

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1245

By: Ross

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 1991, Sections 7-119 and 7-127, which relate to conduct of elections; eliminating straight-party voting; repealing 26 O.S. 1991, Sections 20-101, 20-102, 20-103, 20-104 and 20-105, which relate to the Presidential Preference Primary; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 7-119, is amended to read as follows:

Section 7-119. The voter shall vote by marking the ballot as prescribed by the Secretary of the State Election Board ~~for the party of his choice or~~ for the voter's choice of candidates ~~of his choice~~ or for the answer ~~he~~ the voter desires to select on each question.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 7-127, is amended to read as follows:

Section 7-127. The following rules shall govern the counting and recounting of votes:

1. If the name of any person is written on a ballot, said name shall not be counted;

2. Any mark prescribed by the Secretary of the State Election Board made by voters indicating the voter's choice of ~~party,~~ candidate or issue on a ballot shall be valid. Such marking shall be hereinafter referred to as "valid markings". Such valid markings located otherwise on the ballot shall not be counted;

3. Marks used to designate the intention of the voter, other than those herein defined as valid markings, shall not be counted;

4. Failure to properly mark a ballot as to one or more candidates or questions shall not of itself invalidate the entire ballot if the same has been properly marked as to other candidates or questions; and

~~5. A valid marking marked for a political party shall be counted as a vote for each of said political party's candidates on that ballot, except that a valid marking marked for a candidate's name shall take precedence, for that office, over a valid marking for a political party. Provided, further, that if valid markings are marked for more than one political party on a ballot, said ballot shall not be counted for any party offices thereon; and~~

~~6.~~ Any ballot or part of a ballot on which it is impossible to determine the voter's choice of candidate shall be void as to the candidate or candidates thereby affected.

SECTION 3. REPEALER 26 O.S. 1991, Sections 20-101, 20-102, 20-103, 20-104 and 20-105, are hereby repealed.

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

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