

ENROLLED SENATE
BILL NO. 214

By: Burrage of the Senate

and

Banz of the House

An Act relating to county and precinct election board members; amending 26 O.S. 2001, Sections 2-114 and 2-132, which relate to removal and disqualification of board members; granting authority to State Election Board to remove alternate members of county election boards; requiring resignation of certain persons 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.

SUBJECT: County and precinct election board members

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

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

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.

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

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

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

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

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

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

Passed the Senate the 2nd day of May, 2011.

Presiding Officer of the Senate

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

Presiding Officer of the House
of Representatives