

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE BILL NO. 2002

BY: HAMILTON (James), HAGER,
GRIESER, WIDENER and
VAUGHN (George) of the
HOUSE

and

LONG (Ed) of the SENATE

(ELECTIONS - AMENDING 26 O.S. 1991, SECTIONS
3-120 AND 13A-101 - POLLING PLACES AND SCHOOL
ELECTIONS -

EMERGENCY)

AUTHOR: Add the following Senate Coauthor: CAPPS

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

[ELECTIONS - AMENDING 26 O.S., SECTIONS 3-120 AND
13A-101 - POLLING PLACES AND SCHOOL ELECTIONS -
EMERGENCY]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 26 O.S. 1991, Section 3-120, is
amended to read as follows:

Section 3-120. ~~There~~ Except as otherwise provided for by law,
there shall be one (1) polling place for each precinct, said polling
place to be located within the geographic boundaries of such
precinct. The State Election Board shall be authorized to adopt
rules and regulations providing exceptions to the aforesaid
requirement. Persons, businesses, churches and any other

nongovernmental entities providing space for use as a polling place shall not be held liable for any torts arising from any incident occurring in such space during the period when such space is used as a polling place.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 13A-101, is amended to read as follows:

Section 13A-101. A. Except as otherwise provided by law, the general election laws shall apply to all elections for school districts and vocational-technical school districts. When it is impossible or impractical to apply the general election laws for school districts and vocational-technical school districts, the Secretary of the State Election Board shall prescribe procedures consistent with the purposes of the general election laws.

B. The Secretary of the State Election Board may allow certain precincts to be closed during school district and vocational-technical school district elections upon request of the secretary of the county election board or upon request of the board of education of a school district.

C. Except as otherwise provided in this section, upon request of the board of education of a school district having an average daily membership of fifty thousand (50,000) or less or an area vocational-technical school district that has one or more member districts having an average daily membership of fifty thousand (50,000) or less, the secretary of the county election board in the county wherein supervision of the district is located shall allow the regular polling place in any precinct to be closed during a regular or special election involving district boards of education, bonds, or other district issues; provided, however, that in an area vocational-technical school district, no polling place may be closed in a precinct in which electors for school districts having greater than fifty thousand (50,000) average daily membership reside. In a precinct where the regular polling place is closed, the county

election board secretary shall designate an alternate adjoining regular polling place within the school or area vocational-technical school district boundaries. No precinct shall be closed unless the affected school districts and area vocational-technical school districts agree on the closure. Any precinct split by two (2) or more school districts cannot be closed if any other elections are being held in that precinct. If a precinct is closed, the records of the closed precinct will be moved to the designated alternative location. A precinct shall not be closed if the closure would require voter records to be moved across county lines. The records of no more than three (3) precincts may be combined at a designated alternative location.

D. At least ten (10) days prior to an election on a bond issue and at least three (3) days prior to election on any other issues, each board of education for a district in which a regular polling place has been closed pursuant to this section shall publish a notice, and issue a news release, of the alternate polling place or places in a newspaper of general circulation in the district and shall post a notice at the regular polling place on the day of the election.

E. School districts and area vocational-technical school districts shall share polling places for precincts where the districts overlap if the districts hold elections on the same day.

SECTION 3. This act shall become effective September 1, 1992.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the Senate the 15th day of April, 1992.

President of the Senate

Passed the House of Representatives the ____ day of

_____, 1992.

Speaker of the House of
Representatives