CS for SB 924

THE STATE SENATE
Wednesday, February 20, 2002

Committee Substitute for

Senate Bill No. 924

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 924 - By: LAUGHLIN and REYNOLDS of the Senate and PERRY of the House.

An Act relating to elections; authorizing the State Election Board to prescribe a statement known as the Voter's Bill of Rights; stating contents; requiring the State Election Board to provide certain information in specified form to each precinct; amending 26 O.S. 2001, Section 16-105, which relates to voter fraud; providing for certain information to be posted at precincts; stating certain duties of the State Election Board; providing for codification; providing an effective date; 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 7-103.1 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. The State Election Board shall prescribe a statement of the rights of a voter in Oklahoma that shall be known as the "Voter's Bill of Rights".

B. The statement prescribed in subsection A of this section must contain the following:

1. A statement of the qualifications that an individual must meet to vote in Oklahoma, including qualifications relating to registration;

2. A statement informing the voter that every registered voter who is present at the polling place between the hours of 7 a.m. and 7 p.m. on election day is entitled to vote;

3. A statement describing the Oklahoma primary system;

4. A statement describing the circumstances that permit a voter who has moved from the precinct where the voter is registered to return to that precinct to vote;

5. A statement that an individual who meets the qualifications and circumstances listed in paragraphs 1 and 2 of this subsection may vote in the election;

6. A statement informing the voter what assistance is available to assist the voter at the polls;

7. A statement informing the voter what circumstances will spoil the voter's ballot and the procedures available for the voter to request a new ballot;

8. A statement describing election day prohibitions;

9. A statement informing the voter what circumstances constitute voter fraud; and

10. A statement stating the right to have nondiscriminatory equal access to the elections system for all voters, including elderly, disabled, minority, military and overseas citizens.

B. The State Election Board shall have printed, in type large enough to be easily visible to voters entering the polling place, a

poster at least nineteen (19) inches by twenty-five (25) inches containing the voter's bill of rights. The Board shall provide not less than two posters for each voting precinct for each election.

SECTION 2. AMENDATORY 26 O.S. 2001, Section 16-105, is amended to read as follows:

Section 16-105. A. Any person who knowingly perpetrates fraud, or who steals supplies used to conduct an election, in order to change a voter's vote, or to change the composition of the official ballot or ballots, or to change the counting of the ballots, or to change the certification of the results of an election, shall be deemed guilty of a felony.

B. At every precinct information shall be posted on the Voter's Bill of Rights, which states the penalties for voter fraud and states that, if voter fraud is suspected, complaints should be reported to the State Election Board.

C. The State Election Board shall, upon receiving the complaint:

1. Document such complaint and request the name and mailing address of the person making the complaint;

2. Send a letter to the person making the complaint stating the penalties for voter fraud and the option of contacting the district attorney in the county where such fraud is suspected; and

3. Provide the district attorney's name and phone number.

SECTION 3. This act shall become effective July 1, 2002.

SECTION 4. 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.

COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-18-02 - DO PASS, As Amended and Coauthored.