitzl, Member of the Public 20 Nathan Madden, Member of the Public</p> <p>20 21 22 23 24 25</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN KIMBLE: Good morning. Thank you all for 4 being here. 5 Agenda Item 1, the call to order. It's 9:30 a.m. 6 on June 22, 2023; and I call this meeting of the Citizens 7 Clean Elections Commission to order. 8 With that, we'll take attendance. Commissioners, 9 please identify yourselves for the record. 10 COMMISSIONER TITLA: Yeah, Steve Titla here. 11 CHAIRMAN KIMBLE: Thank you. Thank you, 12 Commissioner Titla. 13 COMMISSIONER CHAN: Good morning. This is 14 Commissioner Amy Chan. 15 I hope you can hear me. 16 CHAIRMAN KIMBLE: We can hear you fine. Thank you, 17 Commissioner Chan. 18 I'm Chairman Kimble; and we have a quorum. 19 Item II, discussion and possible action on minutes 20 for the April 27, 2023, meeting. 21 You received the meeting -- the minutes in your 22 packet. Is there any discussion, corrections, or comments 23 about the minutes, Commissioners? 24 (No audible response.) 25 If not, do I have a motion to approve them?</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">4</p> <p>1 COMMISSIONER CHAN: Mr. Chairman, I move we approve 2 the minutes as written. 3 CHAIRMAN KIMBLE: Thank you, Commissioner Chan. 4 Is there a second? 5 COMMISSIONER TITLA: I second the motion. 6 CHAIRMAN KIMBLE: Thank you, Commissioner Titla. 7 We have a motion to approve the minutes. I'll call 8 roll. 9 CHAIRMAN KIMBLE: Commissioner Chan. 10 COMMISSIONER CHAN: Aye. 11 CHAIRMAN KIMBLE: Commissioner Titla. 12 COMMISSIONER TITLA: Aye. 13 CHAIRMAN KIMBLE: And Chairman Kimble, I vote aye. 14 Item III, discussion and possible action on 15 Executive Director's report. 16 Tom? 17 MR. COLLINS: Yes. Mr. Chairman, Commissioners, 18 thank you all for being here; and to our audience, thank you 19 for being here. 20 Just really briefly I wanted to mention there is an 21 election on August 1st. I think that there are elections in 22 I want to say Yavapai County and -- 23 MR. SHAFFER: Prescott and Tucson. 24 MR. COLLINS: -- Prescott and Tucson; and the voter 25 registration deadline is July 3rd.</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">5</p> <p>1 The -- just a quick note on the legislature. The 2 Governor signed the fiscal state -- fiscal 2024 state budget 3 in May. The legislature then recessed, came back, and will 4 come back again on July 31st. 5 One thing to bear in mind that although, you know, 6 the Clean Elections fund is appropriated by the voters, the 7 budget is -- the JLBC reported I believe yesterday or the 8 day before that the revenues are significantly down based on 9 the -- essentially based on the reduction in tax rates that 10 took effect sometime I think it was late last year or at the 11 first of the year. So that will kind of -- something to 12 keep an eye on. 13 I think that -- I wanted to really quickly mention, 14 I know I think what we've seen, if you look through the 15 voter education outreach activities we've done this past 16 month in June, and really we've done quite a bit. We've 17 been up and down the state and -- and met with a variety of 18 different people from all kinds of walks of life. We had 19 the opportunity to sponsor the African American Conference 20 on Disabilities last week and Commissioner Meyer was able to 21 join us there along with Gina and -- and Avery. 22 Gina has, as mentioned in the report, worked with 23 the King County Elections Department, which is Seattle, on 24 their voter education and outreach activities, and they -- 25 and they've incorporated those recommendations directly into</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">6</p> <p>1 their report back to their election to the -- I believe to</p> <p>2 the Board of Supervisors or the -- to the -- I don't know</p> <p>3 what they call it in King County, but into their</p> <p>4 recommendations, which was a good thing to see.</p> <p>5 We do have in the report and attached the biannual</p> <p>6 adjustments for the Clean Elections candidates. Those --</p> <p>7 those -- there is an increase there from -- from prior</p> <p>8 years. The legislature -- you know, for example, the</p> <p>9 legislative candidates is now going to be closer to \$50,000.</p> <p>10 The -- a little bit more than that, plus their seed money.</p> <p>11 I think there were 46 I want to say, something like</p> <p>12 that, in 2022.</p> <p>13 In 2022 these numbers took a big hit from we assume</p> <p>14 COVID-related -- the -- a COVID-related lack of filing of</p> <p>15 income tax returns as part of the formula, so they -- so</p> <p>16 this has sort of hopefully started to catch them up to where</p> <p>17 they ought to be under -- accounting for inflation;</p> <p>18 obviously inflation is, you know, a moving target.</p> <p>19 I -- I guess the other thing I really need to</p> <p>20 mention, and we just got the order this morning, is that</p> <p>21 the -- the Maricopa County Superior Court dismissed with</p> <p>22 leave to amend the Goldwater Institute's lawsuit challenging</p> <p>23 the -- Arizona -- the Voters' Right to Know Act.</p> <p>24 We had had that oral argument on May 12th. Like I</p> <p>25 said, I haven't had a chance to really review it. Mary is</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">7</p> <p>1 -- is here if for some reason we want to -- we want to -- I</p> <p>2 don't know, probably not really the time to really go into</p> <p>3 depth about it, but nevertheless. It -- it is an appealable</p> <p>4 order and, you know, so there's probably a reasonable</p> <p>5 expectation that there might be an appeal, but I do think</p> <p>6 that that's an important thing to note.</p> <p>7 So those -- those I believe were the main points I</p> <p>8 wanted to make sure we hit in the Executive Director's</p> <p>9 report.</p> <p>10 CHAIRMAN KIMBLE: Thank you, Tom.</p> <p>11 Are there any questions or comments from members of</p> <p>12 the Commission?</p> <p>13 (No audible response.)</p> <p>14 Hearing none we'll move on to Item IV, discussion</p> <p>15 and possible action on the debates workgroup.</p> <p>16 The Commission's debate workgroup met throughout</p> <p>17 the spring covering all areas of the Commission's debate</p> <p>18 program, from legislative debate formats to hosting a</p> <p>19 lieutenant governor's debate in 2026. The group included</p> <p>20 leaders from political parties, former elected officials and</p> <p>21 candidates, community advocates, and experts in elections</p> <p>22 and campaigns.</p> <p>23 As I told the members at our last meeting, I was</p> <p>24 very grateful for their willingness to come together and</p> <p>25 help make the debate process a better experience for both</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">8</p> <p>1 voters and for candidates. It was a privilege to hear from</p> <p>2 them and the expertise they brought to the table. I am</p> <p>3 extremely grateful for their time and for all the efforts</p> <p>4 that they've put into this undertaking.</p> <p>5 I think that as a matter of public discourse the</p> <p>6 workgroup confirmed that the Clean Elections debate program</p> <p>7 really matters. It matters for bringing information to</p> <p>8 voters and it matters for ensuring candidates engage with</p> <p>9 ideas with each other and with the public. In a polarized</p> <p>10 time, a program like this brings people out of their corners</p> <p>11 and offers an opportunity for the community to share in the</p> <p>12 decision-making that makes our democracy work.</p> <p>13 With that, I wanted to ask Gina to review the</p> <p>14 report that is in our materials.</p> <p>15 Gina?</p> <p>16 MS. ROBERTS: Good morning, Commissioners. I will</p> <p>17 go through the report, explain its structure, and highlight</p> <p>18 a few of the key points. The report is available in the</p> <p>19 Commission meeting packet that was posted online, and we'll</p> <p>20 have the report also posted to our debates Web page after</p> <p>21 the fact as well, too.</p> <p>22 So first, when we go through the structure of the</p> <p>23 report, it's organized by there is a letter to the</p> <p>24 Commission from the debate workgroup members; and then when</p> <p>25 we go through each -- each section, you'll see background</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">9</p> <p>1 information that explains what the current process was for</p> <p>2 the Commission in regards to each section item; and then we</p> <p>3 get into the actual recommendations of the workgroup; and</p> <p>4 then we have a brief staff analysis that talks about, okay,</p> <p>5 can we implement these recommendations, what would that look</p> <p>6 like from an Agency perspective?</p> <p>7 So first we'll go through the -- the letter.</p> <p>8 Essentially, again, this was -- this is directly from the</p> <p>9 workgroup members to the Commissioners introducing the</p> <p>10 report and talking about how often they came together. So I</p> <p>11 won't go through that. I won't read it and go through it in</p> <p>12 too much detail.</p> <p>13 But, essentially, the debate workgroup members are</p> <p>14 presenting the report to the Commission for -- for review of</p> <p>15 their recommendations and to ideally accept the report; and</p> <p>16 they do thank the Commission for convening the workgroup</p> <p>17 together and facilitating a transparent and inclusive</p> <p>18 approach to including Arizona's official debates.</p> <p>19 So we'll jump into the first section, which is</p> <p>20 essentially the standards for a successful debate. This is</p> <p>21 the very first meeting that the workgroup had to sort of</p> <p>22 kick off the idea of what truly makes a successful debate</p> <p>23 from both the voter perspective but also the candidate</p> <p>24 perspective.</p> <p>25 And ideally what the workgroup brought together in</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">10</p> <p>1 these bullet points of recommendations are it is very</p> <p>2 important about awareness, that the voter has an</p> <p>3 understanding of when the debates are going to be occurring,</p> <p>4 why they should tune in. And so, overall, the key thing</p> <p>5 there is advertising and making sure that voters are aware</p> <p>6 the debates are occurring, the schedule, and how they can</p> <p>7 tune in.</p> <p>8 We'll also see a key theme here about the</p> <p>9 moderators. So it's important both from the moderator -- or</p> <p>10 for the voter perspective, but also for the candidate</p> <p>11 perspective, about how important it is to have a moderator</p> <p>12 who understands the issues, especially if we're talking</p> <p>13 about our legislative districts, they understand what's</p> <p>14 happening within those specific districts; and that they</p> <p>15 have the skill sets to be able to facilitate the discussion,</p> <p>16 to control the length, and control the tenor of the debate.</p> <p>17 So, advertising and moderators were a key thing</p> <p>18 here.</p> <p>19 And then we get in a little bit more to making sure</p> <p>20 that the information from the debate itself is accessible</p> <p>21 and digestible. So there is suggestions here such as how we</p> <p>22 can take the debate, split it up into chunks, you know,</p> <p>23 create it so it's organized by issue, all in the effort of</p> <p>24 making sure that it is easily accessible to the voter; and</p> <p>25 also making sure that we have information there so that the</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">11</p> <p>1 voters know how to contact the candidates directly if they</p> <p>2 want more information.</p> <p>3 On the candidate perspective you'll see a lot of</p> <p>4 those key things there, too, how important it is for the</p> <p>5 moderator; but also it's very imperative that the Commission</p> <p>6 has information for the candidate to understand the reach,</p> <p>7 the reach of why that candidate should give up their</p> <p>8 precious time during the campaign cycle to actually dedicate</p> <p>9 their time to come in and attend the debate so they have a</p> <p>10 good idea of how of they can reach the voters in their</p> <p>11 community.</p> <p>12 We should have information for the topics in</p> <p>13 advance so that the candidates can have buy-in because the</p> <p>14 thought is, yes, these debates are for voters, but it's also</p> <p>15 the opportunity to connect the voters and the candidates</p> <p>16 directly. So the candidates need to have buy-in on that,</p> <p>17 too, and it's their opportunity to communicate to the voters</p> <p>18 where they stand on their platforms. So the candidates</p> <p>19 should be able to have buy-in on the topics in advance --</p> <p>20 that will be discussed in the debate in advance.</p> <p>21 There's a few other notes here, such as making sure</p> <p>22 that we have very clear guidelines available to the</p> <p>23 candidates for what the rules and the format and the run of</p> <p>24 show will be at the debate; and, again, we'll talk a little</p> <p>25 bit more about that, too, in some other sections for</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">12</p> <p>1 recommendations.</p> <p>2 So ultimately the Commission and the staff analysis</p> <p>3 for this section believes that these recommendations are to</p> <p>4 some extent already done, they're very feasible to expound</p> <p>5 upon to meet the recommendations that the workgroup has</p> <p>6 provided; and then for the recommendations that are not</p> <p>7 currently in practice, such as getting the candidate input</p> <p>8 in advance on the topics, we can certainly do that. So</p> <p>9 ultimately for this section staff feels that we can easily</p> <p>10 implement it.</p> <p>11 I'll jump next to the format. This is probably the</p> <p>12 section that has the most significant change to the debate</p> <p>13 process.</p> <p>14 So a little bit of background information.</p> <p>15 Historically how the Commission hosts our legislative</p> <p>16 debates -- so that's important here, we're talking</p> <p>17 legislative -- they would be held by district, and within</p> <p>18 that every candidate -- regardless of Chamber or political</p> <p>19 party, every candidate within that district would be invited</p> <p>20 and would be able to participate in the debate. So what</p> <p>21 that means is that we could have a single debate for, let's</p> <p>22 say Legislative District 1, and we would have candidates</p> <p>23 from both the Senate and the House and from all of the</p> <p>24 political parties. So it would be Republicans and Democrats</p> <p>25 and perhaps if there were Libertarian candidates.</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">13</p> <p>1 So we would have all of these candidates together</p> <p>2 in a single debate and that would mean that candidates who</p> <p>3 perhaps are not true opponents of one another would still be</p> <p>4 able to engage one another.</p> <p>5 So a key recommendation of this section that came</p> <p>6 out of the debate workgroup is that we should structure them</p> <p>7 by party and by Chamber. So that would allow for the true</p> <p>8 candidate opponents to engage one another directly. For</p> <p>9 example, we would still have a single night where we would</p> <p>10 have Legislative District 1 debate, but within that time</p> <p>11 period we would organize the run of show so that the</p> <p>12 candidates for State Senate, the two candidates that are</p> <p>13 running for State Senate for Republican primary, would only</p> <p>14 debate one another. So that's how they would be organized.</p> <p>15 To do this it would just require a little bit more</p> <p>16 planning from staff. We could definitely accomplish that</p> <p>17 recommendation, it would just require more planning but also</p> <p>18 more communication to the public about what the run of show</p> <p>19 would be for the debates. So that way the voters know,</p> <p>20 okay, when they first tune in and they only see these two</p> <p>21 candidates, we're going to have more candidates forthcoming.</p> <p>22 That's especially important for Independent voters who may</p> <p>23 be viewing this debate and ultimately still need to decide</p> <p>24 what party ticket they want to vote on in a primary.</p> <p>25 So that is --</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">14</p> <p>1 COMMISSIONER CHAN: Mr. Chairman and Gina, could I 2 just ask a quick question? This is -- this is Amy Chan. 3 CHAIRMAN KIMBLE: Yes. Commissioner Chan. 4 COMMISSIONER CHAN: I apologize for interrupting. 5 So I feel very ignorant right now 'cause I have 6 watched the debates and enjoyed the debates and I, frankly, 7 don't have a recollection that we have not separated them by 8 party and Chamber before. So what I'm understanding from 9 you is that in the past we would just have the House and 10 Senate candidates for LD1, for example, by party I assume 11 participate in the debate? Or how did that work, can you 12 reiterate that for me? 13 Because to me the recommendation makes perfect 14 sense and I -- I thought that's what we were doing. 15 MS. ROBERTS: Mr. Chairman, Commissioner Chan, the 16 recommendation from the debate workgroup is not what we have 17 been doing, we have been having them all together, however 18 we would work with our moderator to ensure that the 19 moderator would control the flow of the debate to allow for 20 the true opponents to engage one another, but there were 21 still other candidates there who were not technically in the 22 same primary; but because they were all in the same 23 legislative district they were still there. 24 So, for example, we could have a Senate Republican 25 candidate who could have questioned a House Democratic</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">15</p> <p>1 candidate on something they said during the debate. So, 2 again, since they're not true opponents, this new 3 recommendation, by splitting them up within that event, 4 would only allow for the true candidates to engage one 5 another. 6 So, yes, in the past we have not split them up by 7 party and by Chamber, it was literally just one event per 8 district with any candidate who was within that district 9 whose name was on the ballot would be invited to attend. 10 So we would do a little bit more structuring to 11 allow for this recommendation. 12 COMMISSIONER CHAN: Thank you. 13 MS. ROBERTS: Yes. 14 CHAIRMAN KIMBLE: Thank you, Commissioner Chan. 15 Gina? 16 MS. ROBERTS: Thank you, Mr. Chairman, 17 Commissioners. 18 That is essentially the largest -- the most 19 significant change that would impact our debate process; and 20 ultimately, again, it just requires more planning on the 21 staff side which we can definitely do, but also more 22 communication to the voters who understand how this debate 23 flows, when they will see the candidates, and who is the 24 true opponents for one another. So when we get to the staff 25 analysis we'll see that we can absolutely implement this</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">16</p> <p>1 process but, again, it's just going to require more 2 communication on the -- on the run of show. 3 So I'm happy to jump into the next section which 4 are the rules of debate. 5 A little bit of background, the way we would host 6 our debates in the past, the rules, the run of show, too, we 7 would start off with the moderator opening the debate, we 8 would allow for one minute for opening and closing 9 statements for the candidates, one to two minutes for 10 responses to voter questions, and we did permit rebuttals. 11 Rebuttals and interruptions were allowed. We did allow the 12 moderator to limit time responses for -- for time management 13 purposes. 14 And the moderator, again, would ultimately try to 15 explain to the public who the true opponents were, and we 16 would go in a certain order, alpha order by last name by 17 Senate and then House in terms of the opening statements and 18 who would speak first; and then the moderator would close 19 the debate. 20 So it was a very -- I don't know if I would say 21 informal, but a very -- structure that would allow for 22 discussion. And when we get into the key points and 23 recommendations, again this goes back to the theme that we 24 saw earlier is that we should have very clear rules to the 25 candidates of what -- about what they should expect. So</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">17</p> <p>1 when can you interrupt? When can somebody interrupt you? 2 How much time do you have? 3 And speaking of time, the recommendation is that we 4 should have time limits for the candidates and the 5 candidates need to be aware of those time limits; they 6 should be enforced by the moderator but not in a strict 7 manner. So the moderator will still have some discretion 8 here on when to perhaps allow a candidate to finish their 9 thought or when to -- (technical disruption.) 10 All right, I apologize for that brief interruption. 11 But going on for the key points and recommendations for the 12 rules, ultimately the recommendations are we need to be 13 clear about what those rules are for the candidates and also 14 for the voters so they understand what to expect; and, 15 again, when we get down to the topics, making sure that we 16 supply to both the candidates and the voters the topics that 17 will be discussed during the debate in advance, but not the 18 actual question; and, again, you'll see a lot of 19 recommendations here that really rely on the moderator to be 20 able to control the discussion, control interruptions, and 21 come back to candidates for responses or rebuttals. 22 So ultimately the staff analysis here in this 23 section is that many of these recommendations are currently 24 in place, we can just tighten them up, strengthen them up a 25 little bit more; and they ultimately prove to be a</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">18</p> <p>1 significant change, the most significant change would be 2 providing the candidates those topics in advance. 3 (Technical disruption.) 4 MR. COLLINS: So just for those of you who are 5 viewing our meeting online, we record the meetings 6 because -- because it's helpful to maintain our -- our 7 records for all kinds of reasons. So we're having a little 8 technical difficulty. So if you hear that, that's what it 9 is. 10 MS. ROBERTS: Okay. So we're good, right? 11 MS. HERRING: Yes, we're still live but it's just 12 the recording. 13 MS. ROBERTS: Perfect. 14 Mr. Chairman, Commissioners, apologies for that. 15 So we paused while we got the recording back up. 16 So ultimately for the rules, the staff analysis is 17 that all of the recommendations that the debate workgroup 18 members recommended we can absolutely implement those, and 19 as I mentioned they are ultimately strengthening and -- and 20 tightening up some of the procedures that we already have in 21 place. 22 The next section will be moderators. This is I 23 think a very important section. The debate workgroup had a 24 lot of discussion about moderators and the consensus -- 25 consensus was that the moderator really makes or breaks the</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">19</p> <p>1 debate, we need to have somebody in here who has the 2 necessary skill sets to serve as a moderator for the Clean 3 Elections debates. 4 So background information. In 2018 the Commission 5 began transitioning from using professional speakers to 6 utilizing local journalists to serve as the moderators. We 7 felt that this transition allowed for having moderators who 8 had a better understanding of the issues that were facing 9 the capitol, facing the legislature, the legislative 10 districts in the state, and with this knowledge that then 11 permits the moderators to better facilitate a more 12 substantive discussion. 13 So in the 2020 election cycle we partnered with 14 journalists from the Arizona Agenda, the Arizona Capitol 15 Times, Green Valley News, Sahaurita Sun for our legislative 16 debates. At the statewide level our broadcast moderators 17 included Ted Simmons, Richard Ruelas, Stacey Barchenger, and 18 Mike Broomhead. So all of these moderators had experience 19 in both broadcast and legisla- -- or, excuse me, and 20 information on the debates that they were moderating and had 21 that -- that knowledge that a journalist would have in their 22 coverage of the state. 23 So the key points in the recommendations that came 24 from the debate workgroup were once again this key theme, 25 the moderator should have familiarity with the issues that</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">20</p> <p>1 are impacting that specific jurisdiction and the offices for 2 the debates; the debate workgroup suggested that the 3 moderators also have an appeal to the youth population to 4 further engage our youth in the debate process; and that we 5 should ultimately create a moderator pool, which I think is 6 a fantastic idea, where we could work with the Arizona 7 Newspaper Association, the Arizona Broadcasters Association, 8 and create this pool of local journalists who are willing to 9 serve as moderators, and that way we could have this talent 10 available and dispatch them to the regions that they cover. 11 So, for example, we could have this pool of 12 moderators where we know we need a moderator for the legis- 13 -- excuse me, Legislative District 2 debate, and so we would 14 be able to ideally have somebody who has experiencing -- 15 experience in covering that district and understands the -- 16 the issues that are impacting that particular district. 17 So having -- creating this pool of moderators is -- 18 is a recommendation from the group. And, you know, there 19 are a few things that the Commission needs to be aware of in 20 terms of working with our journalists. For example, 21 especially at the broadcast level, we may have challenges 22 where, you know, depending on the station that the potential 23 jour- -- moderator, the journalist, is a talent of, they may 24 not necessarily be able to -- be able to be on a 25 competitor's station. So we just have to make sure that we</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">21</p> <p>1 are aware and that we start the moderator recruitment 2 process as early as possible; but ultimately it comes down 3 to the moderator should have the knowledge of the issues and 4 the skill sets to be able to facilitate a substantive 5 discussion. 6 In terms of the staff analysis, we feel that we can 7 absolutely do this and this would ultimately lead to an 8 improved process for working with our moderators and getting 9 them on board as soon as possible, and ultimately would 10 strengthen and expand the practices that we currently have 11 in place. 12 Our next section is voter education and outreach. 13 So how are we communicating with voters that the debate 14 process is occurring and how to tune in and how to submit 15 questions. 16 In the past the Commission has done a voter 17 education outreach plan specifically to our debate process 18 and that includes letting voters know, okay, you can tune in 19 at this time using this link or tuning into this channel, 20 and here's how you can submit your questions to us either in 21 advance or during the debate. 22 And the key points and recommendations that came 23 from the workgroup. Again, we'll see this common thing that 24 it is very -- that advertising is very important to connect 25 to the voters; that our debate should be accessible in terms</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">22</p> <p>1 of we should automatically have alternative formats 2 available and American Sign Language interpreters for the 3 community; we should create toolkits for candidates to use 4 so that they can promote the debates directly to the voters 5 they're already in communication with, to their 6 constituents; we should continue promoting the debates after 7 they end all the way through election day, so voters know 8 how to access the debates whenever they are filling out 9 their ballot; we should localize the advertising for it.