

1 ENGROSSED SENATE
2 BILL NO. 1016

By: Holt of the Senate

3 and

4 Banz of the House

5
6 [elections - voter registration applications -
7 political affiliation - confidential -
8 ~~emergency~~]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L. 2015
12 (26 O.S. Supp. 2015, Section 4-109.4), is amended to read as
13 follows:

14 Section 4-109.4. A. A person may submit a voter registration
15 application electronically as provided in this section if such
16 person:

17 1. Has a current and valid Oklahoma driver license or
18 identification card issued by the Department of Public Safety
19 pursuant to the provisions of Section 6-101 et seq. of Title 47 of
20 the Oklahoma Statutes;

21 2. Is registering to vote at the address shown on the driver
22 license or identification card; and

23 3. Is a qualified elector and entitled to become a registered
24 voter as provided by law.

1 B. The Secretary of the State Election Board, subject to
2 available funding, shall establish a secure website to permit
3 persons described in subsection A of this section to submit voter
4 registration applications electronically. The website must permit
5 such persons to submit an application to register to vote or to
6 update an existing registration. The Secretary may employ security
7 measures he or she deems necessary to ensure the accuracy and
8 integrity of voter registration applications submitted
9 electronically and may establish an initial date on which voter
10 registration applications may be submitted electronically after
11 establishment of the website.

12 C. 1. The applicant must attest to the truth of the
13 information provided on the application by affirmatively accepting
14 the information as true and correct. Any person who submits false
15 information on an electronic voter registration application shall be
16 deemed guilty of a felony as described in Sections 16-103 and 16-
17 103.1 of ~~Title 26 of the Oklahoma Statutes~~ this title.

18 2. The applicant must affirmatively consent to the use of his
19 or her driver license or identification card record and signature
20 for voter registration purposes.

21 3. A voter registration application properly submitted
22 electronically shall be considered by the State Election Board in
23 the same manner as a registration application submitted by mail.

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1 D. 1. When an applicant submits a voter registration
2 application electronically, the Secretary shall generate an
3 electronic confirmation on the website that the application has been
4 received, with instructions as to how the applicant may check the
5 status of the application thereafter.

6 2. In addition, the Secretary shall ~~obtain a digital copy~~
7 compare the information contained in the record of the applicant's
8 driver license or identification card ~~from~~ of the Department of
9 Public Safety ~~and shall compare with~~ the information submitted on
10 the application ~~to the information shown on the digital copy and~~
11 ensure that the information on the application substantially matches
12 the information in the driver license or identification card record.

13 3. If the Secretary finds that the application is in compliance
14 with this section and all applicable laws relating to voter
15 registration, the digital signature contained in the driver license
16 or identification card record of the applicant shall be obtained
17 from the Department of Public Safety and included on the application
18 and the application shall be processed as provided by law.
19 Provided, the Secretary of the State Election Board may utilize an
20 alternative method of obtaining the signature of the applicant, if
21 necessary.

22 4. If the Secretary does not so find, the applicant shall be
23 notified that the application has been rejected and the reasons for
24 such rejection.

1 E. The provisions of Section 24A.5 of Title 51 of the Oklahoma
2 Statutes relating to confidentiality of personal information within
3 driver records as defined by the Driver's Privacy Protection Act, 18
4 United States Code, Sections 2721 through 2725, shall be applicable
5 to information obtained by the State Election Board from voter
6 registration applications or digital copies of driver licenses or
7 identification cards pursuant to the provisions of this section.

8 F. The Secretary shall have the authority to promulgate rules
9 as may be necessary to implement the provisions of this section.

10 SECTION 2. AMENDATORY 26 O.S. 2011, Section 4-112, as
11 amended by Section 6, Chapter 87, O.S.L. 2015 (26 O.S. Supp. 2015,
12 Section 4-112), is amended to read as follows:

13 Section 4-112. A. The Secretary of the State Election Board
14 shall devise and distribute a registration application form to be
15 used for registering voters. Such registration application shall
16 contain the following information:

17 1. The applicant's full name and date of birth, county and
18 place of residence, and mailing address pursuant to the provisions
19 of subsection G of this section;

20 2. ~~The names of political parties~~ A space or section to
21 designate a political party recognized by the laws of the State of
22 Oklahoma with which the applicant ~~may~~ chooses to be affiliated;

23 3. The Oklahoma driver license or identification card number if
24 the applicant has been issued a current and valid driver license or

1 identification card by the Department of Public Safety, or if the
2 applicant does not have a valid Oklahoma driver license or
3 identification card, the last four digits of the voter's social
4 security number;

5 4. An oath of the eligibility of the applicant to become a
6 registered voter; and

7 5. Such other information as may be deemed necessary by the
8 Secretary to identify such applicant and to ascertain his or her
9 eligibility.

10 B. A voter registration application shall be signed by the
11 applicant in writing. The applicant shall personally subscribe his
12 or her name to or make his or her mark on the application, and no
13 agent, representative or employee of the applicant may sign or mark
14 on the applicant's behalf. The signature or mark must be the
15 original, handwritten signature, autograph or mark of the applicant.
16 No facsimile, reproduction, typewritten or other substitute
17 signature, autograph or mark will be valid. Notwithstanding any law
18 to the contrary, the Secretary of the State Election Board shall
19 prescribe procedures to authorize any person incapable of personally
20 making a mark to complete a voter registration application with
21 assistance of an official of any voter registration agency or motor
22 license agency specified in Sections 4-109.2 and 4-109.3 of this
23 title. Provided, for applications submitted electronically, in lieu
24 of the signature requirements set forth in this subsection, the

1 applicant shall affirmatively consent to the use of his or her
2 driver license or identification card signature as provided in
3 Section 1 of this act.

4 C. Persons who do not indicate a recognized political party or
5 political organization on their registration application shall be
6 designated as ~~Independents~~ Independent (no party).

7 D. Any person may apply in writing to the Secretary of the
8 State Election Board for permission to print, copy or otherwise
9 prepare and distribute the registration applications designed by the
10 Secretary of the State Election Board. The Secretary may revoke any
11 such permission at any time.

12 E. All registration applications shall be distributed to the
13 public at no charge.

14 F. The Secretary also shall prescribe procedures to accept and
15 use ~~federal registration applications~~ the National Mail Voter
16 Registration Form, or its successor, as required by the National
17 Voter Registration Act of 1993. Provided, the form shall include an
18 original, handwritten signature, autograph or mark as described in
19 subsection B of this section.

20 G. Applicants for voter registration or for change of voter
21 registration in any way shall provide a residence address and, if
22 different from the residence address, a mailing address. A
23 residence address shall include the street address of the residence,
24 including a full house number, street name or number, apartment or

1 suite number, if applicable, and zip code. If a street address is
2 not available for the residence, applicants shall provide such
3 information as the Secretary of the State Election Board deems
4 necessary for voter registration purposes. A post office box may
5 not be given as a residence address. A mailing address, which shall
6 include the city and zip code, may be the actual emergency
7 notification or 911 address on file in the local community, a rural
8 route and box number, a post office box number or a street address.

9 H. A full or partial Social Security number or driver license
10 number in a voter registration record or a voter registration
11 application shall be kept confidential by the State Election Board
12 and each county election board, except by order of a court of record
13 in this state.

14 ~~SECTION 3. It being immediately necessary for the preservation~~
15 ~~of the public peace, health and safety, an emergency is hereby~~
16 ~~declared to exist, by reason whereof this act shall take effect and~~
17 ~~be in full force from and after its passage and approval.~~

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