



KATIE HOBBS
SECRETARY OF STATE

November 23, 2022

Via Email

Mohave County Board of Supervisors
c/o Ginni Anderson, Clerk of the Board
AnderG@mohave.gov

Re: 2022 General Election Canvass

Dear Mohave County Board of Supervisors,

Following the Board of Supervisor's meeting on November 21, 2022, we wanted to provide information about the statutory requirement to certify the County's 2022 General Election results.

A.R.S. § 16-642 requires each county board of supervisors to meet and canvass the election no later than 20 days after the election. For the November 8, 2022 General Election, boards of supervisors therefore must canvass no later than November 28. The board of supervisors then must transmit the certified canvass to the Secretary, who is required to conduct the statewide canvass on December 5, 2022. A.R.S. § 16-648(A). These strict statutory deadlines make clear that the duty to canvass is not discretionary. In fact, the 2019 Elections Procedures Manual ("EPM") explicitly provides that the Board "has a non-discretionary duty to canvass the returns as provided by the County Recorder or other officer in charge of elections and has no authority to change vote totals or reject the election results." 2019 EPM at 240. Because the Board has no authority to change or reject the results, the canvass is a purely ministerial act.

Additionally, you may have seen that a lawsuit was filed yesterday challenging certain procedures of the 2022 General Election. We want to confirm, in case there is any confusion, that the lawsuit does not affect the county's duty to certify its election by November 28.

We appreciate the Board's acknowledgement at the meeting that the Board intends to certify Mohave County's election results by November 28. The state canvass must proceed on December 5, as is required under Arizona's law, and any county's refusal to certify will only serve to disenfranchise that county's voters. Please let me know if you need any additional information prior to your November 28 meeting.

Sincerely,



Kori Lorick
State Elections Director
Arizona Secretary of State Katie Hobbs
klorick@azsos.gov

cc

Ryan Esplin, Chief Civil County Attorney
EspliR@mohave.gov

Allen Tempert, Elections Director
tempea@mohave.gov

Kristi Blair, County Recorder
blairk@mohave.gov