</p> <p>10 So what I mean by that is not necessarily a blanket 11 statewide "here is the debate schedule," but, hey, you know, 12 in Pima County here's the debate schedule for all of the 13 legislative districts that are in Pima County, here's how 14 you can tune in; or Legislative District 4, here is the 15 debate schedule specifically for you. So really tailoring 16 and customizing that advertising for each individual debate.</p> <p>17 We also have information here on -- the workgroup 18 recommends that we should also include information on the 19 rules and responsibilities on the office that is going to be 20 a part of the debate. So, for example, if we are having a 21 statewide debate about Corporation Commission, we should 22 include information for voters in our voter education and 23 outreach about what the -- what a Corporation Commissioner 24 actually does, in the hopes this will establish a connection 25 with the voters in that particular election.</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">23</p> <p>1 And ultimately we see here that we should utilize 2 as many tactics as possible within our toolkit. This 3 includes utilizing radio to let voters know about the 4 debate, but also even airing the debates if possible in our 5 outlying and rural districts. So, for example, we have KTNN 6 which services the Navajo Nation community and services 7 Coconino, Apache, and Navajo Counties. Perhaps airing that 8 district's debate on KTNN so that folks can -- can have 9 access to that debate as well.</p> <p>10 The staff analysis for these recommendations is 11 ultimately we feel that these are best practices and further 12 strengthen what we are currently doing, so we do feel that 13 we can meet these recommendations.</p> <p>14 Jumping ahead, we have our gubernatorial and 15 lieutenant governor debates. Background information, at the 16 November general election this past year, Arizona voters 17 approved Prop 131 which ultimately created a lieutenant 18 governor position to the executive branch.</p> <p>19 So the debate workgroup discussion on should we, in 20 fact, host a debate for this particular office as well, even 21 though the lieutenant governor is running on a joint ticket 22 with governor -- with the governor.</p> <p>23 The recommendation ultimately was yes as it 24 continues to provide awareness of the office, but also 25 connects the voters and the candidates directly and allows</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">24</p> <p>1 for more of that voter education. So when we get into the 2 staff analysis, we can absolutely incorporate this office 3 into our debate lineup; and this will, again, allow voters 4 to become familiar with this new position, but also allow 5 them the same opportunity to learn about that candidate as 6 they would any other candidate.</p> <p>7 Then we'll jump into broadcast opportunities and 8 potential partnerships.</p> <p>9 In the 2022 debate cycle we had the privilege of 10 partnering with the Arizona Broadcasters Association and the 11 Arizona Newspapers Association to offer the U.S. Senate 12 debate to its members. So what this meant is we would work 13 with our partner in the production of the debate and air it, 14 but all -- any member of the ABA and the ANA that wanted to 15 pick up the broadcast or the stream of this was able to do 16 so. What that means is that more voters across the state 17 had the opportunity to tune in. So it really expanded the 18 reach that the Commission had with this U.S. Senate debate, 19 it was very successful.</p> <p>20 The key points and recommendations from the debate 21 workgroup are it is very critical to continue our 22 partnerships with media outlets to connect with voters so 23 they have access to the debates. We should continue our 24 partnerships with the ABA and the ANA along with local, 25 nontraditional, and smaller media outlets to, again,</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">25</p> <p>1 ultimately ensure we are reaching as many Arizonans as we 2 can through the debate process.</p> <p>3 We should consider repeating and improving the 4 model that we utilized in this past 2022 election cycle, and 5 we should -- again, we will hear another common theme here 6 is our moderators. We should ensure -- Clean Elections 7 should ensure a strong, independent moderator has been 8 selected. This will facilitate our potential broadcast 9 partners' willingness to -- to stream the debates.</p> <p>10 As I mentioned before, you know, we may have some 11 issues with journalists who are on TV being able to appear 12 on a debate in a competitor's broadcast, but if Clean 13 Elections ensures that we have that unbiased, nonpartisan, 14 independent moderator, this will allow for more media 15 partners to be able to stream the debate.</p> <p>16 (Technical disruption.)</p> <p>17 Pause for one moment while we are picking up the 18 recording again. I apologize for that.</p> <p>19 MS. KARLSON: Commissioner -- I'm sorry, 20 Mr. Chairman, I would just like to add that if the recording 21 stops for a prolonged period of time we can continue the 22 meeting and still be in compliance with open meeting law. 23 So just for the record.</p> <p>24 MS. HERRING: And the stream is continuing on 25 YouTube, it's just not recording.</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">26</p> <p>1 MS. ROBERTS: So I can keep going?</p> <p>2 MS. HERRING: Yes, you can.</p> <p>3 MS. KARLSON: Right.</p> <p>4 CHAIRMAN KIMBLE: Okay. Thank you for clarifying</p> <p>5 that.</p> <p>6 MS. KARLSON: But we can pause for however long you</p> <p>7 want.</p> <p>8 MS. ROBERTS: Mr. Chairman, would you like me to</p> <p>9 continue? Thank you.</p> <p>10 CHAIRMAN KIMBLE: Let's continue, yes.</p> <p>11 MS. ROBERTS: All right. And during -- during this</p> <p>12 process, we -- the debate workgroup did have the privilege</p> <p>13 of hearing from the Executive Director from the Commission</p> <p>14 on Presidential Debates where they offer their best</p> <p>15 practices, including how to work with broadcast partners,</p> <p>16 media partners, and how they selected moderators.</p> <p>17 And so the -- the debate workgroup did recommend</p> <p>18 that we should follow the processes used by the Commission</p> <p>19 on Presidential Debates to offer any media entity that wants</p> <p>20 to pick up the debate the ability to do so; and then also</p> <p>21 have the ability to create that moderator pool and to</p> <p>22 request -- our media partners can request to host or produce</p> <p>23 the debate and provide a moderator. So we will be working</p> <p>24 closely with our -- or we can continue to work closely with</p> <p>25 our media partners.</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">27</p> <p>1 Ultimately the staff analysis here is that all of</p> <p>2 these recommendations will continue to reinforce existing</p> <p>3 practices and strengthen and serve -- strengthen and expand</p> <p>4 those practices, and the ability to partner with ABA and ANA</p> <p>5 as well as all of our other media partners across the state,</p> <p>6 it will ultimately provide a benefit to voters by expanding</p> <p>7 the reach so we can sure that every Arizonan from all four</p> <p>8 corners of the state have access to the debates.</p> <p>9 That is the last section that we covered with the</p> <p>10 debate workgroup, so we have a staff conclusion here.</p> <p>11 Ultimately, all of the recommendations that the</p> <p>12 debate workgroup provided, staff does believe we can</p> <p>13 implement these. That, again, many of these highlight some</p> <p>14 of the existing practices that the Commission already does</p> <p>15 and serve to strengthen, expand, and also tighten up some of</p> <p>16 those processes. So they oftentimes reinforce what we have</p> <p>17 been doing but showcase how important they are so we can</p> <p>18 continue to improve on those -- those processes, knowing how</p> <p>19 critical they are to the debate cycle for our voters.</p> <p>20 Where some of the recommendations have more of a</p> <p>21 substantive change to our process, such as the legislative</p> <p>22 district structuring by party and by Chamber, again, we can</p> <p>23 absolutely do those; and, ultimately, at the end of the day,</p> <p>24 these recommendations serve to provide a better debate</p> <p>25 experience for both the candidates and the voters and we do</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">28</p> <p>1 feel we can implement these.</p> <p>2 So with that, I'm happy to answer any questions</p> <p>3 about the workgroup. Staff does recommend that the</p> <p>4 Commission accept the report.</p> <p>5 And I know we do have some of our debate workgroup</p> <p>6 members either online in Zoom or here in person, and perhaps</p> <p>7 they would like to speak.</p> <p>8 But with that, I can answer any questions.</p> <p>9 CHAIRMAN KIMBLE: Thank you, Gina. And let me just</p> <p>10 say thank you very much for your invaluable assistance</p> <p>11 during this whole process, it wouldn't have come together as</p> <p>12 smoothly without the work of you and Avery in -- in</p> <p>13 explaining what we do now and making sure that the</p> <p>14 recommendations are feasible for future elections.</p> <p>15 MS. ROBERTS: Thank you.</p> <p>16 CHAIRMAN KIMBLE: So thank you.</p> <p>17 Are there any questions or comments from</p> <p>18 Commissioners?</p> <p>19 COMMISSIONER CHAN: Mr. Chairman?</p> <p>20 CHAIRMAN KIMBLE: Commissioner Chan.</p> <p>21 COMMISSIONER CHAN: I just want to say thank you to</p> <p>22 you and to Gina and the other staff who worked on this; I</p> <p>23 think Avery and -- I don't know, I think they're listed</p> <p>24 here. So was it you and Gina -- you and Avery, Gina, who</p> <p>25 staffed this for the debate --</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">29</p> <p>1 MS. ROBERTS: Mr. Chairman and Commissioner Chan,</p> <p>2 yes. Avery and I were the primary staffers but, of course,</p> <p>3 all of our staff supported this as well.</p> <p>4 COMMISSIONER CHAN: I am very excited see the work</p> <p>5 that the debate workgroup did. I think it's going to</p> <p>6 reinvigorate our program and I was already very happy with</p> <p>7 the program, frankly. And so I'm just -- you know,</p> <p>8 sometimes things happen and you get really good things out</p> <p>9 of it. So I just want to acknowledge that and thank</p> <p>10 everyone.</p> <p>11 I see at least one member of the workgroup, public</p> <p>12 member, is here today, Christine Jones -- and I don't know</p> <p>13 if I'm neglecting anyone else who might have sat on the</p> <p>14 workgroup, but just thank you for your service. I think</p> <p>15 these ideas are brilliant. And, again, I -- I'm looking</p> <p>16 forward to seeing the debate program continue and just be as</p> <p>17 strong as ever -- probably stronger than ever.</p> <p>18 So, thank you.</p> <p>19 CHAIRMAN KIMBLE: Thank you, Commissioner Chan.</p> <p>20 Any other comments from members of the Commission?</p> <p>21 COMMISSIONER TITLA: Yeah, this is Commissioner</p> <p>22 Titla. I just want to thank Gina and the group for a job</p> <p>23 well done and I just want to ask them to keep up the good</p> <p>24 work.</p> <p>25 Thank you.</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">30</p> <p>1 CHAIRMAN KIMBLE: Thank you, Commissioner Titla.</p> <p>2 Are any of the -- do any of the Commission -- of</p> <p>3 the members of the debate group either here in person or</p> <p>4 online wish to make any brief comments about this?</p> <p>5 MEMBER ROBSON: Would you like to hear from us?</p> <p>6 CHAIRMAN KIMBLE: We're happy to hear from you,</p> <p>7 Mr. Robson.</p> <p>8 Could you state your name for the record, please?</p> <p>9 MEMBER ROBSON: Mr. Chairman, members, my name is</p> <p>10 Bob Robson. And I don't know, you need my address or</p> <p>11 whatever? This is all new.</p> <p>12 CHAIRMAN KIMBLE: No.</p> <p>13 MEMBER ROBSON: Depends on what group you go</p> <p>14 before, right?</p> <p>15 Just, yeah, just to reiterate -- reiterate some of</p> <p>16 the points that were made, and I think that the -- you know,</p> <p>17 the staff did a -- did a wonderful job. I can't forget, the</p> <p>18 Executive Director was there, you were there. This was --</p> <p>19 this was an interesting group that did this overall project</p> <p>20 and, you know, it's been really significant if you think</p> <p>21 about it because it was a cross-section of ideology that</p> <p>22 really came together for a very -- a very common and</p> <p>23 appropriate cause, so to speak, of trying to, I guess,</p> <p>24 update more so, just update the -- the overall aspect of how</p> <p>25 Clean Elections manages debates at both the local level,</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">31</p> <p>1 meaning the legislative level, as well as the state level.</p> <p>2 And you have to -- it's not a -- it's not a --</p> <p>3 there's a real interesting aspect here, is there are</p> <p>4 differences in all 30 legislative districts. So when we</p> <p>5 brought up the radio and potentially promoting it and</p> <p>6 getting it out that way, you have to realize people on the</p> <p>7 reservation, many of them don't have televisions, don't have</p> <p>8 cable, don't have access to a lot of things. I mean, I</p> <p>9 guess we're trying to bring that there eventually.</p> <p>10 But radio is their only -- their only thing. And a</p> <p>11 lot of these agriculture communities, the farmers I used to</p> <p>12 remember just driving down the road, they'd listen to the</p> <p>13 radio. So getting the radio component in play is no small</p> <p>14 thing and it brings voters together.</p> <p>15 The other I think to a great degree, is I think</p> <p>16 they -- the change in the mention of how you advertise and</p> <p>17 how you bring this potentially forward, you can see that --</p> <p>18 I don't want to use the words "antiquated," what's currently</p> <p>19 happened, but it didn't really -- it hasn't really moved</p> <p>20 over the years, and we recognized as a committee that there</p> <p>21 are a whole mess of other avenues available to advertise.</p> <p>22 And so whether you send -- sending me a text message in my</p> <p>23 community on that day or the week before that there's a</p> <p>24 debate that's going to occur of importance that I may want</p> <p>25 to tune in to along with a link to get there, these are</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">32</p> <p>1 all -- these are all things that are available to you and</p> <p>2 aren't necessarily being utilized currently.</p> <p>3 And so we I think as a committee wanted to broaden</p> <p>4 that respect and recognize that there are other -- basically</p> <p>5 other ways of doing things, and if you get stuck in the</p> <p>6 traditional set it can be a thing.</p> <p>7 The other thing you didn't mention and maybe it's</p> <p>8 in the report, I didn't get a chance to read it, is that we</p> <p>9 also said that debates in certain places you can't</p> <p>10 necessarily have the format that you're looking at. So if</p> <p>11 you're -- if you're in a -- if you're in a rural community,</p> <p>12 maybe the -- maybe the person hosting your debate could be</p> <p>13 the Chamber of Commerce. And gives you -- you should have</p> <p>14 some latitude in how you do that.</p> <p>15 You know, in Maricopa -- I think we mentioned, in</p> <p>16 Maricopa County there's a lot of things you can, you know,</p> <p>17 you can do because it's where it is; but when you start</p> <p>18 looking at other parts of the state and you realize that --</p> <p>19 you realize this pretty quickly, that there's differences</p> <p>20 and there's a lot of differences, it's just you can't just</p> <p>21 drive -- drive the same thing that goes on here, there.</p> <p>22 That maybe you have the radio station host the debate, maybe</p> <p>23 you have -- maybe have the Chamber host the debate, maybe</p> <p>24 have a joint group of Chamber and whatever host the debate,</p> <p>25 and that should meet the qualifications of Clean Elections</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">33</p> <p>1 debate.</p> <p>2 So, yeah, this was a great process. I think</p> <p>3 everyone that was involved enjoyed it, and I appreciate</p> <p>4 being -- having the opportunity to do it.</p> <p>5 CHAIRMAN KIMBLE: Thank you for your comments.</p> <p>6 And I just want to emphasize one thing you</p> <p>7 mentioned, there is a great diversity on this group:</p> <p>8 Geographical, political, professional background, every way</p> <p>9 you can look at it, and I think because of that we got some</p> <p>10 real out-of-the-box thinking; and we've been doing it this</p> <p>11 way for 20 years and like you, I'm really looking forward</p> <p>12 to -- to the next time and see how it all comes together.</p> <p>13 MEMBER ROBSON: Thank you.</p> <p>14 CHAIRMAN KIMBLE: And here's a copy of the report</p> <p>15 if you want it.</p> <p>16 Ms. Jones, did you want to say something?</p> <p>17 MEMBER JONES: Thank you, Mr. Chairman. I was just</p> <p>18 going to echo Mr. Robson's comments. I don't know if we</p> <p>19 have other members of the working group on, but the staff</p> <p>20 work on this, we cannot overemphasize how incredibly helpful</p> <p>21 Gina, Avery, and their colleagues were.</p> <p>22 The -- as a former candidate, the diversity of the</p> <p>23 working group was super helpful, even from the perspective</p> <p>24 of somebody who has done a whole lot of debates; and</p> <p>25 obviously we're advocating for the adoption of the report if</p> <p style="text-align: center;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">34</p> <p>1 that hasn't been made clear, and for the amount of effort 2 that your staff is putting into organizing, planning, 3 scheduling, recruiting, just to make sure these events 4 happen, the -- the significant thing I think that came out 5 of almost every single one of the working group meetings 6 was: If you're going to put all the effort in, let's get 7 people there. 8 So I think that's why you heard: Let's focus on 9 moderators and let's focus on advertising. But just, 10 Mr. Chairman, to you and your colleagues on the Commission 11 and to your staff, our heartfelt thanks, because the -- the 12 result as you see, this report, really would not have 13 happened if it weren't for them; and it was just a pleasure 14 to engage in this way. 15 And if we can be helpful, I think Mr. Robson would 16 -- would agree, we'd be happy to help with selecting 17 moderators, planning, any of the things that would be 18 helpful to make the report come to life and make these 19 debates even more successful than they have been for the 20 last 20 years. 21 So thank you for the chance to address the 22 Commission. 23 CHAIRMAN KIMBLE: Thank you. 24 And just to make it clear for the record, that was 25 Christine Jones; and thank you for your comments. Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">35</p> <p>1 Are there -- is there any other member of the 2 debate group, I don't think so, who is online? 3 Is -- do we have a motion from the Commission to 4 accept the report from the debate working group? 5 COMMISSIONER CHAN: Mr. Chairman, I move that -- 6 CHAIRMAN KIMBLE: Commissioner Chan. 7 COMMISSIONER CHAN: I would move that we accept the 8 report from the working group. 9 CHAIRMAN KIMBLE: And is there a second? 10 COMMISSIONER TITLA: I second that motion. 11 CHAIRMAN KIMBLE: It's been moved and seconded that 12 we accept the report from the debate working group. 13 I'll call the roll. 14 Commissioner Chan. 15 COMMISSIONER CHAN: I vote aye. 16 CHAIRMAN KIMBLE: Commissioner Titla. 17 COMMISSIONER TITLA: Aye. 18 CHAIRMAN KIMBLE: And I'm Chairman Kimble, and I 19 vote aye. 20 Thank you very much. 21 Before we move on, for the one debate commission 22 members or debate group member who is here, we have a lovely 23 parting gift. 24 For those of you who are unable to be here in 25 person, we will make sure that you get it in the mail. Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">36</p> <p>1 MEMBER ROBSON: I'll accept it on their behalf. 2 MR. COLLINS: There's like 20 of them. 3 CHAIRMAN KIMBLE: So you want to come up and take 4 yours -- 5 MEMBER ROBSON: Not that I'll take them but... 6 CHAIRMAN KIMBLE: -- Mr. Robson, I want to make 7 sure I give you the right one. 8 MEMBER ROBSON: Lovely parting gift, yeah. 9 CHAIRMAN KIMBLE: Thank you for all your help. 10 MEMBER ROBSON: Thank you. 11 MR. COLLINS: Let the record reflect that there was 12 a golf clap. 13 MEMBER ROBSON: It's the thought that counts, thank 14 you. 15 CHAIRMAN KIMBLE: With that we'll move on to 16 Item V, discussion and possible action regarding opening a 17 public comment period on proposed rules related to the 18 Voters' Right to Know Act, Proposition 2 -- 211. 19 As you can see, our agenda sets forth a number of 20 rules that staff has drafted to begin the rulemaking process 21 under the Voters' Right to Know Act. I'm not going to 22 recite them all here. The public comment period is designed 23 to solicit feedback from the public, the regulated 24 community, and other stakeholders. The public comment here 25 will last no less than 60 days and rules will be placed on Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">37</p> <p>1 the agenda for final approval. After that time we take -- 2 we will take public comment up through and during the 3 Commission's meeting to approve a rule. Actions we may take 4 after a public comment period: Defer actions, make changes 5 to the proposed rule, and seek further comment. 6 Tom, do you want to give us a brief overview of the 7 proposed rules? 8 MR. COLLINS: Yes. Thank you, Mr. Chairman and -- 9 and members of the Commission; and I'll try to be brief. 10 I do want to just emphasize, this is just opening 11 public comment on a set of rules that -- so -- so we're not 12 asking you per se to weigh in on the -- on the merits of 13 them as such. Although, obviously, if you have opinions 14 about those, that's important and you're welcome -- 15 obviously, you're the Commission and you're welcome to share 16 those. 17 But the -- the main goal here is to simply get 18 these out officially to the -- to the public. 19 What we did is we tried to take the -- the rules 20 that we thought were the most immediately necessary 21 procedurally speaking. So, for example, you know, we -- we 22 wanted to have -- to make clear what the definitions we're 23 going to apply. Within the definition section we also have 24 a couple of -- of rules of construction that were designed 25 to, you know, make clear if there was a question how a Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">38</p> <p>1 couple of specific aspects of the -- of the Act work in at 2 least the staff's view; you know, there is also a timeline 3 rule -- a rule for how we will calculate time. 4 I think the other issues that are -- again, these 5 are mostly procedural. We -- we have a rule on opt-out 6 notices. Opt-out notices are an important part of the Act 7 because covered persons are obligated to provide an 8 opportunity to -- to donors to opt out of having their money 9 used for campaign media spending. 10 We also have a section on how and what the process 11 would be for those original sources that would -- who would 12 think their identities need to be protected either by 13 statute, court order, or by decision of the Commission. So 14 we have a process outlined there -- especially for the third 15 one which is going to -- you know, will have some mechanics 16 to it. 17 We -- the statute also calls upon the Commission to 18 set forth disclaimers for public communications, and so what 19 we did there is we attempted as much as possible to use 20 language that reflects what is currently in law at 16-925 so 21 it would not be all that new or different from what -- in 22 terms of the format and the like, from what is currently in 23 law for political committees and -- and -- and other actors. 24 This, you know, does adjust in some places where 25 the context of 1625 (verbatim) just doesn't make any sense</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">39</p> <p>1 under the Voters' Right to Know Act; but, again, we tried to 2 hew as much as we could to an existing framework that would 3 not be a surprise to anyone or totally -- or different -- 4 that different kind of what they're used to at least in 5 Arizona. 6 We have some recommendations on <i>ex parte</i> rules. 7 Recordkeeping is another thing that the Act charges us with 8 telling folks how we ought to keep their records under this, 9 so we do provide a rule there. 10 And then we set forth a process for the Commission 11 to issue advisory opinions. We have a similar process under 12 the Clean Elections Act called "no action process." This is 13 a more -- this -- this is much more -- and, in fact, the 14 text is almost entirely from how the Federal Election 15 Commission does advisory opinions. 16 I want to say briefly that this is the first set of 17 rules that we are going to do, we do plan to at a minimum 18 have additional rules on what our enforcement proceedings 19 will look like, and then obviously we'll continue to see if 20 we hear from stakeholders, regulated folks, and the public 21 on whether or not, you know, there are other areas in which 22 we've -- they want -- that there might be a need for a rule 23 there. 24 You know, part of the goal here with things like 25 the opt-out notice is is to provide a format that, you know,</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">40</p> <p>1 where we can -- where something that might get decided in 2 the course of if there were some kind of enforcement 3 proceeding or a question that came to staff during the 4 course of a campaign, which if it's a predictable question 5 we would just as soon -- and if it's a procedural question 6 especially, we would just as soon have there be a rule there 7 so that staff is not, you know, ad hoc or having to come to 8 the Commission in the midst of the campaign cycle, right? 9 So that's how we thought through the -- the -- some 10 of the rules of construction and the opt-out notices, is the 11 notion to try to get to a place where we can, you know, 12 anticipate what kind of questions we might get and -- and -- 13 and try to have a default there that -- that folks 14 understand. 15 So with that, I really -- I don't have a ton more 16 to add unless there are questions. And I think -- and I'm 17 not assuming we made -- I think we made a sufficient outline 18 of that. Did I? 19 CHAIRMAN KIMBLE: I think so, yes. 20 MR. COLLINS: Sorry. 21 CHAIRMAN KIMBLE: No, go ahead. 22 MR. COLLINS: I did want to note and we did receive 23 one comment already from Meredith Parnell from the Elias Law 24 Group and that is in your materials. I have not had a 25 chance to analyze that myself in detail. However, Meredith</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">41</p> <p>1 -- Ms. Parnell rather, Meredith is here. And so I just 2 wanted to point that out in the event she wanted to, you 3 know, share anything about that comment or any other aspect 4 of this process with you. I didn't want that to get missed, 5 so. 6 CHAIRMAN KIMBLE: Okay. Thank you. 7 Before we do that are there any members of the 8 Commission who have any questions or comments about the 9 process or the rules? 10 (No audible response.) 11 Hearing none, does anyone wish to at this point 12 make a comment about the draft rules? 13 Ms. Parnell, I see you've turned on your camera. 14 Do you want to say something? 15 MS. PARNELL: Sure. I'll just add, thank you so 16 much for letting Elias Law Group submit. You know, 17 considering our early comment, we just wanted to get this in 18 your packet this week so that it could be an early 19 consideration. We're just looking for -- we think the draft 20 rules are a great step in the right direction and we're just 21 looking for some clarification on specific scenarios where 22 there's an intermediary donor that's transferring original 23 monies to a covered person, and also just raise a couple of 24 questions around the definition of campaign media spending. 25 So, you know, Tom, we really appreciate your look</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

