

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 214

By: Burrage of the Senate

3 and

4 Banz of the House

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7 An Act relating to county and precinct election board
8 members; amending 26 O.S. 2001, Sections 2-114 and 2-
9 132, which relate to removal and disqualification of
10 board members; granting authority to State Election
11 Board to remove alternate members of county election
12 boards; requiring resignation of certain persons
13 disqualified from service and providing for
14 replacement; prohibiting certain persons from serving
15 on absentee voting board or county election board;
16 deleting certain duty of Secretary of State Election
17 Board; and providing an effective date.

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15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

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17 "An Act relating to county and precinct election
18 board members; amending 26 O.S. 2001, Sections 2-114
19 and 2-132, which relate to removal and
20 disqualification of board members; granting
21 authority to State Election Board to remove
22 alternate members of county election boards;
23 requiring resignation of certain persons
24 disqualified from service and providing for
replacement; prohibiting certain persons from
serving on absentee voting board or county election
board; deleting certain duty of Secretary of State
Election Board; and providing an effective date.

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

1 SECTION 1. AMENDATORY 26 O.S. 2001, Section 2-114, is
2 amended to read as follows:

3 Section 2-114. The State Election Board shall have the
4 authority to remove any ~~chairman or vice chairman~~ chair, vice-chair
5 or any alternate member of any county election board at any time.

6 SECTION 2. AMENDATORY 26 O.S. 2001, Section 2-132, is
7 amended to read as follows:

8 Section 2-132. A. No person shall serve on a county election
9 board, precinct election board or absentee voting board at any
10 election in which he or she is a candidate for office, or is a
11 deputy or regular employee of a candidate for office. Any person so
12 disqualified shall resign the office or position no later than ten
13 (10) days following the close of the filing period during which such
14 candidacy was filed. In the event a member of a precinct election
15 board or an absentee voting board is so disqualified, it shall be
16 the duty of the secretary of the county election board to appoint a
17 suitable replacement for the affected election.

18 B. No person shall serve on a precinct election board ~~or~~
19 ~~absentee voting board~~ at any election in which he or she is related
20 within the ~~third~~ second degree by either consanguinity or affinity
21 to a candidate for office on the ballot in the precinct. No person
22 shall serve on an absentee voting board at any election in which he
23 or she is related within the second degree by either consanguinity
24 or affinity to a candidate for office on the ballot in the county.

1 In the event a member of a precinct election board is so
2 ~~disqualified for one of the aforementioned reasons~~, it shall be the
3 duty of the secretary of the county election board to appoint a
4 suitable replacement for the official for said election. ~~Any person~~
5 ~~so disqualified shall resign the office or position no later than~~
6 ~~ten (10) days following the close of the filing period during which~~
7 ~~such candidacy was filed.~~

8 ~~A member of the county election board shall not participate in~~
9 ~~or carry out any duties or functions associated with the office~~
10 ~~during the actual conduct of a contest of candidacy or recount if~~
11 ~~the member is related within the third degree by either~~
12 ~~consanguinity or affinity to a candidate who is the petitioner or~~
13 ~~contestee in the contest of candidacy or who is a candidate in an~~
14 ~~election being recounted. In the event of such a contest or~~
15 ~~recount, the alternate for the member shall carry out the duties of~~
16 ~~the office during the actual conduct of the contest of candidacy or~~
17 ~~recount. The Secretary of the State Election Board shall appoint a~~
18 ~~replacement for the secretary to carry out the duties or functions~~
19 ~~of the office, including voting as a member of the county election~~
20 ~~board, during the actual conduct of the contest of candidacy or~~
21 ~~recount.~~

22 C. No person shall serve as a member, alternate member or
23 secretary of a county election board at any election in which he or
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1 she is related within the second degree by either consanguinity or
2 affinity to a candidate for office on the ballot in the county.

3 SECTION 3. This act shall become effective November 1, 2011."

4 Passed the House of Representatives the 4th day of April, 2011.

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7 _____
8 Presiding Officer of the House of
Representatives

9 Passed the Senate the ____ day of _____, 2011.

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