

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1030

By: Sullivan (John)

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 1991, Sections 14-114, 14-115, and 14-115.5, as last amended by Section 4, Chapter 315, O.S.L. 1995 (26 O.S. Supp. 2000, Section 14-115.5), which relate to absentee voting; providing voting procedure for persons residing in assisted living centers; providing travel reimbursement for certain member of absentee voting board; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 14-114, is amended to read as follows:

Section 14-114. If the secretary of a county election board receives such a request from an incapacitated elector confined to a nursing home ~~or~~, convalescent hospital, or assisted living center, as defined in Section 1-890.2 of Title 63 of the Oklahoma Statutes, outside the county of his jurisdiction, the secretary shall provide ballots and materials in the manner hereinbefore prescribed.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 4-115, is amended to read as follows:

Section 4-115. If the secretary of a county election board receives a request from an incapacitated elector confined to a nursing home ~~or~~, convalescent hospital, or assisted living center, as defined in Section 1-890.2 of Title 63 of the Oklahoma Statutes, within the county of his jurisdiction, the secretary shall cause to be implemented the following procedures:

1. On the Friday, Saturday or Monday preceding the election, the absentee voting board shall deliver to each registered voter who is confined to a nursing home ~~or~~, convalescent hospital, or assisted

living center and who requested ballots for an incapacitated voter said ballots and materials as may be necessary to vote same.

2. The voter must mark his ballots in the manner hereinbefore provided 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.

3. The voter shall then seal said ballots in the plain opaque envelope and shall seal said plain opaque envelope in the envelope bearing an affidavit. The voter must complete said affidavit, and his signature on same must be witnessed by both members of the absentee voting board.

4. The envelope bearing an affidavit then must be sealed in the return envelope, which shall be returned by the absentee voting board to the secretary of the county election board on the same day said affidavit was executed.

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

SECTION 3. AMENDATORY 26 O.S. 1991, Section 14-115.5, as last amended by Section 4, Chapter 315, O.S.L. 1995 (26 O.S. Supp. 1999, Section 14-115.5), is amended to read as follows:

Section 14-115.5 To carry out the provisions of Section 14-115 of this title and Section 14-115.4 of this title, the secretary of the county election board shall designate one or more absentee voting boards, to be composed of two (2) members each, with each member to be of a different political affiliation. No later than August 1 in each even-numbered year, the chairmen of the county central committees of the two political parties having the highest number of registered voters in the county shall each submit a list of ten names to the secretary. Said lists shall contain names of registered voters of the county, who may be members of the county

election board, except the secretary, or precinct election boards or counters. The secretary shall be confined to said list in designating membership on the absentee voting board or boards, unless all persons on said lists are ineligible or unwilling to serve. In the event the chairman of the county central committee of a political party fails to submit a list as herein provided, the secretary shall appoint membership to said board or boards from the ranks of registered voters of said party within the county.

Provided further, that in the event the list of names of either or both parties is exhausted and additional absentee voting boards are needed, the secretary shall appoint additional members to said boards from the ranks of said party or parties in the county.

Members of an absentee voting board shall be reimbursed for their expenses at the rate of Forty Dollars (40.00) per day. One member of each such board serving a nursing home ~~or~~, convalescent hospital, or assisted living center shall be allowed mileage reimbursement at the rate prescribed for travel by state employees according to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 4. This act shall become effective November 1, 2001.

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