<p style="text-align: right;">42</p> <p>1 at that as -- as you go and -- and on collecting future</p> <p>2 public comments on it.</p> <p>3 MR. COLLINS: And Mr. Chairman, we certainly will</p> <p>4 be -- we'll -- we'll have some kind of response or -- or</p> <p>5 ex- -- or further exploration of that as soon as we -- as</p> <p>6 soon as we can.</p> <p>7 CHAIRMAN KIMBLE: And thank you, thank you for your</p> <p>8 comments and thank you for your letter outlining the</p> <p>9 scenarios that we'll make sure to consider.</p> <p>10 Any other -- anyone else want to make any comments</p> <p>11 on the draft rules at this early point?</p> <p>12 (No audible response.)</p> <p>13 If not, do I have a motion to distribute the rules</p> <p>14 identified in Item V of the agenda for public comment?</p> <p>15 COMMISSIONER CHAN: Mr. Chairman, I move that we</p> <p>16 distribute the rules in this agenda item for public comment.</p> <p>17 CHAIRMAN KIMBLE: Thank you.</p> <p>18 We have a motion from Commissioner Chan to</p> <p>19 distribute the rules for public comment. Is there a second?</p> <p>20 COMMISSIONER TITLA: I second that motion.</p> <p>21 CHAIRMAN KIMBLE: It's seconded by Commissioner</p> <p>22 Titla.</p> <p>23 I will call the roll.</p> <p>24 Commissioner Chan.</p> <p>25 COMMISSIONER CHAN: I vote aye.</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">43</p> <p>1 CHAIRMAN KIMBLE: Commissioner Titla.</p> <p>2 COMMISSIONER TITLA: Aye.</p> <p>3 CHAIRMAN KIMBLE: And -- and the Chairman votes</p> <p>4 aye, too.</p> <p>5 We will distribute the rules identified in Item V</p> <p>6 for public comment.</p> <p>7 Item VI, discussion and possible action on the</p> <p>8 following 2022 general election candidate audits. Mike is</p> <p>9 going to make some general comments on this item.</p> <p>10 Mike?</p> <p>11 MR. BECKER: Thank you, Mr. Chairman and</p> <p>12 Commissioners. Before you, as you said, there are eight</p> <p>13 general election audits. The audits turned out well, the</p> <p>14 auditor went through them and found no major issues; and the</p> <p>15 minor issues that were found have been or are in the process</p> <p>16 of being corrected at this point.</p> <p>17 And so based on that, I'd ask that the Commission</p> <p>18 approve these audits.</p> <p>19 CHAIRMAN KIMBLE: Are there any questions or</p> <p>20 comments for Mike from any members of the Commission?</p> <p>21 (No audible response.)</p> <p>22 Hearing none, I will entertain a motion to approve</p> <p>23 the audits identified in Item VI of the agenda.</p> <p>24 COMMISSIONER CHAN: Mr. Chairman, I move that we</p> <p>25 approve the audits contained in Item VI of the agenda.</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>
<p style="text-align: right;">44</p> <p>1 CHAIRMAN KIMBLE: Thank you, Commissioner Chan.</p> <p>2 Is there a second?</p> <p>3 COMMISSIONER TITLA: I second that motion.</p> <p>4 CHAIRMAN KIMBLE: Thank you, Commissioner Titla.</p> <p>5 It's been moved and seconded that we approve the</p> <p>6 audits identified in Item VI of the agenda.</p> <p>7 I will call the roll.</p> <p>8 Commissioner Chan.</p> <p>9 COMMISSIONER CHANG: I vote aye.</p> <p>10 CHAIRMAN KIMBLE: Commissioner Titla.</p> <p>11 COMMISSIONER TITLA: Aye.</p> <p>12 CHAIRMAN KIMBLE: And the Chair also vote -- votes</p> <p>13 aye.</p> <p>14 Thank you.</p> <p>15 MR. BECKER: Thank you.</p> <p>16 CHAIRMAN KIMBLE: Public comment. This is the time</p> <p>17 for consideration of comments and suggestions from the</p> <p>18 public. Action taken as a result of public comment will be</p> <p>19 limited to directing staff to study the matter or</p> <p>20 rescheduling the matter for further consideration and a</p> <p>21 decision at a later date or responding to criticism.</p> <p>22 Please limit your comment to no more than two</p> <p>23 minutes.</p> <p>24 Does any member of the public wish to make comments</p> <p>25 at this time?</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>	<p style="text-align: right;">45</p> <p>1 (No audible response.)</p> <p>2 Cathy, Paula, does anyone on Zoom want to make a</p> <p>3 comment?</p> <p>4 (No audible response.)</p> <p>5 Hearing no one, we'll move on to Item VIII. I will</p> <p>6 entertain a motion to adjourn.</p> <p>7 COMMISSIONER CHAN: Mr. Chairman, I move that we</p> <p>8 adjourn.</p> <p>9 CHAIRMAN KIMBLE: Thank you, Commissioner Chan.</p> <p>10 Is there a second?</p> <p>11 COMMISSIONER TITLA: I second that motion.</p> <p>12 CHAIRMAN KIMBLE: I will call the roll.</p> <p>13 Commissioner Chan.</p> <p>14 COMMISSIONER CHAN: I vote aye.</p> <p>15 CHAIRMAN KIMBLE: Commissioner Titla.</p> <p>16 COMMISSIONER TITLA: Aye.</p> <p>17 CHAIRMAN KIMBLE: Chairman votes aye.</p> <p>18 We are adjourned. Thank you very much.</p> <p>19 (Whereupon the meeting concludes at 10:25 a.m.)</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Miller Certified Reporting, LLC www.MillerCertifiedReporting.com</p>

