

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1108

By: Justice of the Senate

and

Banz of the House

COMMITTEE SUBSTITUTE

An Act relating to elections; amending 26 O.S. 2011, Sections 2-128.1, 6-105, 6-110, 7-132 and 10-105, which relate to conduct of elections; modifying authority of Secretary of State Election Board to obtain services of additional precinct election board members under certain circumstances; modifying information required to be printed on ballots; requiring party ballots to be differentiated by certain means; modifying procedure for transmittal of election results to Secretary of State Election Board; authorizing Secretary of State Election Board to modify method of identifying Presidential Electors; allowing delay of certain mailing if sufficient funds not available; providing for noncodification; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 2-128.1, is amended to read as follows:

Section 2-128.1. In anticipation of large numbers of voters in specific precincts at any election, the Secretary of the State

1 Election Board may authorize the secretary of any county election
2 board to appoint or employ additional precinct election board
3 members, ~~in multiples of three,~~ as needed to assist the regular
4 precinct election officials in processing voters. The Secretary of
5 the State Election Board shall prescribe procedures to be used in
6 such cases.

7 SECTION 2. AMENDATORY 26 O.S. 2011, Section 6-105, is
8 amended to read as follows:

9 Section 6-105. At the General Election, ~~each~~ the ballot shall
10 contain a separate section for the following:

- 11 1. ~~Electors for~~ President and Vice President;
- 12 2. United States Senators and United States Representatives;
- 13 3. State officers;
- 14 4. Justices of the Supreme Court, Judges of the Court of
15 Criminal Appeals and Judges of the Court of Appeals;
- 16 5. District judges and associate district judges;
- 17 6. State questions; and
- 18 7. State Senators, State Representatives, district attorneys
19 and county officers.

20 SECTION 3. AMENDATORY 26 O.S. 2011, Section 6-110, is
21 amended to read as follows:

22 Section 6-110. The names of candidates of the several political
23 parties shall be printed on separate ballots for the Primary and
24 Runoff Primary Elections, and each party's ballot shall be a

1 ~~different~~ differentiated by color or by other conspicuous means
2 determined by the Secretary of the State Election Board.

3 SECTION 4. AMENDATORY 26 O.S. 2011, Section 7-132, is
4 amended to read as follows:

5 Section 7-132. After the last voter has voted, the inspector
6 shall insert the key or other device in the voting device and obtain
7 printouts of results from the election results storage medium. The
8 Secretary of the State Election Board shall prescribe the number of
9 such printouts to be obtained. The inspector, judge and clerk shall
10 each sign all printouts which shall be certificates that the results
11 of the precinct are true and correct. The printed certificate of
12 vote and electronic results of the election results storage medium
13 shall be official results of the precinct. The inspector shall
14 cause one copy of each certificate to be posted on the door or
15 entrance of the polling place ~~and~~. The secretary of the county
16 election board shall cause one copy of each certificate the official
17 results of the precinct to be transmitted forthwith to the Secretary
18 of the State Election Board in the manner prescribed by the
19 Secretary of the State Election Board.

20 SECTION 5. AMENDATORY 26 O.S. 2011, Section 10-105, is
21 amended to read as follows:

22 Section 10-105. A. At any General Election in which
23 Presidential Electors are to be elected, the State Election Board
24 shall provide ballots on which the names of the Presidential

1 Electors of each political party shall be ~~bracketed~~ printed adjacent
2 to the names of ~~said~~ the party's candidates for President and Vice
3 President. The names of the Independent nominees for Presidential
4 Electors shall be ~~bracketed~~ printed adjacent to the names of the
5 candidates for President and Vice President for whom they have
6 subscribed an oath to cast their ballots or ~~bracketed~~ printed
7 adjacent to the word "Uncommitted" in the event ~~said~~ the nominees
8 are uncommitted. ~~Said~~ The ballots shall, in all other respects,
9 have the appearance of ballots used for state officers.

10 B. Provided, the Secretary of the State Election Board shall
11 have the authority to print only the names of the candidates for
12 President and Vice President of the United States on the ballot and
13 cause to be printed a supplemental list of the nominees for
14 Presidential Electors described in subsection A of this section. In
15 such a case, a list of the nominees for Presidential Electors may be
16 conspicuously displayed or posted in each voting booth or otherwise
17 made available to each voter.

18 SECTION 6. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 Notwithstanding the provisions of any statute of this state, if
21 the Secretary of the State Election Board determines that sufficient
22 funds are not available in fiscal year 2017 to send an address
23 confirmation mailing to certain voters by June 1, 2017, as required
24 by Section 4-120.2 of Title 26 of the Oklahoma Statutes, then the

Secretary may delay such mailing until a date not later than
December 31, 2017.

SECTION 7. It being immediately necessary for the preservation
of the public peace, health and safety, an emergency is hereby
declared to exist, by reason whereof this act shall take effect and
be in full force from and after its passage and approval.

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