

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 214

By: Burrage of the Senate

and

6 Banz of the House

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8  
9 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

20 In the event a member of a precinct election board is so  
21 ~~disqualified for one of the aforementioned reasons~~, it shall be the  
22 duty of the secretary of the county election board to appoint a  
23 suitable replacement for the official for said election. ~~Any person~~  
24 ~~so disqualified shall resign the office or position no later than~~

1 ~~ten (10) days following the close of the filing period during which~~  
2 ~~such candidacy was filed.~~

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

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

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

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23 53-1-7358 LRB 03/30/11  
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