



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. XXXX

Electronic Voting Machines are Prohibited

Purpose

An Essential step in restoring Public confidence in our elections, and Government itself.

Background

We have endured an election cycle where the integrity of the election results has been undermined in the minds of far too many Citizens. People have lost their lives.

The Arizona State Senate issued a Subpoena demanding a independent forensic examination of the Electronic voting machines. Election officials of Maricopa County ignored the Subpoena, thus defying the will of the Legislature, and the People they represent. Article 1 Section 4 of the US Constitution places the responsibility for the conduct of elections explicitly with The State Legislatures. Thus the State Legislature is ultimately responsible for past problems, and equally responsible for correcting past mistakes. **No Subpoenas are necessary if Electronic Voting Machines Do Not EXIST.**

Anticipated fiscal impact to the state General fund is low. Without election integrity there is no Democracy, there is no Republic, so cost is a secondary concern.

Provisions

1. Stipulates that Electronic Voting Machines are prohibited. Only paper ballots are allowed and may be physically examined and audited to ensure the integrity of the ballot. As we have become aware, an electronic voting machine actually contains nothing more than 1's and 0's that can be altered by anyone who can push a button or alter a program.
2. Electronic vote tabulation is OK and must be done anyway. Paper ballots can be audited in the various precincts by different tabulation machines. Thus, provisions for electronic vote tabulation machines remain in the Statute.
3. Becomes effective on the general effective date.

16-446. Specifications of electronic voting system

A. An electronic voting system consisting only of ~~a voting or marking device in combination with~~ vote tabulating equipment shall provide facilities for ~~voting~~ tabulating votes for candidates at both primary and general elections.

B. An electronic voting system shall:

~~1. Provide for voting in secrecy when used with voting booths. Be used to tabulate votes only. Only paper ballots may be used for voting and audits. Electronic voting machines are prohibited.~~

~~2. Permit each elector to vote at any election for any person for any office whether or not nominated as a candidate, to vote for as many persons for an office as the elector is entitled to vote for and to vote for or against any question on which the elector is entitled to vote, and~~ the vote tabulating equipment shall reject all choices recorded on the elector's ballot if the number of choices exceeds the number that the elector is entitled to vote for the office or on the measure.

~~3. Prevent the elector from voting for the same person more than once for the same office.~~

4. Be suitably designed for the purpose of tabulating votes only, ~~used~~ and be of durable construction, and may be used safely, efficiently and accurately in ~~the conduct of elections and~~ counting ballots.

~~5. Be provided with means for sealing the voting or marking device against any further voting after the close of the polls and the last voter has voted.~~

~~6. When properly operated, record correctly and count accurately every vote cast.~~

~~7. Provide a durable paper document that visually indicates the voter's selections, that the voter may use to verify the voter's choices, that may be spoiled by the voter if it fails to reflect the voter's choices and that permits the voter to cast a new ballot. This paper document~~ ballots shall be used in manual audits and recounts.

~~8. To the extent practicable, provide for the ballot layout to be in the same order of arrangement, including rotation, as provided for paper ballots, except that information may be printed in vertical or horizontal rows, or in a number of separate pages or screens that are placed or displayed on the voting device. The titles of offices may be arranged in vertical columns or in a series of separate pages or screens and shall be printed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected. If there are more candidates for an office than can be printed in one column or on one ballot page or screen, the ballot shall be clearly marked that the list of candidates is continued on the following column, page or screen, and to the extent practicable, the same number of names shall be printed on each column, page or screen.~~

~~9. Provide for a color designation for use in the primary election for each political party represented.~~