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February 20, 2013

By: Sykes of the Senate

and

Johnson of the House

An Act relating to election emergencies; amending 26 O.S. 2011, Section 22-101, which relates to election emergency procedures; requiring Secretary of State Election Board and Adjutant General to develop election emergency plan; providing for Secretary to request assistance of Oklahoma National Guard in certain circumstances; providing that assistance not deemed in violation of certain laws; and providing an effective date.

ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

AMENDATORY 26 O.S. 2011, Section 22-1

to read as follows:

tion 22-101. A. The Secretary of the State Election
 orized to declare an election emergency for any area
 f it becomes impossible to conduct one or more electi
 oting devices or in the event that a national or loca
 cy, either natural or manmade, makes substantial comp
 ate and federal election laws impossible or unreasona
 laration must be made in writing and must specify the

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.

19 COMMITTEE REPORT BY: COMMITTEE ON RULES
20 February 20, 2013 - DO PASS
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