

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 173

By: Fry of the Senate

and

Banz of the House

COMMITTEE SUBSTITUTE

An Act relating to notaries public; amending Section 1, Chapter 26, O.S.L. 2012, as amended by Section 1, Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014, Section 14-108.1), which relates to absentee ballots and affidavits; providing an exemption to the limitation on certain notarial acts; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 26, O.S.L. 2012, as amended by Section 1, Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014, Section 14-108.1), is amended to read as follows:

Section 14-108.1 A. Neither a notary public nor an agent working on behalf of a notary public shall be authorized to:

1. Request absentee ballots on behalf of a voter other than himself or herself;

1 2. Assist a voter in requesting absentee ballots, other than
2 for himself or herself or a member of his or her household;

3 3. Receive by mail an absentee ballot on behalf of a voter,
4 other than for himself or herself or a member of his or her
5 household; or

6 4. Submit a completed absentee ballot on behalf of a voter
7 other than for himself or herself.

8 B. A notary public shall maintain a log of all absentee ballot
9 affidavits that he or she notarizes for a period of at least two (2)
10 years after the date of the election.

11 C. A notary public shall be authorized to notarize a maximum of
12 twenty absentee ballot affidavits for a single election. Provided,
13 a notary public may be authorized to notarize more than twenty
14 absentee ballot affidavits with the written approval of the
15 secretary of the county election board. Provided further, this
16 subsection shall not apply to the notarizing of ballots at the place
17 of business of the notary public during the normal business hours of
18 the notary public.

19 D. If more than ten absentee ballots for a single election are
20 requested to be mailed to a single mailing address, the secretary of
21 the county election board shall immediately notify the district
22 attorney for that county and the Secretary of the State Election
23 Board. Provided, this requirement shall not apply to requests for
24 ballots to be sent to nursing homes, veterans centers, medical

1 facilities, multiunit housing, addresses of uniformed or overseas
2 voters as defined by the Uniformed and Overseas Citizens Absentee
3 Voting Act, or other locations authorized in writing by the
4 Secretary of the State Election Board.

5 E. The provisions of this section shall only apply to an
6 election conducted by a county election board or the State Election
7 Board.

8 SECTION 2. This act shall become effective November 1, 2015.

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