

ENGROSSED HOUSE
BILL NO. 1862

BY: GREENWOOD and COLEMAN of
the HOUSE

and

WEEDN of the SENATE

AN ACT RELATING TO ELECTIONS; AMENDING 26 O.S. 1991,
SECTION 4-120.3, WHICH RELATES TO DECEASED VOTERS;
REQUIRING THE REMOVAL OF A DECEASED VOTER'S NAME
FROM CERTAIN RECORDS WITHIN A STATED TIME;
PROVIDING PROCEDURES FOR ERRONEOUS REMOVALS; AND
PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 4-120.3, is
amended to read as follows:

Section 4-120.3 The State Health Department shall each month
transmit to the Secretary of the State Election Board a certified
list of all deaths of residents that have occurred within the state
for the immediately preceding month. The Secretary of the State
Election Board shall transmit said list to the secretary of the
county election board who shall then use said list to ascertain
those voters who are deceased, and shall ~~thereafter~~ remove such
deceased person's name from the central registry and the Oklahoma
Election Management System within thirty (30) days of receipt of the
list. Said list shall be used only for the purposes hereinbefore
described. If a person's name is removed in reliance on the list
and it is subsequently determined that the removal was in error, the

secretary of the county election board shall restore the person's name to the central registry and the Oklahoma Election Management System and immediately notify the Secretary of the State Election Board of the error. Upon receipt of such notice, the Secretary of the State Election Board shall advise the State Health Department of the error. In addition, the registration of a deceased voter may be canceled by the secretary of a county election board upon the execution by the next of kin of said deceased voter of a form and upon the nature of proof of the fact thereof as prescribed by the Secretary of the State Election Board. Said form must be executed either in person by said next of kin at the county election board office, in which case it shall be witnessed by the secretary or other designated employees, or at the voter's precinct polling place on the day of any election, in which case it shall be witnessed by the inspector of said precinct.

SECTION 2. This act shall become effective September 1, 1992.

Passed the House of Representatives the 25th day of February, 1992.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate