

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1033

BY: HAMILTON (Jeff)

AS INTRODUCED

AN ACT RELATING TO ELECTIONS; REQUIRING OKLAHOMA TAX COMMISSION TO PROVIDE VOTER REGISTRATION FORMS TO APPLICANTS FOR LICENSE TO OPERATE MOTOR VEHICLE; ESTABLISHING PROCEDURES RELATING THERETO; SPECIFYING WHEN APPLICANT SHALL BE DEEMED REGISTERED TO VOTE; AUTHORIZING REGISTERED ELECTORS TO REGISTER FAMILY MEMBERS TO VOTE; PROVIDING PROCEDURES FOR REGISTRATION OF FAMILY MEMBERS; REQUIRING OKLAHOMA TAX COMMISSION AND SECRETARY OF STATE ELECTION BOARD TO DEVELOP CERTAIN FORMS; SPECIFYING PROCEDURES FOR CHANGE OF NAME OR ADDRESS OF REGISTERED ELECTOR; AMENDING 26 O.S. 1981, SECTIONS 4-105, 4-106, AS LAST AMENDED BY SECTION 1, CHAPTER 193, O.S.L. 1985, AND 4-108 (26 O.S. SUPP. 1990, SECTION 4-106), WHICH RELATE TO APPOINTMENT, COMPENSATION AND HOURS OF VOTER REGISTRARS; INCLUDING MOTOR LICENSE AGENTS ACTING AS VOTER REGISTRARS WITHOUT PURVIEW OF LAWS; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-111.1 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 1991, the Oklahoma Tax Commission and motor license agents, as defined in Section 1102 of Title 47 of the Oklahoma Statutes, shall provide to each qualified elector who applies for the issuance, renewal, or correction of any type of license to operate a motor vehicle, an opportunity to complete a voter registration form by use of a single form containing the necessary information required by Section 4-112 of this title, and the information required for the issuance, renewal, or correction of a license to operate a motor vehicle.

B. If the applicant wishes to complete a voter registration form, an authorized employee of the motor license agent shall administer the oath required by Section 4-111 of this title to the applicant, shall stamp the completed voter registration form with a validation stamp and shall provide the applicant with a receipt verifying the voter registration form. Voter registration forms shall be forwarded on a weekly basis to the county election board of the county in which the applicant resides; provided, that during the last week allowed for registration prior to any election, registration forms shall be forwarded daily to the county election board of the county of which the applicant resides.

C. Upon receipt of a registration form, the clerk of the county election board or designated employee thereof shall determine if the form is complete. If the secretary of the county election board or designated employee determines that the form is complete, the applicant shall be deemed registered to vote as of the date of the registration form. If the secretary of the county election board or designated employee thereof, determines that the registration form is not complete, the secretary of the county election board shall

notify the applicant of such fact, specifying which additional information is required. The applicant shall be deemed registered as of the date of the registration form when the additional information is provided any time prior to the actual voting. Applicants whose voter registration forms have been processed and approved shall be issued a voter identification card.

D. Any registered elector may register any members of the family of the elector who reside at the same address as the elector by signing such names on the registration form provided pursuant to this section and thereafter signing the elector's own name as voucher in the presence of an employee of the motor license agent. The elector shall provide the information required by Section 4-112 of this title as to each person so registered by the elector and sign the following declaration: "I, _____ do solemnly swear (or affirm) that I am a qualified elector in my precinct, county of _____; that I am registered from _____ (address) and a resident of that address; that _____ (name of person or persons), whose names I have caused to be placed in the registration book as qualified electors from the same address in this precinct, reside at such address and are members of my family and will be qualified electors in this precinct on the date of the next ensuing election."

E. The Oklahoma Tax Commission and the Secretary of the State Election Board shall jointly develop an application form and a change of name and address form by June 1, 1991, which shall allow an applicant wishing to register to vote to do so by the use of a single form which contains the necessary information required by Section 4-112 of this title and the information required for the issuance, renewal, or correction of a license to operate a motor vehicle. The forms shall be furnished to motor license agents by the Oklahoma Tax Commission.

F. Any registered elector who continues to reside in the county stated in the elector's voter registration and who informs a motor license agent of a change of name or address shall have notice of the elector's change of name or address forwarded by the motor license agent to the secretary of the county election board of the county in which the elector resides.

SECTION 2. AMENDATORY 26 O.S. 1981, Section 4-105, is amended to read as follows:

Section 4-105. In addition, the secretary of each county election board shall appoint as voter registrars at least one person for every one thousand registered voters in the county, as enumerated by the latest January 15 registration report; provided further, however, that the total number of appointed voter registrars in any county need not exceed one hundred. The secretary of each county election board, or his designated qualified voting registrar, may visit each high school in his or her county, with concurrence of the school board of each school district, one time during the second semester of each school year, for the purpose of registering all eligible students who wish to register. All political parties in the county must be represented among ~~the~~ appointed voter registrars. Said voter registrars shall be located in such a manner geographically as to provide convenient access for all qualified electors of the county. The secretary shall have the authority to remove any voter registrar, including any motor license agent acting as a voter registrar, at any time for any reason. To be eligible to become a voter registrar, one must be a registered voter of the county, and must demonstrate competence to perform his duties. Voter registrars shall be trained in their duties in a manner prescribed by the Secretary of the State Election Board.

SECTION 3. AMENDATORY 26 O.S. 1981, Section 4-106, as last amended by Section 1, Chapter 193, O.S.L. 1985 (26 O.S. Supp. 1990, Section 4-106), is amended to read as follows:

Section 4-106. Each voter registrar, including motor license agents acting as a voter registrar, shall receive as sole compensation for his services seventy-five cents (\$0.75) per registration, transfer or change of political affiliation transacted by said voter registrar, payable from county funds. Said compensation may be waived if the voter registrar is a regular employee of a municipality, a motor license agent, school district or other governmental subdivision who conducts registration transactions during the hours of his regular employment. A waiver may be granted only upon execution of a written request for same from the voter registrar to the secretary of the county election board.

SECTION 4. AMENDATORY 26 O.S. 1981, Section 4-108, is amended to read as follows:

Section 4-108. Voter registrars, including motor license agents acting as voter registrars, shall be available for registration, transfers or changes of political affiliation for a minimum of three (3) continuous hours per day, during the time prescribed by law for making such transactions, such hours to be determined by the secretary of the county election board.

SECTION 5. 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.

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