

# Arizona Election Certification Processes and Guardrails

In Arizona, as elsewhere in the country, canvassing and certification have long been considered uncontroversial formalities in the postelection process. Under Arizona law, the canvass is the process of reviewing and declaring election results by a mandated deadline. Certification serves as the final step at the end of the canvass. State law makes clear that election officials have a mandatory, nondiscretionary duty to canvass and certify elections by the statutory deadlines.

Despite this well-settled law, states across the country — including [Arizona](#) — faced a new phenomenon following the 2020 presidential election. Dozens of local [officials](#) nationwide refused or threatened to refuse to certify election results, often based on claims rooted in election denialism — the false idea that the 2020 election was stolen and that widespread fraud pervades our election system. Attempts to interfere with certification persisted throughout the 2024 election cycle, [evolving](#) into a vehicle to express disagreement or doubt as to any aspect of an election, including the outcomes of downballot races.

Those efforts did not succeed, often because state courts and state officials intervened to protect the certification process. But the threat remains that rogue officials in Arizona may attempt to interfere with the timely certification of this year's midterm election results. Fortunately, Arizona officials have several legal tools available to respond to any certification issues that arise — and to help prevent them in the first place. These guardrails are detailed below.

# Timeline for Canvassing and Certifying the 2026 General Election in Arizona

## General Schedule

Once votes have been tabulated, county boards of supervisors must meet to formally conduct the canvass by no later than the third Thursday after the **November 3, 2026** election: **November 19, 2026**. Ariz. Rev. Stat. § 16-642(A)(1)(b).

When the county canvass is complete, each board of supervisors must “**immediately**” send a copy of the official canvass for all nonlocal offices, including races for U.S. senators and representatives, to the secretary of state, both electronically and via U.S. mail. Ariz. Rev. Stat. § 16-646(B), (C). The secretary of state shall complete the official canvass for nonlocal races no later than the third Monday following the election: **November 23, 2026**. Ariz. Const. art. V § 10; Ariz. Rev. Stat. §§ 16-642(A)(2)(b), 16-648(A). State law subsequently directs the secretary to issue a signed certificate of election affixed with the state seal. Ariz. Rev. Stat. § 16-650.

## Recounts

Arizona law does not convey a right to any candidate, voter, or other person or entity to initiate a recount. However, if the canvass shows that the margin for a nonlocal election is within the state’s 0.5 percent automatic recount threshold, **within 24 hours** after the last county canvass is complete (or the deadline for the completion of county canvasses — whichever is earlier), the secretary of state “shall . . . certify the facts requiring the recount to the superior court in Maricopa county.” Ariz. Rev. Stat. §§ 16-661, 16-662. The superior court must “**promptly**” order a recount. Ariz. Rev. Stat. § 16-663(A). Once the recount is complete, the court must enter an order determining the winner and send a copy of the order to the secretary of state. Ariz. Rev. Stat. § 16-665(B)(2).

The recount process does not affect the secretary of state’s statutory deadline for the completion of the canvass. Even if a recount is pending, the secretary must still complete the canvass for nonlocal races by no later than the third Monday after the election: **November 23, 2026**. Ariz. Const. art. V § 10; Ariz. Rev. Stat. §§ 16-642(A)(2)(b), 16-648(A).

# Authority to Prevent and Respond to Certification Abuses

## State Officials Can Remind Certifying Officials of Their Mandatory Duty to Canvass and Certify Elections

The law in Arizona is clear: state and local canvassers have a mandatory duty to canvass and certify elections based on election returns and have no authority to change vote totals, reject the election results, or delay certifying the results without express statutory authority or a court order. Ariz. Rev. Stat. §§ 16-642(A), 16-645(A), 16-646(A), 16-648. Knowing refusal by a public officer to perform a statutory duty related to elections is a class 3 misdemeanor. Ariz. Rev. Stat. § 16-1009.

The secretary of state and the attorney general have highlighted this mandatory and non-discretionary duty in the [2025 Election Procedures Manual](#) (EPM) (pp. 278, 283). Ongoing outreach to county boards of supervisors and county attorneys related to the relevant EPM provisions can continue to deter county officials from violating state law.

## State Officials and Other Affected Parties Can Obtain a Writ of Mandamus

The most powerful legal remedy for certification refusals or delays in Arizona will be a writ of mandamus — a court order requiring government officials to perform their public duties mandated by law. In Arizona, mandamus is a “special action” governed by separate rules of procedure, under which an Arizona court can compel a government officer to perform a nondiscretionary duty, such as certification, required of them by law. See Ariz. Rev. Stat. § 12-2021; and Ariz. R. P. Spec. Act. 3, 4.

State officials took this approach during the 2022 midterm election cycle. After the Cochise County Board of Supervisors refused to meet to canvass and certify the results of the general election, the secretary of state filed a petition for special action relief in the Cochise County Superior Court. The court granted the secretary’s petition and ordered the county to complete the canvass. Order, *Arizona Alliance of Retired Americans v. Crosby*, No. CV202200552 (Ariz. Super. Ct. Cochise Cnty. Dec. 1, 2022).

