

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1402

By: Hilliard

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Section 14-115, as last amended by Section 12,
9 Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2008, Section
10 14-115), which relates to absentee ballots; providing
11 procedure for absentee ballots for persons confined
12 to veterans centers; and providing an effective date.

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

14 SECTION 1. AMENDATORY 26 O.S. 2001, Section 14-115, as
15 last amended by Section 12, Chapter 485, O.S.L. 2003 (26 O.S. Supp.
16 2008, Section 14-115), is amended to read as follows:

17 Section 14-115. If the secretary of a county election board
18 receives a request from an incapacitated elector confined to a
19 nursing facility, as defined in Section 1-1902 of Title 63 of the
20 Oklahoma Statutes, or a veterans center established pursuant to
21 Title 72 of the Oklahoma Statutes within the county of the
22 jurisdiction of the secretary, the secretary shall cause to be
23 implemented the following procedures:
24

1 1. On the Thursday, Friday, Saturday or Monday preceding the
2 election, the absentee voting board shall deliver to each registered
3 voter who is confined to a nursing facility, as defined in Section
4 1-1902 of Title 63 of the Oklahoma Statutes, or a veterans center
5 established pursuant to Title 72 of the Oklahoma Statutes and who
6 requested ballots for an incapacitated voter said ballots and
7 materials as may be necessary to vote same.

8 2. The voter must mark the ballots in the manner hereinbefore
9 provided in the presence of the absentee voting board, but in such a
10 manner as to make it impossible for any person other than the voter
11 to ascertain how said ballots are marked. Insofar as is possible,
12 the voting procedure shall be the same as if the voter were casting
13 a vote in person at a precinct.

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

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

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

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SECTION 2. This act shall become effective November 1, 2009.

52-1-5846 LRB 12/11/08