

1 STATE OF OKLAHOMA

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

3 SENATE BILL 566

By: Laster

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5  
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,  
8 Section 14-115.4, as last amended by Section 8,  
9 Chapter 307, O.S.L. 2004 (26 O.S. Supp. 2008, Section  
10 14-115.4), which relates to in-person absentee  
11 voting; extending hours for in-person absentee voting  
12 for certain elections; and providing an effective  
13 date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2001, Section 14-115.4, as  
16 last amended by Section 8, Chapter 307, O.S.L. 2004 (26 O.S. Supp.  
17 2008, Section 14-115.4), is amended to read as follows:

18 Section 14-115.4 A. A For an election other than a General  
19 Election specified in Section 1-101 of this title, a registered  
20 voter may apply for an in-person absentee ballot at a location  
21 designated by the secretary of the county election board from 8 a.m.  
22 to 6 p.m. on the Friday and Monday immediately preceding any  
23 election and from 8 a.m. to 1 p.m. on the Saturday immediately  
24 preceding a state or federal election.

1        For a General Election specified in Section 1-101 of this title,  
2 a registered voter may apply for an in-person absentee ballot at a  
3 location designated by the secretary of the county election board  
4 from 8 a.m. to 6 p.m. on the second Monday preceding the election  
5 and on the Tuesday, Wednesday, Thursday, Friday and Monday  
6 immediately preceding the election and from 8 a.m. to 1 p.m. on the  
7 Saturday immediately preceding the election.

8        As part of the application for an in-person absentee ballot,  
9 such registered voter shall swear or affirm that the voter has not  
10 voted a regular mail absentee ballot and that the voter will not  
11 vote at the regular polling place in the election for which the in-  
12 person absentee ballot is requested.

13        B. One or more absentee voting boards shall be on duty ~~from 8~~  
14 ~~a.m. to 6 p.m.~~ during the time periods specified in subsection A of  
15 this section at the in-person absentee polling place ~~on Friday and~~  
16 ~~Monday immediately preceding any election and from 8 a.m. to 1 p.m.~~  
17 ~~on Saturday immediately preceding a state or federal election.~~ If  
18 the secretary of a county election board receives an application  
19 from a registered voter requesting to vote by in-person absentee  
20 ballot, the secretary shall cause to be implemented the following  
21 procedures:

22        1. An absentee voting board shall provide to each registered  
23 voter who applies for an in-person absentee ballot appropriate  
24 ballots and materials as may be necessary to vote;

1           2. The voter must sign an in-person absentee voter record, and  
2 the signature of the voter on such record must be certified by both  
3 members of the absentee voting board, except that the secretary of  
4 the county election board and one other member of the absentee  
5 voting board may certify the signature of another member of the  
6 absentee voting board;

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

13           4. The voter shall then deposit the ballot in a voting device  
14 designated for in-person absentee voting by the secretary of the  
15 county election board;

16           5. When the in-person polling place is closed on each day of  
17 in-person absentee voting the in-person absentee voting board shall,  
18 without obtaining a printout of results, remove the vote data pack  
19 from the voting device and seal ballots counted that day in a  
20 transfer case which shall be secured by the sheriff of the county in  
21 the same manner as provided in Section 8-110 of this title. The  
22 vote data pack shall be sealed in a container prescribed by the  
23 Secretary of the State Election Board. The sheriff shall secure the  
24 sealed vote data pack container and return it to the in-person

1 absentee voting board no later than ~~7:45 a.m.~~ fifteen minutes prior  
2 to the first hour specified in subsection A of this section on the  
3 next day of in-person absentee voting or to the secretary of the  
4 county election board at the time of the county election board  
5 meeting to count absentee ballots on election day;

6 6. The vote data pack or packs used for in-person absentee  
7 voting shall be used by the county election board to count absentee  
8 ballots on election day as provided in Section 14-125 of this title;  
9 and

10 7. If there is a malfunction in such a way that the vote data  
11 pack used for in-person absentee voting will not function, the  
12 sheriff is authorized to return the transfer cases containing in-  
13 person absentee ballots to the county election board to be recounted  
14 as provided in Section 7-134.1 of this title.

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

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