C E R T I F I C A T E

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

BE IT KNOWN that the foregoing proceedings were taken before me, Angela Furniss Miller, Certified Reporter No. 50127, all done to the best of my skill and ability; that the proceedings were taken down by me in shorthand and thereafter reduced to print under my direction.


I CERTIFY that I am in no way related to any of the parties hereto nor am I in any way interested in the outcome thereof.

I FURTHER CERTIFY that I have complied with the requirements set forth in ACJA 7-206. Dated at Litchfield Park, Arizona, this 27th of June, 2023.


Angela Furniss Miller, RPR, CR
CERTIFIED REPORTER (AZ50127)

* * *

I CERTIFY that Miller Certified Reporting, LLC, has complied with the requirements set forth in ACJA 7-201 and 7-206. Dated at LITCHFIELD PARK, Arizona, this 27th of June, 2023.


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Zoom ^[2] - 28:6, 45:2

**CITIZENS CLEAN ELECTIONS COMMISSION
EXECUTIVE DIRECTOR REPORT
July 27, 2023**

Announcements:

- The qualifying period for participating candidates commences August 1.
- The next consolidated election date is August 1, 2023. Prescott and Tucson are conducting mayoral and council ballot by mail elections.
 - The last recommended day to return ballots by mail was July 25th.
 - Voters can find ballot drop off locations and ballot replacement centers on the Clean Elections website.
- The legislature is expected to continue to the session starting next week.

Voter Education and Outreach:

- Avery was a panelist for the Arizona's Youth Electorate: Exploring the Political Behavior of Young Swing Voters discussion by the McCain Institute.
- Gina taught at the Arizona Secretary of State's Election Officer Certification training on partners in elections for voter education and outreach, tribes, and political parties. The training is a crucial part of election preparedness. Certification is required for anyone who serves as an election officer.
- Alec created a how to guide for local jurisdictions to include in their candidate packets so local candidates may create profiles on the Clean Elections website.
- Avery participates in Arizona Commission of African American Affairs committee meetings, Arizona African American Legislative Council and the Mesa Community College Civic Action Council
- Avery and Alec met with Coconino County to discuss election information communication and website design.
- Commissioner Meyer, Tom, Gina, and Avery attended the 12th Annual African American Conference on Disabilities
- Avery was a vendor at the 9th Annual Teacher Leadership Summit to promote Clean Elections civics curriculum.
- Tom and Avery attended the 75th Anniversary Native Right to Vote luncheon.
- Avery met with Pima County's Recorder's Office program coordinator, Marion Chabon to discuss outreach in 2024.
- Tom, Mike and Gina met with the Arizona Center for Disability Law to discuss voter outreach.
- Tom, Mike and Gina met with the Carter Center to discuss voter outreach.

Administration:

- Staff members continue to attend meetings related to the Election Procedures Manual Drafting process.
- Gov. Hobbs Bipartisan Elections Task Force continues its work on the matters outlined in the Executive Order creating the task force.
- Arizona State University's Center for an Inclusive and Sustainable Democracy launched its report on voter views of elections last week. The report, which Clean Elections and Greater Phoenix Leadership supported, identifies reforms that registered voters support, including decreasing partisanship in elections and

election administration, as well indicating strong confidence in Arizona elections. The report is here along with a press release: <https://news.asu.edu/20230717-4-5-arizona-voters-asu-survey-favor-nonpartisan-primary-system>. Phoenix television station KPNX recently featured the report on its flagship Sunday Square-Off public affairs program. That is available here: <https://www.youtube.com/watch?v=U5eL3wfUFPY&list=PLDWDKoBbuKNdH4kKFh7-w6BhAO2p-ykSP&index=1>. We hope to have the authors, including center co-director Thom Reilly, at a future meeting.

Legal:

- Center for Arizona Policy v. Arizona Secretary of State
 - Suit challenging Prop. 211, the Voters Right to Know Act, on state constitutional grounds. Superior Court for Maricopa County.
 - Following the grant of a motion to dismiss with a leave to refile, Plaintiffs filed an amended complaint on Friday.
- Americans for Prosperity v. Meyer, No. 2:23-cv-00470-ROS (D. Ariz.)
 - Suit challenging Prop. 211 on First Amendment grounds.
 - Commission, the VRKA Committee, and the Attorney General Office's have filed motions to dismiss. Briefing is ongoing.
- The Power of Fives, LLC v. Clean Elections, CV2021-015826, Superior Court for Maricopa County & Clean Elections v. The Power of Fives, LLC et al. CV2022-053917, Superior Court for Arizona. Various motions pending.
- Lake v. Hobbs, CV2022-095403 (Maricopa County). After a hearing on remand in Superior Court, Judge Peter Thompson again reaffirmed Governor Hobbs victory in the gubernatorial election last year. This case is now on appeal.
- Kentch v. Mayes, CV2022-015455 (Mohave County). Contestant and former Attorney General Candidate Abe Hamadeh's motion for a new trial was denied. An appeal was expected.
- Litigation challenging SB1485, HB2492 and HB2243, as well as SB1260 is ongoing.
- There are additional post-hearing and sanctions related litigation arising from other election law cases and contests in Superior Court and District Court. The District Court in Phoenix recently ordered attorneys for Lake and former Secretary of State Candidate Mark Finchem to pay over \$120,000 in sanctions for a false statement in their pleadings.

Appointments:

- No additional information at this time

Enforcement:

- MUR 21-01, TPOF, pending.

Regulatory Agenda:

The Commission may conduct a rulemaking even if the rulemaking is not included on the annual regulatory agenda.

If the Commission approves the items on the agenda day for public comment, the regulatory agenda will be updated.

The following information is provided as required by A.R.S. § 41-1021.02:

- Notice of Docket Opening:
 - R2-20-211. R2-20-220, R2-20-223- clarify roles of executive director and other representatives of the commission in enforcement proceedings. 28 A.A.R. 3489, October 28, 2022
 - R2-20-305 & R2-20-306 provide for a process to address complaints against a commissioner. January 20, 2023.
- Notice of Proposed Rulemaking:
 - R2-20-211. R2-20-220, R2-20-223- clarify roles of executive director and other representatives of the commission in enforcement proceedings. 28 A.A.R. 3409, October 28, 2022.
Notice of Proposed Rulemaking: 28 A.A.R. 3409, October 28, 2022
 - R2-20-305 & R2-20-306- - provide for a process to address complaints against a commissioner. January 20, 2023
 - R2-20-801 to R2-20-809 – providing for definitions, time computations, opt out notices, exemptions, disclaimers, communications with the Commission, record keeping, and advisory opinions, 29 A.A.R. 1571, July 14, 2023.
- Federal funds for proposed rulemaking: **None**
- Review of existing rules: **None pending**
- Notice of Final Rulemaking:
 - Amendments to R2-20-220 and R2-20-223, 29 A.A.R. 994, May 5, 2023.
 - Amendments to R2-20-305 & R2-20-306, 29 A.A.R. 1549, July 14, 2023.
- Rulemakings terminated: Amendment to R2-20-211. 29 A.A.R. 1149, May 12, 2023.
- Privatization option or nontraditional regulatory approach considered: **None Applicable.**

8 Tracking List: 2023 Bills

HB2017 - Public officers; residency requirements

Rep. Timothy M. Dunn (R)

Summary

The deputy or assistant of an elected officer of Arizona is not required to be an Arizona resident, but is required to be a U.S. citizen.

Action Taken

Passed House Government 9-0

Failed in the House 15-45

HB2072 - Voter registration; same day

Sponsor

Rep. Laura Terech (D)

Summary

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on election day by appearing at the polling place, completing a registration form, and providing proof of residence. Registration under these circumstances does not qualify a person to vote in a partisan primary election.

HB2073 - Automatic voter registration

Sponsor

Rep. Laura Terech (D)

Summary

Every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, or who is making changes to drive license information and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant declines to register. A person who is not qualified to register to vote and who unknowingly registers under this provision is not guilty of false registration or false swearing. Effective January 1, 2024.

HB2078 - Counties; elections; state audits

Sponsor

Rep. Lupe Diaz (R)

Summary

An "eligible person" (defined as a candidate in the election, a county political party chairperson, or the chairperson of a political committee that supports or opposes a ballot measure that was on the ballot in the election) is authorized to make a written request to the county recorder or other officer in charge of elections for an explanation and supporting documentation regarding an action taken by an election officer that appears to violate statute, irregularities in precinct or voting center results, and/or inadequacy of or irregularity in documentation required to be maintained by statute. The county recorder or other officer in charge of elections is required to provide the requested explanation and supporting documentation within 20 days after the request. If the eligible person is not satisfied, the person is authorized to request an additional explanation and supporting documentation, which the county recorder or other officer in charge of elections must provide within 10 days. If the eligible person is not satisfied with the additional explanation, the person is authorized to submit a written request to the Secretary of State regarding the requests. The Secretary of State is required to review the matters in question and may request additional information from the county recorder or other officer in charge of elections, which must be responded to within 30 days. If not satisfied with the response, the Secretary of State is authorized to conduct an audit of the claimed actions, irregularities, or inadequacies of the county recorder or other officer in charge of elections. The county recorder or other officer in charge of elections is required to remedy matters specified in the Secretary of State's findings within 30 days. The Secretary of State is authorized to assess a civil penalty of no more than \$500 for each unresolved finding against the county recorder or other officer in charge of elections.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

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HB2096 - Early ballots; Friday deadline**Sponsor**

Rep. Selina Bliss (R)

Summary

Early ballots are no longer allowed to be deposited at any polling place on election day, and instead are required to be delivered in person to the office of the county recorder or to a polling place or other voting location by 5:00 PM on the Friday before election day. Repeals statutes governing on-site tabulation of early ballots.

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HB2116 - Election laws; revisions; appropriation

Sponsor

Rep. Athena Salman (D)

Summary

Numerous changes to statutes relating to election law. A conviction for a felony no longer suspends the person's right to vote. For an early ballot issued at an early voting location, if the voter presents proper identification, the county recorder is allowed to tabulate the voter's ballot without conducting signature verification on the ballot affidavit. The hours for on-site early voting are extended through 5:00PM on the Monday preceding the election, instead of 5:00PM on the Friday preceding the election, and emergency voting during that time period is eliminated. If a county recorder determines that a provisional ballot voter is not properly registered to vote, the county recorder is required to use the information from the provisional ballot to register the person to vote for subsequent elections. An electronic pollbook used in Arizona is required to comply with the requirements in the election instructions and procedures manual adopted by the Secretary of State. Appropriates \$100,000 from the general fund in each of FY2023-24 and FY2024-25 to the Secretary of State to provide risk-limiting audit grants to officers in charge of elections to conduct risk-limiting audits for the 2024 general election instead of a hand count audit. The Secretary of State is required to report any findings and recommendations related to the use of risk-limiting audits to the Legislature by March 31, 2025.

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HB2124 - Ballot measure amendments

Sponsor

Rep. Athena Salman (D)

Summary

Various changes to statutes relating to initiative and referendum measures. Repeals statute requiring constitutional and statutory requirements for statewide initiative measures to be strictly construed and requiring persons using the initiative process to strictly comply with those constitutional and statutory requirements. At any time before a person or organization submits an application for initiative petition or referendum petition, a political committee that intends to file that application is allowed to submit the proposed description of the principal provisions of the measure to the Attorney General for a determination of whether the description is lawful and sufficient. The Attorney General is required to approve or reject the description within ten days after submittal. If rejected, the Attorney General must state the reasons for the rejection. If approved, any challenge to the description must be filed in the superior court within ten days after the Attorney General's approval. Repeals statute allowing a political committee that intends to support or oppose an initiative or referendum measure to submit a copy of the text of the proposed law, referral or constitutional amendment to the director of the Legislative Council to prepare recommendations to improve the text of the proposed measure. Contains a legislative intent clause.

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HB2133 - Candidates; missed filings; termination

Sponsor

Rep. Athena Salman (D)

Summary

If a candidate committee fails to file a timely and complete campaign finance report within five days after the filing deadline, the candidate's candidacy is terminated by operation of law, is prohibited from making any further expenditures, and the candidate is no longer eligible to be a candidate for the office for which the candidate committee is established.

Effect on CCEC

Could lead the Commission to require funding to be returned, require new rules to determine how much must be returned, timeframe of the return, etc. Could lead to confusion with the pamphlet and debates regarding who is attending, why the candidate is not in the pamphlet, etc.

HB2134 - Campaign finance; caregiving expenditures

Sponsor

Rep. Athena Salman (D)

Summary

Declares that a candidate committee's payment for direct care, protection and supervision of a child or other individual for whom the candidate has direct caregiving responsibilities is a lawful expenditure of candidate committee monies. A legislative intent section states that this change is clarifying and not substantive.

Effect on CCEC

Would require updating eligible uses of the CCEC funding.

HB2143 - Rulemaking review; time frame

Sponsor

Rep. Timothy M. Dunn (R)

Summary

When the Legislature has granted a one-time rulemaking exemption to an agency, the agency is required to review any rule adopted under the exemption within six months after the rule was adopted, reduced from one year, to determine whether it should be amended or repealed.

Action taken

Passed House Government 9-0

Passed the House 60-0 and was sent to the Senate

A strike everything amendment was added and this bill is now about water usage.

HB2144 - Open meetings; capacity; posting; violation

Sponsor

Rep. Timothy M. Dunn (R)

Summary

All public bodies are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. The agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place. A head of a public body that violates this requirement is liable for a civil penalty as provided in statute for open meeting law violations.

Effect on CCEC

Already provide numerous seats for the public both in person and virtually.

Action Taken

Passed House Government 6-3

Passed the House 60-0 and was sent to the Senate

Passed Senate Government 8-0

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HB2155 - Middle school students; civics; instruction.

