

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1843

By: Shumate

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2001, Section 4-120 and 4-120.4, as amended by Section 7, Chapter 447, O.S.L. 2002 (26 O.S. Supp. 2004, Section 4-120.4), which relate to voter registration; modifying voting rights of felons; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 4-120, is amended to read as follows:

Section 4-120. The registration of any registered voter may be cancelled only for one of the following reasons: Written notice from the voter; death; conviction of a felony; judicial determination of mental incapacitation under Title 30 of the Oklahoma Statutes; registration in another county or state; or failure to respond to a confirmation of address mailing and failure to vote as prescribed in Section ~~21~~ 4-120.2 of this ~~act~~ title. Provided, however, while on probation or parole, a person may petition the State Election Board for voter registration.

SECTION 2. AMENDATORY 26 O.S. 2001, Section 4-120.4, as amended by Section 7, Chapter 447, O.S.L. 2002 (26 O.S. Supp. 2004, Section 4-120.4), is amended to read as follows:

Section 4-120.4 A. 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. The Secretary of the State Election Board shall cause the voter registrations of persons listed in the written notice to be

cancelled in the county of the person's residence and shall notify the secretary of the appropriate county election board of the cancellation.

B. The court clerk in each county shall prepare a list monthly of all persons convicted in the county of a felony and shall transmit the list to the secretary of the county election board. The list shall include information necessary to identify a person on the list as a registered voter prescribed by the Secretary of the State Election Board. The secretary shall cancel the registration of registered voters in the county included on the list. The secretary of the county election board shall forward the names of any persons on the list who are not residents of the county to the Secretary of the State Election Board. The Secretary of the State Election Board shall cause the voter registrations of persons from a list who are forwarded to the Secretary to be cancelled in the county of the person's residence.

C. Incarcerated felons shall be ineligible for registration for the duration of incarceration; however, while on probation or parole, a person may petition the State Election Board for voter registration.

D. The Secretary of the State Election Board, secretaries of county election boards, and their agents and employees shall not be held civilly liable for any action taken based upon information concerning felony convictions received from a United States Attorney or a county court clerk pursuant to subsections A and B of this section if a reasonable effort was made to make an accurate match of the information provided with voter registration records before canceling any voter's registration.

SECTION 3. This act shall become effective November 1, 2005.

50-1-5760 SD 01/16/05