

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 173

By: Fry of the Senate

3 and

4 Banz of the House

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6  
7 An Act relating to notaries public; amending Section  
8 1, Chapter 26, O.S.L. 2012, as amended by Section 1,  
9 Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014, Section  
10 14-108.1), which relates to absentee ballots and  
11 affidavits; increasing maximum limit for certain  
12 notarial acts; and providing an effective date.

13 AUTHOR: Add the following House Coauthor: Perryman

14 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill  
15 and insert

16 "An Act relating to notaries public; amending Section  
17 1, Chapter 26, O.S.L. 2012, as amended by Section 1,  
18 Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014,  
19 Section 14-108.1), which relates to absentee ballots  
20 and affidavits; providing an exemption to the  
21 limitation on certain notarial acts; and providing  
22 an effective date.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:  
24

1 SECTION 1. AMENDATORY Section 1, Chapter 26, O.S.L.  
2 2012, as amended by Section 1, Chapter 347, O.S.L. 2014 (26 O.S.  
3 Supp. 2014, Section 14-108.1), is amended to read as follows:

4 Section 14-108.1 A. Neither a notary public nor an agent  
5 working on behalf of a notary public shall be authorized to:

6 1. Request absentee ballots on behalf of a voter other than  
7 himself or herself;

8 2. Assist a voter in requesting absentee ballots, other than  
9 for himself or herself or a member of his or her household;

10 3. Receive by mail an absentee ballot on behalf of a voter,  
11 other than for himself or herself or a member of his or her  
12 household; or

13 4. Submit a completed absentee ballot on behalf of a voter  
14 other than for himself or herself.

15 B. A notary public shall maintain a log of all absentee ballot  
16 affidavits that he or she notarizes for a period of at least two (2)  
17 years after the date of the election.

18 C. A notary public shall be authorized to notarize a maximum of  
19 twenty absentee ballot affidavits for a single election. Provided,  
20 a notary public may be authorized to notarize more than twenty  
21 absentee ballot affidavits with the written approval of the  
22 secretary of the county election board. Provided further, this  
23 subsection shall not apply to the notarizing of ballots at the place  
24

1 of business of the notary public during the normal business hours of  
2 the notary public.

3 D. If more than ten absentee ballots for a single election are  
4 requested to be mailed to a single mailing address, the secretary of  
5 the county election board shall immediately notify the district  
6 attorney for that county and the Secretary of the State Election  
7 Board. Provided, this requirement shall not apply to requests for  
8 ballots to be sent to nursing homes, veterans centers, medical  
9 facilities, multiunit housing, addresses of uniformed or overseas  
10 voters as defined by the Uniformed and Overseas Citizens Absentee  
11 Voting Act, or other locations authorized in writing by the  
12 Secretary of the State Election Board.

13 E. The provisions of this section shall only apply to an  
14 election conducted by a county election board or the State Election  
15 Board.

16 SECTION 2. This act shall become effective November 1, 2015."  
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2 BILL NO. 173

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19 himself or herself;

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21 for himself or herself or a member of his or her household;

22 3. Receive by mail an absentee ballot on behalf of a voter,  
23 other than for himself or herself or a member of his or her  
24 household; or

1           4. Submit a completed absentee ballot on behalf of a voter  
2 other than for himself or herself.

3           B. A notary public shall maintain a log of all absentee ballot  
4 affidavits that he or she notarizes for a period of at least two (2)  
5 years after the date of the election.

6           C. A notary public shall be authorized to notarize a maximum of  
7 ~~twenty~~ one hundred absentee ballot affidavits for a single election.  
8 Provided, a notary public may be authorized to notarize more than  
9 ~~twenty~~ one hundred absentee ballot affidavits with the written  
10 approval of the secretary of the county election board.

11           D. If more than ten absentee ballots for a single election are  
12 requested to be mailed to a single mailing address, the secretary of  
13 the county election board shall immediately notify the district  
14 attorney for that county and the Secretary of the State Election  
15 Board. Provided, this requirement shall not apply to requests for  
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