Sponsor

Rep. David Livingston (R)

Summary

Establishes the Arizona Civics Education and Leadership Development Program within the Arizona Department of Education (ADE) to provide civics education and leadership development training to middle school students who are enrolled in a school district, charter school, or private school in Arizona. ADE is required to develop procedures for eligible nonprofit organizations to apply to be instructional service providers for the Program, and eligibility requirements are listed. By November 1 of each year, each service provider is required to report specified information on the Program to ADE, and ADE is required to compile the reports and submit them to the Governor and the Legislature. Appropriates \$300,000 from the general fund in FY2023-24 to the newly established Arizona Civics Education and Leadership Development Fund for the Program.

Effect on CCEC

Would be an opportunity to use CCEC civics program that has already been developed.

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HB2229 - Legislative intent; secrecy; mail voting

Sponsor

Rep. Liz Harris (R)

Summary

Voting by mail is banned in Arizona. Persons who are unable to go to the polls will be provided alternate means of voting that ensure secrecy in voting to the greatest extent possible. Does not apply to persons covered by the Uniformed and Overseas Citizens Absentee Voting Act and Arizona citizens who are temporarily residing out of state. The Legislature is required to put in place additional measures to ensure as much secrecy as possible for these voters, including confirming that the person is an Arizona resident and registered voter, ensuring that the mailed ballot is sent to the correct address, and having a certified witness attest that the voter voted in the absence of others and that the voter did not show any other person the voted ballot before placing it in the envelope. Contains a legislative intent section.

.

HB2305 - Ballots; signature verification; observers**Sponsor**

Rep. Cory McGarr (R)

Summary

The county recorder and county officer in charge of elections are required to allow representatives of the two largest political parties entitled to continued representation on the ballot to observe each stage of the signature verification process for early, provisional and conditional provisional ballots.

Action Take

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-29 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent back to the House

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

.

HB2306 - Ballot custody; verification; observers**Sponsor**

Rep. Cory McGarr (R)

Summary

The county recorder and the county officer in charge of elections are required to maintain an accurate log of the chain of custody for unvoted and voted ballots. The chain of custody log must begin when unvoted ballots are received by the county recorder and county officer in charge of elections from the ballot printer and continue until completion of the canvass. Representatives of the two largest political parties entitled to continued representation on the ballot are required to observe and verify each transfer of custody.

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HB2308 - Secretary of state; election; recusal

Sponsor

Rep. Rachel Jones (R)

Summary

The Secretary of State is prohibited from taking any action with respect to the portion of an election in which the Secretary of State is a candidate, and is required to announce publicly the person in the Secretary of State's office who will perform those duties. Was amended by removing the requirement to announce the person that is handling the duties of the Secretary and to allow for the Secretary to certify the statewide canvas.

Action Taken

Passed House Municipal Oversight & Elections 7-3

Passed the House 31-29 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent back to the House as it was amended

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

.

HB2319 - Elections; rule of construction

Sponsor

Rep. Alexander Kolodin (R)

Summary

The Legislature declares that the purpose of statutes regulating the conduct of elections is to provide the people of Arizona with a transparent system for conducting elections. If there are two competing interpretations of statutes regulating the conduct of elections, the provisions are required to be aggressively construed in favor of the reading that provides greater transparency. The Legislature declares that existing court opinions relating to statutes regulating the conduct of elections do not have precedential force or effect if the opinions conflict with the rule of construction prescribed in this legislation.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-26 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the Governor

Vetoed by the Governor

.

HB2322 - Early ballots; signatures; guidelines; challenges

Sponsor

Rep. Alexander Kolodin (R)

Summary

The Secretary of State's July 2020 signature verification guide constitutes the minimum requirements for comparison of signatures. Challengers to the verification of questioned ballots must be allowed to be present and to make challenges during the verification of signatures without regard to whether a challenge is made at a polling place, voting center, or early election board or other counting facility. A legislative intent section states that these are clarifying changes to confirm existing law.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 47-13 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the Governor

Vetoed by the Governor

.

HB2334 - Permanent early voting list

Sponsor

Rep. Seth Blattman (D)

Summary

The active early voting list is renamed the permanent early voting list. The county recorder is no longer required to remove a voter from the list if the voter fails to vote using an early ballot in all elections for two consecutive election cycles.

.

HB2364 - Lobbyists; gift ban exemption

Sponsor

Rep. Leezah Elsa Sun (D)

Summary

The maximum value of a gift that a lobbyist may give to a member of the Legislature is increased to \$20, from \$10.

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HB2377 - Public officers; lobbying; prohibition

Sponsor

Rep. Leo Biasiucci (R)

Summary

A public officer is prohibited from representing another person for compensation before any public agency.

Action Taken

Passed House Regulatory Affairs 7-0

Passed the House 44-16 and was sent to the Senate

Passed Senate Government 5-3

Passed the Senate 16-13 and was sent back to the House

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

.

HB2378 - Officials; political action committee prohibition

Sponsor

Rep. Leo Biasiucci (R)

Summary

An individual who is an election officer or employee or who oversees any significant aspect of election operations is prohibited from being a chairperson, treasurer or other member of a political action committee. Does not apply to an individual's membership in a candidate committee for that individual's own candidacy.

Action Taken

Passed House Municipal Oversight & Elections 10-0

Passed the House 49-11 and was sent to the Senate

Passed Senate Elections 5-3

Failed in the Senate 13-16

Failed in the Senate a second time 12-18

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HB2415 - Active early voting lists; removal

Sponsor

Rep. Leo Biasiucci (R)

Summary

The county recorder is required to remove a voter from the active early voting list if the voter fails to vote an early ballot in all elections for one election cycle, instead of two consecutive election cycles.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-29 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the Governor

Vetoed by the Governor

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HB2477 - Electoral college; support**Sponsor**

Rep. Steve Montenegro (R)

Summary

The Legislature affirms the importance of the electoral college for presidential elections in this country for a list of specified reasons.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-29 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the Governor

Vetoed by the Governor

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HB2552 - Voting; elections; tally; prohibition**Sponsor**

Rep. Austin Smith (R)

Summary

For every election held in Arizona, the person who receives the highest number of legal votes is required to be declared elected. The state, counties, municipalities, or political subdivisions are prohibited from using a voting method in an election or nomination process for any state, city, town, county, or federal office that allows voters to select or rank, designate or otherwise indicate approval of or preference for more candidates than are eligible to be declared elected for any office; that allows ballots cast to be tabulated in any manner that involves the elimination of candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; or that

requires the ranking of every candidate for an office as a condition of a voter's vote being counted in the final tally.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-28

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the Governor

Vetoed by the Governor

HCR2004 - Legislators; minimum age of eighteen

Sponsor

Rep. Matt Gress (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to lower the minimum age to qualify to be a member of the Legislature to 18, from 25, and to require the person to be a resident of Arizona for at least three consecutive years at the time of election and of the district from which s/he is elected for at least one consecutive year at the time of election.

Previously the person was required to be a resident of Arizona for at least three years and a resident of the county from which s/he is elected for at least one year.

Effect on CCEC

Increases the value of the Commission's current involvement with schools

SB1011 - Municipalities; partisan elections

Sponsor

Sen. John Kavanagh (R)

Summary

Municipal elections may be held with the candidate's political party registration indicated on the ballot. Applies to municipal elections held on or after January 1, 2024.

Action Taken

Passed Senate Government 6-1

Passed the Senate 18-12 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

SB1020 - Open meetings; capacity; posting

Sponsor

Sen. John Kavanagh (R)

Summary

All public bodies are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. The agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place.

Effect on CCEC

Commission already provides numerous seats for the public both in person and virtually

SB1048 - Campaign finance; reporting threshold; lobbyists

Sponsor

Sen. John Kavanagh (R)

Summary

The list of receipts that must be itemized in campaign finance reports is modified to require itemization of contributions from in-state individuals whose contributions exceed \$200 for that election cycle, increased from \$100, and to require itemization of contributions from individuals who are registered lobbyists.

Effect on CCEC

Current individual contribution limit for CCEC candidates is \$180. No reporting would be required at that level. (The individual contribution limit for CCEC candidates will increase for 2024 based on inflation.)

Action Taken

Passed Senate Government 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

SB1054 - Middle school students; civics; instruction

Sponsor

Sen. David Gowan (R)

Summary

Establishes the Arizona Civics Education and Leadership Development Program within the Arizona Department of Education (ADE) to provide civics education and leadership development training to middle school students who are enrolled in a school district, charter school, or private school in Arizona. ADE is required to develop procedures for eligible nonprofit organizations to apply to be

instructional service providers for the Program, and eligibility requirements are listed. By November 1 of each year, each service provider is required to report specified information on the Program to ADE, and ADE is required to compile the reports and submit them to the Governor and the Legislature. Appropriates \$300,000 from the general fund in FY2023-24 to the newly established Arizona Civics Education and Leadership Development Fund for the Program.

Effect on CCEC

Would be an opportunity to use CCEC civics program that has already been developed.

Action Taken

Passed Senate Education 5-2

Passed Senate Appropriations 8-2

Passed the Senate 16-12 and was sent to the House

Passed House Education 8-2

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SB1105 - Early ballots; election day tabulation

Sponsor

Sen. Frank Carroll (R)

Summary

County recorders or other officers in charge of elections are required, instead of allowed, to provide for a qualified voter who appears at their designated polling place or at a voting center on elected day with their voted early ballot to have their ballot tabulated.

Action Taken

Passed Senate Elections 5-3

Failed in the Senate 14-16

Passed the Senate 16-14 on reconsideration and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

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SB1170 - Ballot drop boxes; prohibition

Sponsor

Sen. Jake Hoffman (R)

Summary

A strike everything was passed that changed the bill. The bill now allows for drop boxes provided that the county can have live video monitored by an election official from 5pm to 8pm, one representative from the two largest political parties are able to monitor the box from 8am to 5pm, the video has motion detection, night vision, and is able to be viewed by the public. A \$1 million-dollar appropriation was also included in the bill.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

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SB1213 - Legislative council; procedures manual**Sponsor**

Sen. Anthony Kern (R)

Summary

The Legislative Council replaces the Secretary of State for the purposes of issuing an official elections instructions and procedures manual.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 6-3

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

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SB1217 - Election procedures manual; submittals**Sponsor**

Sen. Thomas "T.J." Shope (R)

Summary

The Secretary of State is required to post the draft Election Instructions and Procedures Manual (Manual) on the Secretary of State's website, provide an opportunity for submitting public comment on the draft manual and post those comments on the Secretary of State's website. If the Governor and/or the Attorney General fail to approve the draft Manual by December 31 of the year before the general election or the Secretary of State does not submit a draft Manual for approval, the most recently approved Manual remains in effect. Beginning in January of the even-numbered year, if a new Manual is not issued and approved, the Secretary of State is required to provide an annotated version of the previous official Manual that reflects any new or revised laws and applicable court decisions. The Secretary of State shall continue to provide an annotated version of the previous official Manual each year until a new Manual is approved.

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SCR1002 - Constitutional amendments; sixty percent approval**Sponsor**

Sen. Anthony Kern (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to require approval by 60 percent of the votes cast on the measure for an initiative or referendum measure that amends the state Constitution to become law, instead of a majority of the votes cast. A strike everything amendment was passed. The bill now prohibits rank choice voting and any other voting similar to rank choice.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

SB 1330 - Voting; absence from employment

Sponsor

Sen. Ken Bennett (R)

Summary

Allows for registered voters to be absent from their place of employment for up to 5 hours either at the beginning or end of their designated work shift in order to vote without a loss of pay or use of personal time. The employee must notify their employer prior to election day.

SB1265 - Voting; elections; tally; prohibition.

Sponsor

Sen. Anthony Kern (R)

Summary

For every election held in Arizona, the person who receives the highest number of legal votes is required to be declared elected. The state, counties, municipalities, or political subdivisions are prohibited from using a voting method in an election or nomination process for any state, city, town, county, or federal office that allows voters to select or rank, designate or otherwise indicate approval of or preference for more candidates than are eligible to be declared elected for any office; that allows ballots cast to be tabulated in any manner that involves the elimination of candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; or that requires the ranking of every candidate for an office as a condition of a voter's vote being counted in the final tally.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed Municipal Oversight & Elections 6-2

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

SB1270 - Open meetings; capacity

Sponsor

Sen. John Kavanagh (R)

Summary

Schools, school boards, executive boards, and municipalities are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. The agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place.

Effect on CCEC

Already provide numerous seats for the public both in person and virtually

Action Taken

Passed Senate Government 5-2

Passed the Senate 16-14 and was sent to the House

Passed House Government 9-0

Passed the House 57-0 and was sent to the Governor

Signed by the Governor

SB1287 - Election returns; canvass; review

Sponsor

Sen. Steve Kaiser (R)

Summary

If returns from any polling place in the election district where polls were opened and an election held are found to be "in question," the canvass of the election is required to be postponed from day to day until the governing body holding the election has to its satisfaction examined all the returns and ascertained the facts which the returns disclose or until six postponements have been had.

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SB1296 - Voter registration; same day.

Sponsor

Sen. Christine Marsh (D)

Summary

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the

election. A person who is otherwise qualified to register to vote may register on election day by appearing at the polling place, completing a registration form, and providing proof of residence. Registration under these circumstances does not qualify a person to vote in a partisan primary election.

SB1299 - Governor; inauguration expenses; reporting

Sponsor

Sen. Wendy Rogers (R)

Summary

For any ceremonial event to commemorate the inauguration of a Governor, the Office of the Governor is required to publicly post on the Office of the Governor's website a list of specified information about persons or entities that organized or funded the event. The Office is required to publicly post the information within 15 days after the date of the event.

Action Taken

Passed Senate Government 8-0

Passed the Senate 29-0 and was sent to the House

Passed House Government 9-0 with amendment

Passed the House 58-1 and was sent back to the Senate

Passed the Senate 28-1 and was sent to the Governor

Signed by the Governor

SB1303 - Campaign finance; contributions; reporting

Sponsor

Sen. J.D. Mesnard (R)

Summary

If an in-state individual has made prior campaign contributions that total less than \$100 during an election cycle, only those contributions that when added to the prior contributions total more than \$100 and all subsequent contributions are required to be reported on a campaign finance report.

Effect on CCEC

Keeps the threshold for reporting contributions lower than the current \$180 limit CCEC candidates may raise thus all contributions will need to be reported.

Action Taken

Passed Senate Elections 5-3

SB1324 - Images; voter lists; records; contest

Sponsor

Sen. Ken Bennett (R)

Summary

No later than ten days before each election, the county recorder or other officer in charge of elections is required to publish and post online a list of all voters who are registered to vote in the election, including persons who are on the inactive voter list. After the primary and general election and no later than 48 hours after the delivery of the official county canvass, the county recorder or other officer in charge of elections is required to submit to the Secretary of State, who shall immediately post online in a convenient downloadable format, a list of all persons who voted in the election, all ballot images used in the tabulation of the election, and the "cast vote record" (defined) in a sortable format. It is a class 1 (highest) misdemeanor to alter the contents of an image or a cast vote record from the database. The county recorder or other officer in charge of elections is required to ensure that paper ballots are stored in a manner that allows for convenient retrieval.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

SB1066 - Election mailings; third-party disclosures

Sponsor

Sen. John Kavanagh (R)

Summary

Any nongovernmental person or entity that mails an official election-related document or a document that resembles an official election-related document from the county recorder, county officer in charge of elections, or the Secretary of State, including a voter registration application or an early ballot request, is required to include the words "not from a government agency" in boldfaced, clearly legible print on the outside of the envelope.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 10-0

Passed the House 38-20 and was sent to the Governor

Vetoed by the Governor

SB1095 - Early ballot envelope; notice

Sponsor

Sen. Frank Carroll (R)

Summary

The envelope accompanying an early ballot is required to state: "Failure to mail an early ballot or deposit an early ballot in a ballot drop box by the Friday before the election will result in delayed election results."

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 33-25 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1135 - Spoiled early ballots; election day

Sponsor

Sen. John Kavanaugh (R)

Summary

If a voter brings the voter's early ballot to a polling place or other voting location on election day, the county recorder is required to remove the voter from the active early voting list and an early ballot will no longer be sent to the voter automatically. If a voter brings an early ballot to a polling place or voting center on election day, the early ballot is considered spoiled and the voter must exchange the early ballot for a regular ballot. County recorders or other officers in charge of elections are required, instead of allowed, to provide for a qualified voter who appears at their designated polling place or at a voting center on elected day with their voted early ballot to have their ballot tabulated. Also deletes authorization for county boards of supervisors to establish emergency voting centers.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-12 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

SB1141 - Early ballot drop off; identification

Sponsor

Sen. Jake Hoffman (R)

Summary

For any voter or voter's agent who delivers one or more voted early ballots in affidavit envelopes at any polling place or voting center, the election board must require the person to present identification for his/her own early ballot, and to attest in writing that he/she is the voter's family member, household member or caregiver for another person's early ballot. Knowing violations are a class 5 (second-lowest) felony.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

SB1178 - Early voting; identification; signature

Sponsor

Sen. Ken Bennett (R)

Summary

If a voter is issued an early ballot at any voting location during the period of early voting after presenting and confirming the required identification, the voter's early ballot is deemed ready for tabulating, and additional signature verification of the completed affidavit envelope is not required.

