

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1982

By: Coleman

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 1991, Section 2-118, as last amended by Section 2, Chapter 57, O.S.L. 1996 (26 O.S. Supp. 1996, Section 2-118), which relates to compensation of the county election board secretaries; authorizing the State Election Board to reduce salary in certain circumstances; amending 26 O.S. 1991, Sections 4-120.4, as last amended by Section 7, Chapter 290, O.S.L. 1995 and 4-120.7, as last amended by Section 23, Chapter 260, O.S.L. 1994 (26 O.S. Supp. 1996, Sections 4-120.4 and 4-120.7), which relate to cancellation of voter registration; modifying time for cancellation of registration of convicted felons; authorizing voter to apply for reinstatement if conviction is overturned; requiring reinstatement if proof is provided that conviction has been overturned; authorizing certain actions by the State Election Board if county election board secretary fails to purge central registry; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 2-118, as last amended by Section 2, Chapter 57, O.S.L. 1996 (26 O.S. Supp. 1996, Section 2-118), is amended to read as follows:

Section 2-118. A. 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, 1995, 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 10,000	\$15,438.28
10,001 to 15,000	\$16,238.28
15,001 to 17,500	\$19,402.45
17,501 to 25,000	\$22,578.93
25,001 to 50,000	\$28,288.18
50,001 to 75,000	\$37,160.58
75,001 to 150,000	\$42,285.58
150,001 or more	\$47,410.58

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.

B. The State Election Board may reduce the salary of a county election board secretary, in an amount not to exceed twenty-five percent (25%) of the salary listed in subsection A of this section, if the secretary fails to comply with the provisions of Section 4-120.7 of this title.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 4-120.4, as last amended by Section 7, Chapter 290, O.S.L. 1995 (26 O.S. Supp. 1996, Section 4-120.4), is amended to read as follows:

Section 4-120.4 A. The Department of Corrections shall transmit each month a list of all persons convicted of felonies, ~~which convictions have become final,~~ and placed in the custody of the Department of Corrections and deliver said list to the Secretary of the State Election Board. The Secretary of the State Election Board shall accept written notice from the United States Attorney of persons convicted of felonies in a district court of the United States, ~~which convictions have become final.~~ The Secretary of the State Election Board shall transmit said list and notice to the secretary of each county election board who shall cancel the registrations of all registered voters included on said list and notice, and such persons shall be ineligible for registration for a period of time equal to the time prescribed in the judgment and sentence; provided, if the judgment is overturned on appeal, the voter may apply to have registration restored. The registration shall be restored if the voter provides proof that the conviction has been overturned.

B. The court clerk in each county shall forward a copy of each journal entry of judgment and sentence for each person convicted in the county of a felony to the secretary of the county election board within forty-five (45) days after the journal entry is filed. The secretary shall cancel the registration of all registered voters

included on the journal entries and the registered voters shall be ineligible for registration for a period of time equal to the time prescribed in the journal entry.

SECTION 3. AMENDATORY 26 O.S. 1991, Section 4-120.7, as last amended by Section 23, Chapter 260, O.S.L. 1994 (26 O.S. Supp. 1996, Section 4-120.7), is amended to read as follows:

Section 4-120.7 A. The registration application of registered voters whose registration has been canceled, upon written notice of the voter, death, conviction of a felony, judicial determination of mental incapacitation or registration in another county or state in the manner hereinbefore provided, shall be removed from the central registry and maintained separately for a period of twenty-four (24) months by the secretary of each county election board. Reason for cancellation and date of said cancellation shall be noted on said registration application. After twenty-four (24) months, the registration application shall be destroyed.

B. If the secretary of a county election board fails to remove canceled voter registrations from the central registry, as required by law, the State Election Board shall have the authority to remove the secretary from office or reduce the salary of the secretary pursuant to Section 2-118 of this title.

SECTION 4. This act shall become effective November 1, 1997.

46-1-5750 SD