

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2002

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

and

LONG (Ed) of the SENATE

COMMITTEE SUBSTITUTE

( ELECTIONS - AMENDING 26 O.S. 1991,  
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~~ 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 may 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 one or more alternate polling places inside or outside the precinct but within the school or area vocational-technical school district boundaries. If two or more county election board secretaries are requested to close the polling place in a precinct as a result of requests by different districts, the county election board secretaries shall work to reach agreement on the requests and on the designation of

another polling place or places. If the secretaries cannot agree, the state election board secretary shall decide the issues upon which agreement cannot be reached.

C. 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 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.

D. 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. 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.