

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 745

By: Sykes

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6 AS INTRODUCED

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
request assistance of Oklahoma National Guard in
certain circumstances; providing that assistance not
deemed in violation of certain laws; and providing an
effective date.

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

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

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

23 The declaration must be made in writing and must specify the county
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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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