Action Taken

Passed Senate Elections 8-0

Passed the Senate 30-0 and was sent to the House

Failed House Municipal Oversight & Elections 0-9

HB2613 - Voting equipment; requirements; origin

Sponsor

Rep. Steve Montenegro (R)

Summary

Beginning January 1, 2028, the Secretary of State is prohibited from certifying a vote recording and vote tabulating machine or device used for elections for federal, state or county offices unless 100 percent of all the machine's or device's parts and components are sourced from the United States,

and 100 percent of all the machine's or device's manufacturing and assembly is performed in the United States. Does not apply to vote recording and vote tabulating machines and devices that are acquired before January 1, 2028.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-29 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the Governor

Vetoed by the Governor

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SB1140 - Elections; voting centers prohibited

Sponsor

Sen. Jake Hoffman (R)

Summary

A strike everything amendment was adopted that changed the bill. The bill now allows for the use of voting centers but does not allow for them to take the place of polling places. Requires to schools to open their doors as voting locations, as well as requiring schools to close on primary and general election days. Requires in-service or developmental days for teachers on primary and election days. Prohibits teachers from taking those days off.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

SB1258 - Public officers; announcements; report

Sponsor

Sen. J.D. Mesnard (R)

Summary

For any publication, resource or public service announcement that is issued by a public officer, that contains the public officer's name or likeness, and that is distributed free of charge or through the use of taxpayer resources, the public officer is required to publish a quarterly report describing the amount of money that was spent on the publication, resource, or public service announcement.

Action Taken

Passed Senate Elections 5-3

HB2604 - Licenses; not proof of citizenship.

Sponsor

Rep. Lydia Hernandez (D)

Summary

The Arizona Department of Transportation is no longer prohibited from issuing a driver license, instruction permit, or nonoperating identification license for a person who does not submit satisfactory proof that the applicant's presence in the U.S. is authorized under federal law. Possession of a driver license, instruction permit, or nonoperating identification license is not proof of citizenship.

HB2591 - Elections; early ballot drop boxes

Sponsor

Rep. Gail Griffin (R)

Summary

All ballot drop boxes used in Arizona to receive voted early ballots must be located inside a county building, except that a drop box may be located outside of a building if the ballot drop box is secured to a building or footing. Ballot drop boxes must be usable only on Monday through Friday from 8:00AM to 5:00PM and must include a functioning camera or video recorder that photographs or video records and stores the images of each person who deposits one or more early ballots. The camera or video recorder may be motion activated. Establishes a fine of \$1,000 for each ballot for a person who knowingly marks a voted or unvoted ballot or ballot envelope with the intent to fix an election and for possessing a voted or unvoted ballot with the intent to sell the voted or unvoted ballot of another person.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

Failed in the Senate 13-14

HB2682 - Lobbyists; campaign contributions; prohibition

Sponsor

Rep. Oscar De Los Santos (D)

Summary

Lobbyists are prohibited from making or promising to make campaign contributions to or soliciting or promising to solicit campaign contributions for a member of the Legislature or the Governor at any time, instead of only during the regular session of the Legislature.

HB2701 - Secure ballot containers; pilot program

Sponsor

Rep. Quang H. Nguyen (R)

Summary

A county with a population of more than 230,000 persons and less than 400,000 persons (Yavapai County) is authorized to establish and implement a pilot program for the use of secure ballot deposit

containers to receive voted early ballots. Each secure ballot deposit container is required to unlock for purposes of depositing ballots by use of a card or other similar means that is issued to the voter by the county recorder for that purpose and must provide for secure retention of the voted ballots until accessed by a person who is authorized by the county recorder to collect the ballots for verification and tabulation. Appropriates \$1.5 million from the general fund in FY2023-24 to the Secretary of State for disbursement to a county recorder for the pilot program.

HB2722 - Elections; option; full hand count

Sponsor

Rep. Gail Griffin (R)

Summary

The officer in charge of elections, the county recorder, or any person who is designated by the county board of supervisors is allowed to count by hand all or any portion of the ballots in an election. If the hand count is for less than one hundred percent of the ballots, the specific ballots to be counted must be randomly selected.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-12 with an amendment and was sent back to the House

Passed the House 31-29

Sent to the Governor

Vetoed by the Governor

HB2728 - Election worker harassment task force

Sponsor

Rep. Seth Blattman (D)

Summary

Establishes a 10-member Election Worker Harassment Task Force in the Secretary of State's Office to coordinate, investigate, prosecute, or refer for prosecution violations of Chapter 16 (Elections and Electors). The Task Force is required to submit a report of its activities to the Governor and the Legislature by January 1, 2025 and each year after.

SB1332 - Cast vote record; public records

Sponsor

Sen. Janae Shamp (R)

Summary

For every election held in Arizona and after completion of the official canvass, the cast vote record for that election is a public record.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-12 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1341 - Voters; false communication; enterprises; enforcement

Sponsor

Sen. Juan Mendez (D)

Summary

It is a class 5 (second lowest) felony for an enterprise to knowingly communicate to a registered voter by any means false information that is intended to impede the voter in exercising the voter's right to vote. A registered voter to whom false information is communicated is authorized to file a civil action for relief, including an application for a permanent or temporary injunction, restraining order or other order against the person communicating the false information.

SB1342 - Civics education; professional development; appropriation

Sponsor

Sen. Juan Mendez (D)

Summary

The State Board of Education (SBE) is required to prescribe academic standards that require all school districts and charter schools to provide instruction on American civics education that promotes civic service, prepares students for the duties of citizenship, and includes instruction on a list of specified topics. Establishes the American Civics Education Instruction Grant Program in the Arizona Department of Education (ADE). Grants issued under the Program must be used to pay teachers' costs of attending a professional development course in civics education and media literacy.

Establishes grant eligibility requirements. Appropriates \$100,000 from the general fund in FY2023-24 to the American Civics Education Instruction Fund for the Program.

Effect on CCEC

Would be an opportunity to use CCEC civics program that has already been developed.

SB1389 - Ballots; pollbooks; instructions; tabulating; storage

Sponsor

Sen. Ken Bennett (R)

Summary

Various changes to statutes relating to elections. Early ballots that are returned at voting locations on election day may be removed by two authorized election workers who must be members of different political parties and who deliver the ballots to a designated receiving site. After the canvass is completed, the county recorder is required to deposit all rejected provisional and early ballots in a secure facility that is managed by the county treasurer.

Action Taken

Passed Senate Elections 8-0

SB1422 - Voting; elections; tally; prohibition..

Sponsor

Sen. Justine Wadsack (R)

Summary

For every election held in Arizona, the person who receives the highest number of legal votes is required to be declared elected. The state, counties, municipalities, or political subdivisions are prohibited from using a voting method in an election or nomination process for any state, city, town, county, or federal office that allows voters to select or rank, designate or otherwise indicate approval of or preference for more candidates than are eligible to be declared elected for any office; that allows ballots cast to be tabulated in any manner that involves the elimination of candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; or that requires the ranking of every candidate for an office as a condition of a voter's vote being counted in the final tally.

SB1436 - Permanent early voting list.

Sponsor

Sen. Priya Sundareshan (D)

Summary

The active early voting list is renamed the permanent early voting list. The county recorder is no longer required to remove a voter from the list if the voter fails to vote using an early ballot in all elections for two consecutive election cycles.

SB1437 - Ballot delivery; collection

Sponsor

Sen. Priya Sundareshan (D)

Summary

A voter is authorized to give the voter's voted early ballot to another person to deliver to a polling place, a ballot drop box, an election official, the U.S. Postal Service, or any other entity allowed by law to transmit post. It is no longer a class 6 (lowest) felony for a person to collect voted early ballots from another person.

SB1451 - Early voting; preceding weekend

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

If the county recorder or other officer in charge of elections is able to revise precinct registers and other elections materials in a timely manner for use on election day to indicate which voters have requested an early ballot, which voters have already voted, and which voters are on the inactive voter list, the county recorder or other office in charge of elections is allowed to operate the on-site early voting locations during the Saturday, Sunday and Monday immediately preceding election day.

SB1452 - Primary election date; May

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

Beginning in 2024, the primary election is moved to the last Tuesday before the last Monday in May in any year in which a general election or special election is held, instead of the first Tuesday in August in those years.

Effect on CCEC

It would reduce the amount of time candidates have to collect \$5 qualifying contributions. Currently, candidates may begin collecting \$5 qualifying contributions August 1 of the year prior to the election, which is approximately one year before the primary election. This change would reduce collection time by 3 months (May to August).

SB1471 - Ballot tabulation; hand count comparison

Sponsor

Sen. John Kavanagh (R)

Summary

By September 1, 2023, the officer in charge of elections in a county with a population of more than two million persons (Maricopa County) is required to randomly select four election precincts in the county from the ballot test decks used for logic and accuracy testing for the 2022 general election and is required to recount all races using 100 of those ballots from each precinct. The recounting is required to include the use of duplication boards, adjudications boards and other functions generally used or required in ballot tabulations. The hand count boards are required to consist of volunteers who are members of the three largest political parties in the state and must include on each team a member of at least two different political parties. The actual ballots must be counted through a county ballot tabulator, and photocopies of the actual ballots must be hand counted. The officer in charge of elections is required to compare the totals, and if there is a difference great than 0.1 percent, the ballots and photocopies must be retabulated and recounted. During the hand counting, the officer in charge of elections is required to calculate how many ballots per hour each hand counting team is able to process, and estimate how many persons working 16 hours each day would be required to hand count the entire number of ballots cast in the November 2022 election. The officer in charge of elections is required to report on the results of the tabulations and calculations to the Governor and the Legislature. Self-repeals March 1, 2024.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-12 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1485 - National popular vote; interstate agreement

Sponsor

Sen. Juan Mendez (D)

Summary

Establishes an agreement among the states to elect the U.S. President by national popular vote.

SB1486 - Voting; ranking; ballot format

Sponsor

Sen. Juan Mendez (D)

Summary

Establishes requirements for any election in which ranked choice voting is used. Provides for elimination rounds, the transfer for votes, and the sequence of tabulation. Single-seat ranked choice voting may be used in any county or municipal election contest in which a voter has three or more voting options for a particular office or issue, and multiseat ranked choice voting may be used in any county or municipal election contest in which a voter has three or more voting options for that group of offices. Establishes requirements for ballot format and voter instructions for ranked choice voting.

Effect on CCEC

Would dramatically change how the Commission handles debates as well as the candidate statement pamphlet. May require the Commission to provide multiple candidate statement pamphlets as well as multiple debates. May require a constant update of the Commission's website to ensure that the correct information is available to the public.

SB1487 - Voted ballots; custody; in-state

Sponsor

Sen. Juan Mendez (D)

Summary

The county recorder or other officer in charge of elections, the county board of supervisors, any state elected official and any employee, contractor or vendor of those persons are prohibited from removing from the state any one or more of the ballots cast for an election.

SB1510 - Campaign finance; public service corporations

Sponsor

Sen. Juan Mendez (D)

Summary

A public service corporation, an affiliate of a public service corporation, and a "principal" (defined) of a public service corporation or its affiliate are prohibited from contributing directly or indirectly to an Arizona Corporation Commission (ACC) candidate or candidate committee. An ACC candidate is prohibited from accepting or soliciting contributions directly or indirectly from these persons and entities. A campaign expenditure by these persons or entities is not an independent expenditure if the expenditure is a coordinated public service corporation expenditure, and is considered an in-kind contribution to the ACC candidate. Establishes a list of expenditures that constitute a coordinated public service corporation expenditure.

SB1515 - Polling places; drop boxes; campuses

Sponsor

Sen. Juan Mendez (D)

Summary

The board of supervisors of each county is required to designate at least one polling place or voting center on the main campus of each state university in that county and is required to provide for at least one early ballot dropbox at each state university satellite location and each community college campus and community college satellite location in that county.

SB1518 - Ballots; election day; identification

Sponsor

Sen. Ken Bennett (R)

Summary

During the period of early voting or on election day, if a voter is issued an early ballot at any voting location or presents at any voting location the voter's mailed early ballot and the voter presents and confirms the required voter identification, the voter's early ballot is deemed ready for tabulating, and additional signature verification of the completed affidavit envelope is not required. After the period of early voting, a voter who delivers the voter's own voted early ballot to the county recorder or other officer in charge of elections or to a polling location is required to present and confirm the required voter identification before depositing the voted early ballot in a secure ballot box that is separate from ballot tabulators. Only the voter may deliver the voter's own voted early ballot.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 29-0 and was sent to the House

Passed House Municipal Oversight & Elections 7-3

Passed House 37-21 with an amendment and was sent back to the Senate

Passed the Senate 17-11 and was sent to the House

Failed in the House 24-32

SB1555 - Early voting locations

Sponsor

Sen. Juan Mendez (D)

Summary

A county recorder or other officer in charge of elections is permitted to make changes to the approved early voting locations and must notify the public and the board of supervisors regarding the changes as soon as is practicable. A county recorder or other officer in charge of elections who establishes early voting locations may continue to operate those early voting locations during the three-day period immediately preceding election day, except that on-site early voting is required to end as needed to ensure that precinct registers and other election materials are revised for use on election day to indicate which voters have requested an early ballot, which voters have already voted and which voters are on the inactive voter list.

SB1556 - Automatic voter registration; same day

Sponsor

Sen. Juan Mendez (D)

Summary

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on Election Day at the polling place for the precinct in which that person maintains residence. A person who registers to vote under these provisions may vote only with a provisional ballot and does not qualify a person to vote in

a partisan primary election. Every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, or who is making changes to drive license information and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register. A person who is not qualified to register to vote and who unknowingly registers under this provision is not guilty of false registration or false swearing. Effective January 1, 2024.

SB1565 - Ballot processing; electronic adjudication; limitation

Sponsor

Sen. Frank Carroll (R)

Summary

Machines, devices, firmware, or software used in Arizona elections are prohibited from including any artificial intelligence or learning hardware, firmware, or software. Artificial intelligence or learning software or firmware is prohibited from being used in the processing of early ballots or by the election board in verifying the voter's affidavit.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-11 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

SB1566 - Voter registration; reregistration; ten years

Sponsor

Sen. Frank Carroll (R)

Summary

The county recorder is required to cancel all voter registrations on the effective date of this legislation, and on April 2 in every year thereafter that ends in 1. Before doing so, the county recorder is required to notify each person who was on the voter registration rolls on that date that the person's voter registration is canceled and that the person must reregister to vote. The county recorder is required to provide information and instructions on how to reregister to vote and is required to archive the voter registration rolls for each date on which all voter registrations are canceled.

Action Taken

Passed Senate Elections 5-3

SB1589 - Voter registration databases; designation

Sponsor

Sen. Ken Bennett (R)

Summary

The Secretary of State is required to designate a list of voter registration databases and voter registration database services to be used monthly by each county recorder to determine possible registrations in multiple jurisdictions and possible changes of address.

SB1595 - Early ballots; identification; tabulation**Sponsor**

Sen. J.D. Mesnard (R)

Summary

Beginning after 7:00PM on the Friday preceding election day, if a voter deposits an early ballot at a polling place, the voter is required to present the required voter identification and sign the signature roster or electronic pollbook before depositing the ballot. If a "voter's agent" (defined elsewhere in statute) delivers a voter's ballot to any polling place, the ballot will be counted and valid only if the voter presents the required voter identification to the county recorder or other officer in charge of elections no later than the 5th business day after election day for a primary, general, or special election that includes a federal office, and no later than the 3rd business day after election day for any other election.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-27 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1596 - Polling places; public office spaces**Sponsor**

Sen. J.D. Mesnard (R)

Summary

A state, county, municipal, or school district office is required to provide sufficient space for use as a polling place for any state, county, or municipal election when requested by the officer in charge of elections. Appropriates a total of \$10 million to be dispersed to counties to offset election related costs that come from this bill.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed House Appropriations 9-6

Passed the House 31-29 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1597 - Early ballot on-site tabulation; requirement

Sponsor

Sen. J.D. Mesnard (R)

Summary

No later than the 2024 general election, every county recorder or other officer in charge of elections is required, instead of allowed, to provide for a qualified voter who appears at the voter's designated polling location or at a voting center on election day with their voted early ballot to have the ballot tabulated on-site.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-26 and was sent to the Governor

Vetoed by the Governor

SB1598 - Elections; observers; federal candidates

Sponsor

Sen. J.D. Mesnard (R)

Summary

Each political party and each candidate for federal office is allowed to have one poll observer in each polling place or early voting location at any one time during the election. A poll observer is prohibited from approaching an election official's table or equipment or the voting booths any closer than is reasonably necessary to properly perform the poll observer's functions. Each poll observer must be allowed to observe the setup of the voting location before the polls open and the closeout procedures at the voting location after the polls close. Poll observers are prohibited from interacting with a voter. Poll observers must be a registered voter in Arizona, and cannot be a candidate who appears on the ballot. One representative at any one time of each candidate for federal office, who has been appointed by the candidate, is added to the list of persons allowed to remain inside the 75-foot limit while the polls are open and the list of persons who may be designated as early ballot challengers.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

SB1666 - Early ballot list; daily returns**Sponsor**

Sen. Juan Mendez (D)

Summary

On request from a county chairman or state chairman, the Secretary of State is required to provide at no cost a daily listing of persons who have returned their early ballots, Monday through Friday, beginning with the first Monday following the start of early voting and ending on the Monday before the election.

