

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2593

By: Walker

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7 AS INTRODUCED

8 An Act relating to elections; amending 26 O.S. 2011,
9 Section 4-120.3, as last amended by Section 1,
10 Chapter 213, O.S.L. 2012 (26 O.S. Supp. 2013, Section
11 4-120.3), which relates to the cancellation of
12 registration of deceased persons; requiring funeral
13 director to execute certain form; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 26 O.S. 2011, Section 4-120.3, as
17 last amended by Section 1, Chapter 213, O.S.L. 2012 (26 O.S. Supp.
18 2013, Section 4-120.3), is amended to read as follows:

19 Section 4-120.3 A. The State Department of Health shall each
20 month transmit to the Secretary of the State Election Board a
21 certified list of all deaths of residents that have occurred within
22 the state for the immediately preceding month. The Secretary of the
23 State Election Board shall transmit such list to the secretary of
24 the county election board who shall then use such list to ascertain
those voters who are deceased, and shall thereafter remove such

1 deceased person's name from the central registry and voter
2 registration database. Such list shall be used only for the
3 purposes hereinbefore described.

4 B. In addition, the registration of a deceased voter may be
5 canceled by the secretary of a county election board upon the
6 receipt of a certified copy of a death certificate from any person
7 or upon the execution by the next of kin of such deceased voter of a
8 form and upon the nature of proof of the fact thereof as prescribed
9 by the Secretary of the State Election Board. Such form must be
10 executed in person by the deceased voter's next of kin at the county
11 election board office, in which case it shall be witnessed by the
12 secretary or other designated employees, at the deceased voter's
13 precinct polling place or at the next of kin's precinct polling
14 place in the same county on the day of any election, in which case
15 it shall be witnessed by the inspector of such precinct, or the form
16 may be personally signed by the next of kin, such signature to be
17 notarized by a notary public or witnessed by two persons whose
18 signatures and addresses shall appear on the form, and returned to
19 the county election board.

20 C. The administrator of a nursing facility, as defined in
21 Section 1-1902 of Title 63 of the Oklahoma Statutes, or the
22 administrator of a veterans center established pursuant to Title 72
23 of the Oklahoma Statutes, also may execute a form prescribed by the
24 Secretary of the State Election Board to notify the secretary of the

1 county election board of the death of a nursing facility resident
2 who is a registered voter. The administrator's signature on such
3 form shall be witnessed by a member of the nursing home absentee
4 voting board, shall be notarized or shall be witnessed by two
5 persons whose signatures and addresses shall appear on the form.

6 D. A funeral director, as defined in Section 396.2 of Title 59
7 of the Oklahoma Statutes, ~~may~~ shall execute a form prescribed by the
8 Secretary of the State Election Board to notify the secretary of the
9 county election board of the death of a resident of the county. The
10 funeral director's signature on such form either shall be notarized
11 or shall be witnessed by two persons whose signatures and addresses
12 shall appear on the form. Upon receipt of such form or any notice
13 setting forth substantially the same facts and witnessed or
14 notarized as provided in this section, the secretary of the county
15 election board shall be authorized to cancel the voter registration
16 of such deceased person.

17 E. The registration of a deceased voter who was a member of the
18 Oklahoma National Guard or the armed forces of the United States and
19 who died in the line of duty may be canceled by the secretary of a
20 county election board upon the receipt of notification of the
21 voter's death from the Oklahoma National Guard or the armed forces
22 of the United States. The Secretary of the State Election Board may
23 prescribe the forms of such notification to be accepted by the
24 county election board in order to cause the registration of the

1 voter to be canceled. The Secretary shall further request the
2 Oklahoma National Guard and the armed forces of the United States to
3 provide notifications to the county election board as provided for
4 in this section.

5 SECTION 2. This act shall become effective November 1, 2014.

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