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February 12, 2014

By: Dahm of the Senate

and

Ritze of the House

An Act relating to voting eligibility; amending 26 O.S. 2011, Section 7-114, as amended by Section 1, Chapter 38, O.S.L. 2013 (26 O.S. Supp. 2013, Section 7-114), which relates to procedures for determining eligibility; modifying documents satisfying requirement to provide proof of identity; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-114, as amended by Section 1, Chapter 38, O.S.L. 2013 (26 O.S. Supp. 2013, Section 7-114), is amended to read as follows:

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

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

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

6        3. The document includes an expiration date, which is after the  
7 date of the election in which the person is appearing to vote. The  
8 provisions of this paragraph shall not apply to:

9            a. an identification card issued to a person sixty-five  
10                (65) years of age or older which is valid

11                indefinitely, as provided in Section 6-105.3 of Title  
12                47 of the Oklahoma Statutes, ~~or~~

13            b. an identification card issued by a branch of the armed  
14                services of the United States to a person who is a  
15                member of such branch or is retired therefrom,

16            c. an expired Oklahoma driver license, or

17            d. an expired United States passport; and

18        4. The document was issued by the United States, the State of  
19 Oklahoma or the government of a federally recognized Indian tribe or  
20 nation.

21        Provided, if the person presents a voter identification card  
22 issued by the appropriate county election board, such card may serve  
23 as proof of identity without meeting the requirements of paragraphs  
24 2 and 3 of this subsection.

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

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

10       SECTION 2. This act shall become effective January 1, 2015.

11 COMMITTEE REPORT BY: COMMITTEE ON RULES  
12 February 12, 2014 - DO PASS  
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