

1 ENGROSSED SENATE
2 BILL NO. 214

By: Burrage of the Senate

3 and

4 Banz of the House
5
6

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.

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

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

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

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

Section 2-132. A. No person shall serve on a county election
board, precinct election board or absentee voting board at any
election in which he or she is a candidate for office, or is a

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

8 B. No person shall serve on a precinct election board or
9 ~~absentee voting board~~ at any election in which he or she is related
10 within the third degree by either consanguinity or affinity to a
11 candidate for office on the ballot in the precinct. No person shall
12 serve on an absentee voting board at any election in which he or she
13 is related within the third degree by either consanguinity or
14 affinity to a candidate for office on the ballot in the county. In
15 the event a member of a precinct election board is so disqualified
16 ~~for one of the aforementioned reasons~~, it shall be the duty of the
17 secretary of the county election board to appoint a suitable
18 replacement for the official for said election. ~~Any person so~~
19 ~~disqualified shall resign the office or position no later than ten~~
20 ~~(10) days following the close of the filing period during which such~~
21 ~~candidacy was filed.~~

22 ~~A member of the county election board shall not participate in~~
23 ~~or carry out any duties or functions associated with the office~~
24 ~~during the actual conduct of a contest of candidacy or recount if~~

1 ~~the member is related within the third degree by either~~
2 ~~consanguinity or affinity to a candidate who is the petitioner or~~
3 ~~contestee in the contest of candidacy or who is a candidate in an~~
4 ~~election being recounted. In the event of such a contest or~~
5 ~~recount, the alternate for the member shall carry out the duties of~~
6 ~~the office during the actual conduct of the contest of candidacy or~~
7 ~~recount. The Secretary of the State Election Board shall appoint a~~
8 ~~replacement for the secretary to carry out the duties or functions~~
9 ~~of the office, including voting as a member of the county election~~
10 ~~board, during the actual conduct of the contest of candidacy or~~
11 ~~recount.~~

12 C. No person shall serve as a member, alternate member or
13 secretary of a county election board at any election in which he or
14 she is related within the third degree by either consanguinity or
15 affinity to a candidate for office on the ballot in the county.

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

17 Passed the Senate the 1st day of March, 2011.

18

19 _____
Presiding Officer of the Senate

20 Passed the House of Representatives the ____ day of _____,
21 2011.

22

23 _____
Presiding Officer of the House
of Representatives

24