In Arizona, any “party beneficially interested” in an action may seek a writ of mandamus to “compel a public official to perform an act imposed by law.” *Ariz. Pub. Integrity All. v. Fontes*, 250 Ariz. 58, 62 (2020) (citing Ariz. Rev. Stat. § 12-2021). Petitioners in a mandamus proceeding may therefore include:

- **The secretary of state:** As the state’s chief election officer, the secretary has a direct interest in ensuring that all counties perform their nondiscretionary election-related duties in a timely and lawful manner, so that they can meet their own legal obligation to conduct the statewide canvass by the statutory deadline. Ariz. Const. art. V § 10; Ariz. Rev. Stat. §§ 16-642(A)(2)(b), 16-648(A). The secretary is also charged with ensuring “the maximum degree of correctness, impartiality, uniformity and efficiency on the procedures for . . . counting, tabulating and storing ballots.” Ariz. Rev. Stat. § 16-452(A).

- **The attorney general:** The attorney general is the state’s chief legal officer and is authorized to represent the state in any court proceeding in which the state or an officer of the state is a party or has an interest. Ariz. Rev. Stat. §§ 41-192, 41-193(A)(1)-(3). The attorney general is specifically authorized to enforce Arizona election law “through civil and criminal actions.” Ariz. Rev. Stat. § 16-1021.
- **Nongovernment parties:** The Arizona Supreme Court has held that “Arizona citizens and voters” have standing to seek to compel election officials to perform nondiscretionary duties under state law. *Ariz. Pub. Integrity All. v. Fontes*, 250 Ariz. 58, 62 (2020). This category also includes candidates whose races have been impacted by a certification issue.

Notably, the secretary of state and Arizona voters successfully petitioned for a writ of mandamus against the Cochise County board in 2022, when it failed to canvass the 2022 midterm election results. [Verified Complaint for Special Action Relief](#), *Hobbs v. Crosby*, No. CV202200553, 2022 WL 17406170 (Ariz. Super. Ct. Cochise Cnty. Nov. 28, 2022); [Verified Special Action Complaint](#), *Arizona Alliance of Retired Americans v. Crosby*, No. CV202200552 (Ariz. Super. Ct. Cochise Cnty. Nov. 28, 2022). The board ultimately complied with the order, issued by the Cochise County Superior Court. [Minute Entry: Order Re: Special Action](#), *Arizona Alliance for Retired Americans v. Crosby*, No. CV202200552 (Ariz. Super. Ct. Cochise Cnty. Dec. 1, 2022).

## Courts Have Tools to Enforce Court Orders If an Official Still Refuses to Certify

Under Arizona Rule of Civil Procedure 70(a), when a party defies a court order to perform a specific act, an Arizona court may appoint someone else to perform that action at the disobedient party’s expense. And if a county board or other official knowingly fails or refuses to obey a mandamus order from a court, the court “may make any orders necessary and proper for complete enforcement” of the order. Ariz. Rev. Stat. § 12-2029(A).

If a certifying official refuses to comply with a mandamus order, they may also be held in civil or criminal contempt. See *Stoddard v. Donahoe*, 228 P.3d 144, 149 (Ariz. Ct. App. 2010) (“Any sanction that is imposed for civil contempt must be designed to coerce the person to do or to refrain from doing some act.”) (citing *Korman v. Strick*, 652 P.2d 544, 547 (Ariz. 1982)); and Ariz. Rev. Stat. § 12-861.

## State Officials Can Impose Penalties Against Rogue Certifying Officials

Refusing to canvass or certify election results could violate several state criminal laws and result in charges. In fact, the Arizona attorney general’s office has already [prosecuted](#) two county officials who voted against certifying the 2022 election results for two offenses: interference with an election officer and conspiracy. As part of that prosecution, the Arizona Court of Appeals concluded that county officials who fail to certify election results are not protected by legislative immunity. *Crosby v. Fish*, 563 P.3d 143, 148 (Ariz. Ct. App. 2024).

Additionally, a county supervisor who “neglects or refuses to perform any duty imposed on him without just cause,” or who “wilfully [*sic*], fraudulently or corruptly attempts to perform an act as supervisor unauthorized by law,” is subject to a civil penalty of \$500 for every such act, in addition to other civil and criminal penalties imposed by law. Ariz. Rev. Stat. § 11-223. And, as noted above, the knowing refusal by a public officer to carry out a nondiscretionary duty related to elections is a class 3 misdemeanor; the attorney general and county attorneys can bring appropriate charges against such officials who knowingly refuse to carry out their legal obligations.

County attorneys generally have authority to prosecute public offenses, including violations of the election code, as well as other criminal conduct that takes place within their jurisdictions. See Ariz. Rev. Stat. §§ 11-532(A), 16-1021.

In addition to their general law enforcement authority, the attorney general is also authorized to supervise and support county attorneys in the exercise of their duties. Ariz. Rev. Stat. § 41-193(A). The attorney general is specifically authorized to enforce Arizona election law through both civil and criminal actions. Ariz. Rev. Stat. § 16-1021.

## Additional Resources

- Brennan Center, [“Election Certification: How to Strengthen State Frameworks”](#) (June 17, 2025)
- Brennan Center, [“The Roadmap to the Official Count”](#) (October 26, 2020)
- Campaign Legal Center, [“What is Election Certification?”](#) (October 8, 2024)
- Citizens for Responsibility and Ethics in Washington, [“Election Certification Under Threat”](#) (August 15, 2024)
- Lauren Miller Karalunas, [“How State and Local Election Certification Works”](#) (July 30, 2024)
- Protect Democracy, [“Election Certification, Explained”](#) (July 24, 2024)
- Protect Democracy, [“Election Certification Is Not Optional”](#) (March 2024)