HB2746 - Appropriation; secretary of state; elections**Sponsor**

Rep. Laura Terech (D)

Summary

Appropriates \$1.67 million from the general fund in FY2023-24 to the Secretary of State for election administration expenses, including enhancing the security and technological reliability of the voter registration database.

HB2757 - Court of appeals; retention election**Sponsor**

Rep. Ben Toma (R)

Summary

Each judge of the court of appeals must be elected for retention on a statewide basis at the general election preceding the expiration of the judge's term in office. All otherwise eligible registered voters in Arizona are eligible to vote in these statewide races.

Action Taken

Passed House Judiciary 5-3

Passed the House 31-28 and was sent to the Senate

Passed Senate Judiciary 6-1

Passed the Senate as amended 16-14 and was sent back to the House

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

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HB2768 - Political parties; precinct committeemen; organization

Sponsor

Rep. Mariana Sandoval (D)

Summary

On completion of the primary election canvass, the county recorder is required to provide to the current county chairperson of each political party that is entitled to continued representation written notice of the number of elected precinct committeemen in the county for that political party for the purposes of making the calculations required for the state committee meeting. On receipt of the county recorder's notice, the current county chairperson is required to provide that notice to the chairperson of the legislative district committee of that political party.

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HB2785 - Early voting; absentee; military

Sponsor

Rep. Liz Harris (R)

Summary

Eliminates early voting by mail in Arizona, all mail ballot elections, and the active early voting list. County boards of supervisors are required to authorize an on-site early voting location at the main office of the county recorder. The county recorder is prohibited from opening more than a single location for early voting, and only those voters who have signed an application, under penalty of perjury, that states that they expect to be absent from their precincts on election day are allowed to vote at an on-site early voting location. Only a voter who expects to be outside the state of Arizona on election day and the 15 days immediately preceding is eligible to receive a mail ballot. The county recorder is prohibited from mailing a ballot to an address in Arizona. All early votes are required to be counted on election day before 7PM. The voter's signature on an early ballot affidavit must be notarized and must contain the notary's statement that the voter voted the ballot without assistance and outside the view of any other person. Voters who are ill or have a disability and cannot go to the polls are required to vote with a special election board. A county political party, early election board, and party observers are authorized to challenge early ballots on the grounds of inconsistent signatures or unmatching last four digits of social security numbers or dates of birth. The county recorder or other officer in charge of elections is required to provide to the county political party a copy of all early ballot envelopes along with all reference signatures and information for all accepted ballots before removing those ballots from their privacy envelopes in sufficient time for the county political party to challenge any unmatched signatures or information.

Action Taken

Passed House Municipal Oversight & Elections 6-4

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HB2796 - Licensure; citizenship status; documentation

Sponsor

Rep. Flavio Bravo (D)

Summary

Agencies and political subdivisions are prohibited from requiring an individual who is applying for a "license" (defined) to provide documentation of citizenship or alien status. If an agency or political subdivision requires an individual's social security number for the purposes of applying for a license, the agency is required to accept an individual's federal tax identification number in lieu of a social security number.

SB1593 - Recall; requirements; petitions**Sponsor**

Sen. Ken Bennett (R)

Summary

A special recall election must be held on the next following consolidated election date that is 120 days or more, increased from 90 days or more, after the order calling the election. A candidate for office in a special recall election is required to file a nomination petition between 90 and 120 days before the date of the recall election, instead of between 60 and 90 days before.

Action Taken

Passed Senate Elections 6-2

Passed the Senate 28-2 and was sent to the House

HB2560 - Images; voter lists; records; contest.**Sponsor**

Rep. Ben Toma (R)

Summary

No later than ten days before each election, the county recorder or other officer in charge of elections is required to publish and post online a list of all voters who are registered to vote in the election, including persons who are on the inactive voter list. After the primary and general election and no later than 48 hours after the delivery of the official county canvass, the county recorder or other officer in charge of elections is required to submit to the Secretary of State, who shall immediately post online in a convenient downloadable format, a list of all persons who voted in the election, all ballot images used in the tabulation of the election, and the "cast vote record" (defined) in a sortable format. It is a class 1 (highest) misdemeanor to alter the contents of an image or a cast vote record from the database. The county recorder or other officer in charge of elections is required to ensure that paper ballots are stored in a manner that allows for convenient retrieval.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Senate

SB 1324 was substituted for HB 2560 as they are the same bill, and passed the Senate 19-9 and was sent to the Governor

Vetoed by the Governor

HB2231 - Early absentee voting; limitations; conflicts

Sponsor

Rep. Liz Harris (R)

Summary

Early voting is renamed early absentee voting. Qualified electors are only allowed to vote by early absentee ballot if the elector is physically unable to go to the polls due to illness, hospitalization, incarceration, or other confinement, or the elector expects to be absent from the elector's precinct at the time of the election, including electors covered by the federal Uniformed and Overseas Citizens Absentee Voting Act, or the elector is blind or has a visual impairment. Severability clause. Directs legislative council staff to prepare conforming legislation.

Action Taken

Passed House Municipal Oversight & Elections 6-4

HB2254 - Rulemaking; regulatory costs; legislative ratification

Sponsor

Rep. Justin Wilmeth (R)

Summary

If a proposed rule is estimated to increase regulatory costs in Arizona in excess of \$500,000 within two years after implementation or to have an adverse impact on economic growth, the proposed rule cannot become effective until the Legislature enacts legislation ratifying the proposed rule. The agency is prohibited from filing a final rule with the Secretary of State before obtaining legislative approval of the rule through legislation. Was amended from two years after implementation to five years after implementation.

Action Taken

Passed House Government 5-4

Passed the House 31-27 and was sent to the Senate

Passed Senate Government 5-3

Passed the Senate 16-14 and was sent back to the House as it was amended

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

SB1695 - Election violations; disenfranchisement; new election

Sponsor

Sen. Jake Hoffman (R)

Summary

For the primary and general election in a county with a population of more than one million persons (Maricopa and Pima), the county board of supervisors, county recorder and county officer in charge of elections are prohibited from canvassing the results of an election in which election laws were violated and the violations resulted in the disenfranchisement of at least one percent of the eligible voters in the county. The county board of supervisors, county recorder and county officer in charge of elections are required to hold a new primary or general election. Any member of the board of supervisors who violates these requirements must forfeit that office.

Action Taken

Passed Senate Government 5-3

Failed in the Senate 14-15

SCR1027 - Cities; towns; elections

Sponsor

Sen. Justine Wadsack (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to state that for any municipality that provides for election of municipal council members by district, ward, precinct or other geographic designation, only those voters who are qualified electors of the district, ward, precinct or other geographic designation, as applicable, are eligible to vote for that council member candidate in the municipality's primary, general, runoff or other election.

Action Taken

Passed Senate Government 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

HB2325 - Voting; procedures; electors in detention (Mail ballot elections; technical correction)

Sponsor

Rep. Alexander Kolodin (R)

Summary

Minor change in Title 16 (Elections and Electors) related to mail ballot elections. Apparent striker bus.

A striker amendment was proposed and passed House Municipal Oversight & Elections. The striker allows for those in pretrial detention to request a ballot to vote and describes the procedures to be followed to allow for this to happen.

Action Taken

Passed House Municipal Oversight & Elections 8-2

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

SB1264 - Officials; political action committee prohibition.

Sponsor

Sen. J.D. Mesnard (R)

Summary

An individual who is an election officer or employee or who oversees any significant aspect of election operations is prohibited from being a chairperson, treasurer or other member of a political action committee. Does not apply to an individual's membership in a candidate committee for that individual's own candidacy.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the Senate

Passed House Municipal Oversight & Elections 7-3

Passed the House 42-16 and was sent to the Governor

Vetoed by the Governor

HCR2006 - Bonds; elections; technical correction

Sponsor

Rep. Justin Heap (R)

Summary

Would ask the voters to approve a repeal session. The session would be held every two years and no business would be allowed other than repealing existing laws.

Action Taken

Passed Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Senate

HB2767 - Legislators; personally identifiable information; confidentiality

Sponsor

Rep. Mariana Sandoval (D)

Summary

A "public official" (defined as a person who is duly elected or appointed to Congress, the Legislature, a statewide office, or a county, municipal, or political subdivision office) is added to the list of persons who may request that the general public be prohibited from accessing public records containing that person's identifying information that are maintained by the county or the Department of Transportation. A person or entity in Arizona is prohibited from accessing a public official's actual residence address or license plate number but is allowed to access the public official's city or town of residence.

HB2736 - Accessible early voting

Sponsor

Rep. Seth Blattman (D)

Summary

Absentee voting for uniformed services voters and overseas voters is expanded to include voters with visual impairments.

HB2691 - Elections; ballot chain of custody

Sponsor

Rep. Justin Heap (R)

Summary

Ballot boxes must be locked with a tamper evident seal. The county recorder or other officer in charge of elections is required to prepare a chain of custody record for the transportation and delivery of all voted ballots. The record must include the time and signature for each point of contact, including the signature of the voting location supervisor when the election board members leave with the voted ballots, the signature of each election board member delivering the voted ballots, and the signature of the supervisor at the receiving site who receives the voted ballots. The chain of custody records are required to include the date, time, location and name of any election official who handles or processes a ballot. The county recorder or other officer in charge of elections is required to maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting, and information that must be included in the record is specified.

Action Taken

Passed House Municipal Oversight & Elections 6-3

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the Governor

Vetoed by the Governor

SB1074 - Tabulating equipment; standards; source codes (Election; contest; technical correction)**Sponsor**

Sen. Sonny Borrelli (R)

Summary

A strike everything amendment was adopted. The bill now allows the use of electronic equipment to tabulate vote only if all of the following occur: the equipment meets or exceeds the standards set by the US Department of Defense, all parts of the electronic equipment are manufactured in the USA, and all source codes for the equipment are submitted and maintained by the Auditor General. In addition, for any action taken in the Superior Court regarding vote tabulation issues, the Court may appoint a Special Master to review the issue. The Special Master will submit their report to the Secretary of State for review.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Governor

Vetoed by the Governor

HB2121 - Election procedures; registrations; campaign finance**Sponsor**

Rep. Athena Salman (D)

Summary

Numerous changes to statutes relating to elections. Would reinstate the \$5 Clean Elections Fund Tax Checkoff box. Would require the Commission to assist in paying for updating and replacing campaign reporting systems. Would reinstate matching funds but would base them on the clean elections candidate being able to raise twenty percent of the original number of \$5 qualifying contributions for the office they are seeking. For every person who provides proof of U.S. citizenship when applying for, renewing or replacing a driver license or nonoperating identification license, or updating the person's existing residence address or name on file with the Arizona Department of Transportation (ADOT), ADOT is required to electronically collect and transmit voter registration information to the Secretary of State for the purpose of registering the person to vote or updating an existing voter registration record. The Secretary of State and ADOT Director, after consulting with all county

recorders, are required to adopt rules to implement a secure automatic electronic voter registration system that collects and transmits voter registration information. The Secretary of State is required to evaluate implementation of a secure automatic electronic voter registration system at other agencies, including the Arizona Health Care Cost Containment System (AHCCCS). By December 31, 2022, any agency that allows a person to affirmatively register to vote or to update the person's registration through the internet must allow the person to complete the registration without a driver license or nonoperating identification license and with any proof of citizenship that is valid under Arizona law. Eliminates the requirement for a voter to live in the boundaries of an election district for 29 days prior to an election to be eligible to vote in that election. By the 2024 primary election and for each election thereafter, each county recorder is required to designate at least one election official at each polling place, voting center or early voting location in the county to serve as a registration clerk to facilitate and enable eligible persons to register to vote on-site on election day or during early voting. A registration clerk must be present for all hours during which a polling place, voting center or early voting location is open. Every qualified voter in Arizona has the right, after registering to vote, to vote a secret ballot in all elections for which that voter is eligible to vote. By December 31, 2026, the Secretary of State, county recorders and other officers in charge of elections are required to evaluate incorporating "risk-limiting audit" (defined) protocols into ballot hand count procedures. Reduces individual and political action committee contributions limits to \$1,000 to candidates for legislative, county, municipal or district office, from \$6,250, and to \$2,500 for candidates for statewide office, from \$6,250. Much more. Due to voter protection, several sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

Effect on Clean Elections

Would reinstate the \$5 Clean Elections Fund Tax Checkoff box. Would require the Commission to assist in paying for updating and replacing campaign reporting systems. Would reinstate matching funds but would base them on the clean elections candidate being able to raise twenty percent of the original number of \$5 qualifying contributions for the office they are seeking.

HCR2033 - Primary elections; eligible candidates

Sponsor

Rep. Austin Smith (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to require the direct primary election for partisan offices to be conducted in a manner so that each political party that has qualified for representation on the ballot must be permitted to nominate for each office a number of candidates equal to the number of positions to be filled for that office in the ensuing general election, and all otherwise eligible candidates who are so nominated must be placed on the ballot in the next ensuing general election. The direct primary election law enacted by the Legislature supersedes any contrary or inconsistent provision of any charter, law, ordinance, rules, resolution, or policy of any city.

Action Taken

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the Secretary of State

SCR1037 - Elections; systems; equipment (Presidential electors; constitutional appointments)

Sponsor

Sen. Anthony Kern (R)

Summary

The Legislature resolves that no voting system or component of a voting system may be used or purchased as the primary method for casting, recording, and tabulating ballots used in any election held in Arizona for federal office unless all components have been designed, manufactured, integrated, and assembled in the U.S. from trusted suppliers, the source code is made available to the public, and the ballot images and system log files from each tabulator are recorded on a secure write-once, read-many media with clear chain of custody and posted on the Secretary of State's website free of charge to the public within 24 hours after the close of the polls.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 and was sent to the Secretary of State

SB1234 - Prohibition; photo radar

Sponsor

Sen. Wendy Rogers (R)

Summary

State agencies and local authorities are prohibited from using a photo enforcement system to identify violators of traffic control devices and speed regulations. Statutes authorizing and regulating photo enforcement systems are repealed. Contains a legislative intent section.

Action Taken

Passed Senate Government 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Military Affairs & Public Safety 8-7

Passed the House 32-26 and was sent to the Governor

Vetoed by the Governor

Effect on Clean Elections

Would reduce the amount of funds that the Commission receives through the 10% surcharge on traffic tickets and criminal fines. However, this funding source has already been reduced through the ban on photo radar on state highways, so this action would not be a major issue for the Commission.

SB1180 - Voter registrations; payment prohibited

Sponsor

Sen. Ken Bennett (R)

Summary

A person is prohibited from paying or receiving money or any other thing of value based on the number of voter registrations or voter registration forms collected, completed or submitted.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 35-23 and was sent to the Governor

Vetoed by the Governor

SB1175 - Registrations; observers; counting procedures; verification

Sponsor

Sen. John Kavanaugh (R)

Summary

Various changes relating to election observers and counting procedures. The county chairperson of each political party may designate a party representative for a polling place, a voting center, or a location at which electronic processing of ballots occurs. If the county party chairperson fails to appoint a party representative for a location, the state party chairperson may make those appointments, and if the state party chairperson fails to appoint a party representative, the legislative district chairperson in the area in which the polling place, voting center or other location is located may make those appointments for a location. The county officer in charge of elections is required to publish the procedures for a hand count, including the times and locations, on the county's website no later than the Tuesday before Election Day. If the county party chairperson fails to designate a sufficient number of board workers to assist with a hand count, the state party chairperson is required to designate qualified electors to be board workers. If the state party chairperson fails to designate a sufficient number of board workers, the legislative district chairperson of the district in which the hand count is to occur is required to designate qualified electors to be board workers. Establishes a process to select persons to perform the hand count at audited precincts. The county chairman of each party is authorized to designate a party representative to observe the proceedings at a third-party vendor that processes returned affidavit envelopes on behalf of a county. Beginning on the effective date of this legislation, any new signature images submitted for comparison of the signature on an early ballot envelope to the voter's registration record are prohibited from containing any indicator of the voter's designated political party. Some of these changes become effective January 1, 2024.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 6-4

Passed the House 31-27 with an amendment and was sent back to the Senate

Passed the Senate 16-12

Sent to the Governor

Vetoed by the Governor

Summary of Proposed Rules

R2-20-809- Provides for complaints by members of the public and others regarding violations of Title 16, Chapter 6.1 and related rules, as well as complaints by the Executive Director and referrals from other government entities. Provides a process for handling the administration of complaints.

R2-20-810- Provides for a response by a person against whom a proper complaint has been filed. Provides the procedures for such a response, including requirements, and for a presumption that may arise based on a failure to respond.

R2-20-811- Provide the process for investigation and enforcement. Authorizes the Executive Director or other staff member to issue subpoenas and other process and seek compliance with such process. Provides for an appeal to the Commission. Provides that attorneys may assist the Executive Director but may not also represent the Commission itself when it sits for a hearing. Provides for a report by the Executive Director including factual and legal allegations and recommendations and recommended penalties. Provides a process for consent agreements. Provides the Executive Director may dismiss a complaint at any time.

