

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 63

By: Wilkerson of the Senate

and

Kinnamon and Johnson
(Glen) of the House

COMMITTEE SUBSTITUTE

An Act relating to county election boards; amending 26 O.S. 1991, Sections 2-118, as amended by Section 4, Chapter 332, O.S.L. 1992, 2-122 and 14-115.4, as amended by Section 21, Chapter 247, O.S.L. 1992 (26 O.S. Supp. 1992, Sections 2-118 and 14-115.4), which relate to compensation of secretaries, maintenance of records, and in-person absentee ballots; increasing salaries; modifying office hours of the county election board; modifying days during which voters may apply at the county election board for in-person absentee ballots; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 2-118, as amended by Section 4, Chapter 332, O.S.L. 1992 (26 O.S. Supp. 1992, Section 2-118), is amended to read as follows:

Section 2-118. The secretary of each county election board shall be paid an annual salary according to the following schedule; provided, however, that the salary of a county election board secretary shall not fall below the level of the June 30, 1991 salary, regardless of the number of registered voters, excluding inactive, in the county and provided that no salary shall be increased to the secretary of any county election board while that county is under the administrative supervision of the Secretary of the State Election Board:

Registered Voters	Salary
0 to 5,000	\$ 7,704.00
5,001 to 10,000	10,804.00

10,001 to 15,000	13,891.00	<u>15,891.00</u>
15,001 to 17,500	16,978.00	<u>18,978.00</u>
17,501 to 25,000	20,077.00	<u>22,077.00</u>
25,001 to 50,000	25,647.00	<u>27,647.00</u>
50,001 to 75,000	34,303.00	<u>36,303.00</u>
75,001 to 150,000	39,303.00	<u>41,303.00</u>
150,001 or more	44,303.00	<u>46,303.00</u>

The salary and fringe benefits paid to each secretary shall be paid from county funds on a monthly basis and shall be reimbursed from funds appropriated by the Legislature for that purpose at a rate of not to exceed one hundred twenty-five percent (125%) of the above-specified salaries. Claims for said reimbursement shall be filed according to procedures prescribed by the Secretary of the State Election Board and approved by the Director of State Finance. Said claims for reimbursement shall only be paid for actual expenditures made by the county. The number of registered voters, for the purposes of this section, shall be determined by the number of registered voters, excluding inactive voters, in the county on January 1, 1979, and every two (2) years thereafter.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 2-122, is amended to read as follows:

Section 2-122. The secretary of the county election board shall maintain the records of the office, and such records shall be open for public inspection during regular office hours unless otherwise provided by law. ~~In counties having seventeen thousand five hundred (17,500) or more registered voters, the~~ The county election board office shall be open a minimum of ~~six (6)~~ eight (8) hours per day, excluding Saturdays, Sundays and holidays; ~~in counties having fewer than seventeen thousand five hundred (17,500) registered voters, the county election board office shall be open a minimum of three (3) consecutive hours per day, excluding Saturdays, Sundays and holidays.~~ The hours open for all election boards shall include 11:30 a.m. through 1:00 a.m. each regular work day.

SECTION 3. AMENDATORY 26 O.S. 1991, Section 14-115.4, as amended by Section 21, Chapter 247, O.S.L. 1992 (26 O.S. Supp. 1992, Section 14-115.4), is amended to read as follows:

Section 14-115.4 A. A registered voter may apply for an in-person absentee ballot at the office of the county election board from 9 a.m. to 5 p.m. on Thursday, Friday, Saturday and Monday immediately preceding any statewide election and on Monday only for all other elections. As part of the application for an in-person absentee ballot such registered voter shall swear or affirm that he or she has not voted a regular mail absentee ballot and that he or she will not vote at the regular polling place in the election for which the in-person absentee ballot is requested.

B. One or more absentee voting boards shall be on duty from 9 a.m. to 5 p.m. at the office of the county election board on Thursday, Friday, Saturday and Monday immediately preceding any statewide election and on Monday only for all other elections. If the secretary of a county election board receives an application from a registered voter requesting to vote by in-person absentee ballot the secretary shall cause to be implemented the following procedures:

1. An absentee voting board shall provide to each registered voter who applies for an in-person absentee ballot appropriate ballots and materials as may be necessary to vote;

2. The voter must sign an in-person absentee voter record, and his signature on such record must be certified by both members of the absentee voting board;

3. The voter must mark his ballots in the manner provided by law in the presence of the absentee voting board, but in such a manner as to make it impossible for any person other than the voter to ascertain how said ballots are marked. Insofar as is possible, the voting procedure shall be the same as if the voter were casting his vote in person at a precinct;

4. The voter shall then seal said ballots in an opaque envelope prescribed by the Secretary of the State Election Board which shall be deposited in the locked ballot box provided for regular mail absentee ballots; and

5. Ballots cast in said manner shall be counted in the same manner as regular mail absentee ballots.

SECTION 4. This act shall become effective July 1, 1993.

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.

44-1-9561

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