

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 3003

By: McAffrey and Dorman

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5  
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2011,  
8 Section 7-114, which relates to conduct of elections;  
9 modifying proof of identity; providing an effective  
10 date; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-114, is  
14 amended to read as follows:

15 Section 7-114. A. Each person appearing to vote shall announce  
16 that person's name to the judge of the precinct and shall provide  
17 proof of identity, whereupon the judge shall determine whether the  
18 person's name is in the precinct registry. As used in this section,  
19 "proof of identity" shall mean a document that satisfies all of the  
20 following:

21 1. The document shows the name of the person to whom the  
22 document was issued, and the name substantially conforms to the name  
23 in the precinct registry;

1           2. The document shows a photograph of the person to whom the  
2 document was issued;

3           3. The document includes an expiration date, which is after the  
4 date of the election in which the person is appearing to vote. The  
5 provisions of this paragraph shall not apply to an identification  
6 card issued to a person sixty-five (65) years of age or older which  
7 is valid indefinitely, as provided in Section 6-105.3 of Title 47 of  
8 the Oklahoma Statutes; and

9           4. The document was issued by the United States, the State of  
10 Oklahoma, a higher education institution within The Oklahoma State  
11 System of Higher Education, a private educational institution  
12 coordinated with a state system, or the government of a federally  
13 recognized Indian tribe or nation.

14           Provided, if the person presents a voter identification card  
15 issued by the appropriate county election board, such card may serve  
16 as proof of identity without meeting the requirements of paragraphs  
17 2 and 3 of this subsection.

18           B. 1. If a person declines to or is unable to produce proof of  
19 identity, the person may sign a statement under oath, in a form  
20 approved by the Secretary of the State Election Board, swearing or  
21 affirming that the person is the person identified on the precinct  
22 registry, and shall be allowed to cast a provisional ballot as  
23 provided in Section 7-116.1 of this title.

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1        2. False swearing or affirming under oath shall be punishable  
2 as a felony as provided in Section 16-103 of this title, and the  
3 penalty shall be distinctly set forth on the face of the statement.

4        SECTION 2. This act shall become effective July 1, 2012.

5        SECTION 3. It being immediately necessary for the preservation  
6 of the public peace, health and safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

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10        53-2-9203        LRB        01/19/12

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