R2-20-812 – Provides for a hearing at a respondent's request. Provides for a pre-hearing conference and items that should be discussed, including scheduling, briefing, witnesses and other items. Provides for the Commission to hold a meeting and vote on whether to issue an order and assessment of penalties, dismiss a complaint or continue a complaint. Provides for judicial review by a respondent upon a final order and for the Executive Director to enforce a Commission order.

R2-20-813 – Provides rules relating to transactions and structuring. Provides that a person who is not a covered person may rely on records provided related to campaign media spending, but has the burden of establishing reasonable reliance, and may not claim reasonable reliance on records the person knows are false or misleading. Provides that a person who is not a covered person may issue a notice to another person that their donation may be used for campaign media spending. Provides that the Executive Director has the burden of establishing structuring by evidence of willful conduct with respect to a transaction or circumstance. Provides that advising investigation, enforcement, or judicial review, nor does it include

assisting a person in availing themselves of provisions of Title 16, Chapter 6.1 or these rules relating to exemptions from disclosure. Provides that willful conduct does include providing advising a client to take an action or taking an action to violate A.R.S. § 16-975.

R2-20-809 Complaint Procedures

A. Complaints

1. Any person may submit a complaint to the Executive Director if the person believes a violation of Arizona Revised Statutes Title 16, Chapter 6.1 or these rules has occurred. The complaint must be made in writing. Email submissions are acceptable.
2. Regardless of whether a complainant is represented by counsel, a complaint must contain the full name, email address, and mailing address of the complainant.
3. A complaint must:
 - a. Clearly recite the facts that describe a violation of Arizona Revised Statutes Title 16, Chapter 6.1 or these rules as specifically as possible. Citations to law are not required.
 - b. Clearly identify each person, including any individual, entity, committee, organization or group, that is alleged to have committed a violation.
 - c. Include any supporting documentation which the Complainant believes establishes the alleged violation, if available.
 - d. Differentiate between statements based on a complainant's personal knowledge and those based on information and belief. Statements not based on personal knowledge should identify the source of the information, and include supporting documentation if available.Contents of the complaint shall be sworn to and signed in the presence of a notary public and shall be notarized.
4. The Executive Director shall review the complaint within 5 days to determine if the Commission has jurisdiction to hear and rule on the complaint, and to ensure the complaint meets the criteria identified in subsection (A)(3).
5. If the complaint does not meet the criteria, Commission staff will notify the complainant of the deficiencies in the complaint and that no action will be taken on the complaint unless those deficiencies are remedied.
6. If the complaint is deemed sufficient, Commission staff will:
 - a. Assign the complaint a complaint number.
 - b. Confirm in a writing to the complainant and respondent that the complaint has been received.
 - c. Inform the complainant that the respondent will be provided an opportunity to submit a response.

7. A complainant may withdraw the complaint by writing to the Executive Director no later than 14 days after filing the complaint or before the response, whichever is sooner.
- B. Internally Generated Complaints
1. The executive director may file a complaint if the person believes a violation of Arizona Revised Statutes Title 16, Chapter 6.1 or these rules has occurred. The complaint shall:
 - a. Clearly recite the facts that describe a violation of Arizona Revised Statutes Title 16, Chapter 6.1 or these rules as specifically as possible. Citations to law are not required.
 - b. Clearly identify each person, including any individual, entity, committee, organization or group, that is alleged to have committed a violation.
 - c. Include any supporting documentation which the Complainant believes establishes the alleged violation, if available.
 2. Any employee, agent or representative of another government agency or subdivision of Arizona, including the state, any Arizona county, or any Arizona city or town, may make a referral to the executive director under this subsection.
 3. Commission staff will:
 - a. Assign the complaint a complaint number.
 - b. Confirm in a writing to the complainant and respondent that the complaint has been received.
 - c. Inform the complainant that the respondent will be provided an opportunity to submit a response.

R2-20-810 Response Procedures

- A. Within 14 days after receiving a complaint that complies with R2-20-809, a staff member will send the respondent a copy of the complaint and a written communication describing the campaign finance processing procedures. The written communication will:
1. Inform the respondent that the Executive Director has received allegations as to possible violations of campaign finance laws by the respondent.
 2. Provide a copy of the complaint.
 3. Gives the respondent an opportunity to respond in writing in a timely manner and setting forth a deadline of not more than 30 days after the date of the written communication. Extensions

shall be granted on request at the discretion of the Executive Director.

- B. The notification letter reflects no judgment about the accuracy of the allegations.
- C. The response is the respondent's opportunity to demonstrate to the Executive Director why they should not pursue an enforcement action, or to clarify, correct, or supplement the information in the complaint or referral. Respondents are not required to respond to the allegations.
- D. Respondents, if they choose, may be represented by counsel. Once the Executive Director receives a notification that the respondent is represented by counsel, the Commission staff will communicate only with the counsel unless otherwise authorized by the respondent or the respondent's counsel.
- E. The respondent's response shall be sworn to and signed in the presence of a notary public and shall be notarized. The respondent's failure to respond within the time specified in subsection A may be viewed as an admission to the allegations made in the complaint.
- F. If a respondent provides a response, the response should address each and every reason why no further action should be taken, including any legal or factual basis for an assertion that the matter is not subject to the Commission's jurisdiction.
- G. While not required, when possible, a response should provide documentation, including sworn affidavits or declarations under penalty of perjury from persons with first-hand knowledge of the facts.
- H. The response may be submitted by email, and the respondent need not copy the complainant on the response.
- I. A complainant may request a copy of the response.
- J. Complainants other than the Executive Director are not parties to any enforcement matter that may arise as a result of the complaint and response.

R2-20-811 Investigation and Enforcement Procedures

- A. Upon the expiration of the time for a response, the Executive Director or other Commission staff may conduct an investigation. The Executive Director or other Commission staff may engage attorneys pursuant to A.R.S. § 16-979(D).
- B. Attorneys who do substantial work investigating the complaint or enforcing orders and other matters arising from the complaint shall not participate as attorneys for the Commission regarding the

complaint. Such attorneys may represent the Executive Director or other Commission staff before the Commission.

- C. The Executive Director or other Commission staff may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the commission's duties or the exercise of its powers. The Executive Director or Commission staff may utilize attorneys to effectuate any of these actions, including filing any action necessary to compel compliance. A person subject to a subpoena or other order pursuant to this subsection may appeal to the Commission by sending a written request to the Commission's attention. The Chair or a Commissioner designated by the chair may confer with an independent legal advisor and shall issue an order scheduling the appeal for a public meeting of the Commission and may set a schedule for any additional briefing.
- D. Upon the completion of an investigation the Executive Director may prepare a report stating with reasonable particularity the nature of the violation, including the facts, laws, or rules substantiating the allegations in the complaint, and issue it to the respondent. The Executive Director may make a recommendation regarding the seriousness of violation, the appropriate remedy, and any other factors that the Executive Director and staff believe are relevant to the matter.
- E. If the Executive Director determines that a consent agreement with the respondent is sufficient, the Executive Director and the respondent may agree to present the agreement to the Commission for acceptance. A consent agreement may include a penalty. The Commission may vote to accept, reject, or modify the proposed consent agreement at a public meeting. At this meeting, the Commission's commission attorney for independent advice shall serve as the legal advisor for the commission. That attorney must not have worked on the investigation, enforcement, or consent agreement.
- F. The Executive Director may dismiss the complaint at any time.

R2-20-812 Enforcement Hearing Procedures

- A. Within 30 days after the issuance of the Executive Director's report and recommendations, a respondent may request a hearing before the Commission. The Commission shall be represented by counsel who have had no role in the investigation or enforcement.
- B. No later than 14 days after the request, the Executive Director, other Commission staff or attorneys for the Executive Director shall meet with the respondent or their attorneys to develop a proposed hearing plan. At the conference the following matters should be considered:
 - 1. The possibility of a consent agreement, and possible terms
 - 2. Select at least three mutually-agreeable dates for the hearing to present to the Commission.
 - 3. Discuss whether any additional written material shall be provided to the Commission. If additional written material is necessary, discuss deadlines for the parties to exchange those materials prior to the hearing.
 - 4. Decide whether either side will call live witnesses, disclosure of the witness' proposed testimony, and agree whether alternative procedures for providing the evidence are available and appropriate.
 - 5. Determine how much time each side will need at the hearing.
 - 6. Any pre-hearing matters that must be decided by the Commission and a schedule for presenting such matters.
 - 7. A schedule for any pre-hearing briefing.
 - 8. Each side may prepare a draft final order to be submitted to the Commission with other materials.
- C. Following the Conference, the Executive Director and respondent shall provide a report to the Commission's Chair or other Commission member designated by the Chair. The Chair may consult with an independent legal advisor. The Chair or the independent legal advisor will issue a scheduling order.
- D. The complaint, the response, the report, and any additional documents shall be provided to the Commission no later than 14 days before the hearing.
- E. At the conclusion of hearing the Commission may
 - 1. Vote issue a final order and assessment of penalties.
 - 2. Vote to dismiss the matter; or
 - 3. Vote to continue the matter to another meeting.

The Commission shall schedule the next hearing as soon as practicable, considering the schedules of respondent, respondent's counsel, the Executive Director, and any counsel for the Executive Director.

- F. Following a vote in favor of a final order and assessment of penalties a respondent may seek timely judicial review.
- G. At the expiration of the time for judicial review, the Executive Director or their representatives must seek compliance with the Commission's final order. This may include the Executive Director, Commission staff, or their attorneys seeking judicial enforcement of the order if necessary.

R2-20-813 Transactions and Structuring

- A. A person, including an individual, may rely on records provided to the person as documentation of a transaction related to campaign media spending if the records are provided by an independent person who owns or controls the monies involved in the transaction. The person claiming reliance bears the burden of showing the reliance is reasonable by a preponderance of the evidence. The person claiming reliance must not have knowledge the records are false or misleading, and must not refuse to consider or produce information that indicates the records are false or misleading.
- B. A person who is not a covered person may provide the notice prescribed by A.R.S. § 16-972(B) to another person who has given that person monies before transferring monies or making an in-kind donation to a covered person.
- C. In order to establish structuring, the Executive Director shall provide evidence that a person acted willfully with regard to the transaction or other circumstance.
- D. Willful conduct does not include representing a client during an investigation, enforcement, or judicial review, nor does it include assisting a person in availing themselves of provisions of Title 16, Chapter 6.1 or these rules relating to exemptions from disclosure. Willful conduct includes advising a client to take an action or taking an action to violate A.R.S. § 16-975.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Anna Lynn Abeytia
Participating Candidate for
State Representative - District 29
Primary Election 2022**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Anna Lynn Abeytia's (the Candidate)'s Campaign finance reports between the 2022 Quarter 1 report, starting January 1, 2022, through the 2022 Post-Primary Election (Q3) report, which ended September 30, 2022 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are presented on the subsequent pages.

We were engaged by the Commission to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Anna Lynn Abeytia. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Commission and the Candidate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

June 23, 2023

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Contractor will obtain a copy of the candidate's campaign finance report for the reporting period.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2022 Quarter 1 report, starting January 1, 2022, through the 2022 Pre-Primary Election report, which ended July 16, 2022. As of the date of this report, the Candidate had not filed the 2022 Post-Primary Election (Q3) report (which was due October 15, 2022), which encompassed the period from July 17, 2022, through September 30, 2022. As a result, we tested transactions from January 1, 2022, through July 16, 2022 (the modified reporting period), when possible. We were unable to test any transactions between July 17, 2022, and September 30, 2022.

- b). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Contractor will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements one month prior to the election date (beginning on the first of the month), the month including the election day, and one month after the election day (ending on the last of the month) in the reporting period and perform the following:
- Select five (5) samples of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the modified reporting period. For five out of five withdrawals and three out of five deposits, we determined that they appeared to be properly recorded in the Candidate's Campaign finance reports. However, for two out of five deposits selected, we did not receive any supporting documentation and were unable to determine if they were properly recorded in the Candidate's Campaign finance reports. The amount of these deposits totaled \$845.26.

- Perform a proof of receipts and disbursements for the reporting period, which is defined as reporting the ending balances of the September 2022 bank statement and the Post-Primary Election (Q3) campaign finance report.

Finding

The Candidate's Post-General Election (Q3) Campaign finance report was not filed as of the date of this report, so we cannot report what the balance is as of September 30, 2022. The Candidate's Campaign bank account statement listed a balance of \$3,710.54 at September 8, 2022.

- d) Using the dates and limits defined in the Arizona Citizens Clean Elections Guide, review the receipts reported in the candidate's campaign finance reports to determine the following:

- (i) The candidate accepted contributions only from individuals.

Finding

The contributions received during the modified reporting period appeared to be only from individuals.

- (ii) None of the contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the modified reporting period did not exceed the \$180 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the modified reporting period did not exceed the \$4,323 limit for a legislature candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the modified reporting period did not exceed the \$800 limit for a legislature candidate.

- e) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) contributions reported in the candidate's campaign finance report (not including the \$5 qualifying contributions) and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$100, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for five early contributions reported in the Candidate's Campaign finance report and determined the name of the contributors for the contributions was included on the support. For individuals who contributed over \$50, we determined that the contributor's address, occupation, and employer were also included on the support.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the modified reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the modified reporting period.

- f) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not agree the amounts to the amount reported in the Candidate's finance reports.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not agree agree the names, addresses, or nature of goods or services provided to the information reported in the Candidate's finance reports.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not determine if the expenditures were made for a direct campaign purpose.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not determine if the expenditures were part of a joint expenditure.

- g) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,580.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the modified reporting period.

- (i) If applicable, for both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) candidate's petty cash fund expenditures and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$180 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the modified reporting period.

- h) Determine if the candidate/campaign incurred any debt. If so, report all debt.

Finding

The Candidate did not report any debt on the Campaign Finance Reports during the modified reporting period.

- i) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We reported our findings to the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Maryn Brannies
Participating Candidate for
State Senator - District 27
General Election 2022**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Maryn Brannies' (the Candidate)'s Campaign finance reports between the 2022 Pre-General Election report, starting October 1, 2022, through the 2022 Post-General Election (Q4) report, which ended December 31, 2022 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are presented on the subsequent pages.

We were engaged by the Commission to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Maryn Brannies. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Commission and the Candidate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

June 23, 2023

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Contractor will obtain a copy of the candidate's campaign finance report for the reporting period.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2022 Pre-General Election report, starting October 1, 2022, through the 2022 General Recap Report, which ended November 8, 2022. As of the date of this report, the Candidate had not filed the 2022 Post-General Election (Q4) report (which was due January 17, 2023), which encompassed the period from October 23, 2022, through December 31, 2022. As a result, we tested transactions from October 1, 2022, through November 8, 2022 (the modified reporting period), when possible. We were unable to test any transactions between November 9, 2022, and December 31, 2022.

- b). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Contractor will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements one month prior to the election date (beginning on the first of the month), the month including the election day, and one month after the election day (ending on the last of the month) in the reporting period and perform the following:
- Select five (5) samples of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five withdrawals from the bank statements for the modified reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports. There were no deposits in the modified reporting period to test.

- Perform a proof of receipts and disbursements for the reporting period, which is defined as reporting the ending balances of the December 2022 bank statement and the Post-General Election (Q4) campaign finance report.

Finding

The Candidate's Post-General Election (Q4) Campaign finance report was not filed as of the date of this report, so we cannot report what the balance is as of December 31, 2022. The Candidate's Campaign bank account statement listed a balance of \$3.13 at December 31, 2022.

- d) Using the dates and limits defined in the Arizona Citizens Clean Elections Guide, review the receipts reported in the candidate's campaign finance reports to determine the following:

- (i) The candidate accepted contributions only from individuals.

Finding

The contributions received during the modified reporting period appeared to be only from individuals.

- (ii) None of the contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the modified reporting period did not exceed the \$180 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the modified reporting period did not exceed the \$4,323 limit for a legislature candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the modified reporting period did not exceed the \$800 limit for a legislature candidate.

- e) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) contributions reported in the candidate's campaign finance report (not including the \$5 qualifying contributions) and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$100, which reflects the contributor's address, occupation and employer.

Finding

There were no contributions reported during the modified reporting period.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

The Candidate reported three receipts during the modified reporting period on Schedule R1, Non-Contribution Receipts which were described as refunds for goods returned from events, which totaled \$639.49.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the modified reporting period.

- f) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not agree the amounts to the amount reported in the Candidate's finance reports.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not agree the names, addresses, or nature of goods or services provided to the information reported in the Candidate's finance reports.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures during the modified reporting period and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not determine if the expenditures were made for a direct campaign purpose.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

For five out of five items selected, we were not provided any invoices or other documentation so we could not determine if the expenditures were part of a joint expenditure.

- g) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,580.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the modified reporting period.

- (i) If applicable, for both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) candidate's petty cash fund expenditures and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$180 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the modified reporting period.

- h) Determine if the candidate/campaign incurred any debt. If so, report all debt.

Finding

The Candidate did not report any debt on the Campaign Finance Reports during the modified reporting period.

- i) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We reported our findings to the Candidate and the Candidate did not provide responses to our findings.