

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1847

By: McMullen

4
5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Section 1-104, which relates to closed primaries;
9 allowing certain voters to vote in certain elections;
10 eliminating requirement and procedure for political
11 party permission; and providing an effective date.

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

13 SECTION 1. AMENDATORY 26 O.S. 2001, Section 1-104, is
14 amended to read as follows:

15 Section 1-104. A. ~~No~~ A registered voter shall only be
16 permitted to vote in any the Primary Election or Runoff Primary
17 Election of ~~any political party except~~ the political party of which
18 ~~his~~ the registration form of the voter shows ~~him~~ the voter to be a
19 member, ~~except as otherwise provided by this section.~~ A registered
20 voter who registers as "No Party" shall be permitted to vote in the
21 political party's election of the voter's choice for the Primary
22 Election and Runoff Primary Election. A registered voter who
23 registers as "No Party" shall only vote using a single political
24 party's ballot for each Primary Election or Runoff Primary Election,

1 but shall be able to vote on a different political party's ballot on
2 subsequent Primary Elections and Runoff Primary Elections.

3 ~~B. 1. A recognized political party may permit registered~~
4 ~~voters designated as Independents pursuant to the provisions of~~
5 ~~Section 4-112 of this title to vote in a Primary Election or Runoff~~
6 ~~Primary Election of the party.~~

7 ~~2. The state chairman of the party shall, between November 1~~
8 ~~and 30 of every odd numbered year, notify the Secretary of the State~~
9 ~~Election Board as to whether or not the party intends to permit~~
10 ~~registered voters designated as Independents to vote in a Primary~~
11 ~~Election or Runoff Primary Election of the party. If the state~~
12 ~~chairman notifies the Secretary of the State Election Board of the~~
13 ~~party's intention to so permit, registered voters designated as~~
14 ~~Independents shall be permitted to vote in any Primary Election or~~
15 ~~Runoff Primary Election of the party held in the following two (2)~~
16 ~~calendar years. If the state chairman of one party notifies the~~
17 ~~Secretary of the State Election Board of the party's intent to so~~
18 ~~permit, the notification period specified in this paragraph shall be~~
19 ~~extended to December 15 for the state chairman of any other party to~~
20 ~~so notify or to change prior notification. A registered voter~~
21 ~~designated as Independent shall not be permitted to vote in a~~
22 ~~Primary Election or Runoff Primary Election of more than one party.~~

23 ~~3. Failure to so notify the Secretary of the State Election~~
24 ~~Board shall serve to prohibit registered voters designated as~~

1 ~~Independents from voting in a Primary Election or Runoff Primary~~
2 ~~Election of the party.~~

3 4. ~~A group of persons seeking to form a recognized political~~
4 ~~party pursuant to the provisions of Section 1-108 of this title~~
5 ~~shall, upon filing of the petitions seeking recognition of the~~
6 ~~political party with the Secretary of the State Election Board,~~
7 ~~notify the Secretary of the State Election Board as to whether or~~
8 ~~not the party intends to permit registered voters designated as~~
9 ~~Independents to vote in a Primary Election or Runoff Primary~~
10 ~~Election of the party. If the party is recognized and the group of~~
11 ~~persons seeking recognition of the party notifies the Secretary of~~
12 ~~the State Election Board of such intention, registered voters~~
13 ~~designated as Independents shall be permitted to vote in any Primary~~
14 ~~Election or Runoff Primary Election of the party held prior to~~
15 ~~January 1 of the following even-numbered year.~~

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

17
18 52-1-6550 LRB 01/14/09

19
20
21
22
23
24