

1 ENGROSSED SENATE
2 BILL NO. 745

By: Sykes of the Senate

3 and

4 Johnson of the House
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7 An Act relating to election emergencies; amending 26
8 O.S. 2011, Section 22-101, which relates to election
9 emergency procedures; requiring Secretary of State
10 Election Board and Adjutant General to develop
11 election emergency plan; providing for Secretary to
12 request assistance of Oklahoma National Guard in
13 certain circumstances; providing that assistance not
14 deemed in violation of certain laws; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 26 O.S. 2011, Section 22-101, is
18 amended to read as follows:

19 Section 22-101. A. The Secretary of the State Election Board
20 is authorized to declare an election emergency for any area of the
21 state if it becomes impossible to conduct one or more elections
22 using voting devices or in the event that a national or local
23 emergency, either natural or manmade, makes substantial compliance
24 with state and federal election laws impossible or unreasonable.
The declaration must be made in writing and must specify the county

1 or counties, election or elections and dates covered by the
2 emergency.

3 B. The Secretary of the State Election Board and the Adjutant
4 General shall develop a contingency plan for a major election
5 emergency. The plan shall be developed not later than January 1,
6 2014, and shall be updated thereafter as deemed necessary by the
7 Secretary and the Adjutant General. The plan shall provide
8 procedures for the Secretary to request the assistance of the
9 Oklahoma National Guard in the conduct of an election during a
10 declared election emergency, upon approval of the Governor. Such
11 assistance shall not be deemed to be in violation of the provisions
12 of Section 16-113 of this title or Section 4 of Article II or
13 Section 5 of Article III of the Oklahoma Constitution.

14 C. The Secretary of the State Election Board is authorized to
15 promulgate rules and procedures for elections conducted under a
16 declaration consistent with purposes of state and federal election
17 laws.

18 SECTION 2. This act shall become effective November 1, 2013.
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1 Passed the Senate the 5th day of March, 2013.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2013.

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9 Presiding Officer of the House
10 of Representatives