

1 STATE OF OKLAHOMA

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

3 SENATE BILL 962

By: Johnson (Constance)

4
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.

19 A. A registered voter may apply for an in-person absentee
20 ballot at a location designated by the secretary of the county
21 election board ~~from~~ during the following hours:

22 1. From 8 a.m. to 6 p.m. on Friday and Monday immediately
preceding any election ~~and from~~ other than a General Election;

23 2. From 8 a.m. to 1 p.m. on Saturday immediately preceding a
24 state or federal election other than a General Election;

1 3. From 6 a.m. to 9 p.m. on Friday and Monday immediately
2 preceding a General Election; and

3 4. From 6 a.m. to 6 p.m. on Saturday immediately preceding a
4 General Election.

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

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

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

22 2. The voter must sign an in-person absentee voter record, and
23 the signature of the voter on such record must be certified by both
24 members of the absentee voting board, except that the secretary of

1 the county election board and one other member of the absentee
2 voting board may certify the signature of another member of the
3 absentee voting board;

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

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

13 5. When the in-person polling place is closed on each day of
14 in-person absentee voting, the in-person absentee voting board
15 shall, without obtaining a printout of results, remove the vote data
16 pack from the voting device and seal ballots counted that day in a
17 transfer case which shall be secured by the sheriff of the county in
18 the same manner as provided in Section 8-110 of this title. The
19 vote data pack shall be sealed in a container prescribed by the
20 Secretary of the State Election Board. The sheriff shall secure the
21 sealed vote data pack container and return it to the in-person
22 absentee voting board no later than ~~7:45 a.m.~~ fifteen minutes prior
23 to the first hour specified in subsection A of this section on the
24 next day of in-person absentee voting or to the secretary of the

1 county election board at the time of the county election board
2 meeting to count absentee ballots on election day;

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

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

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

13

14 52-1-157 CD 3/6/2009 7:54:25 AM

15

16

17

18

19

20

21

22

23

24