

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 ENGROSSED SENATE
5 BILL NO. 1016

 By: Holt of the Senate

 and

 Banz of the House

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8
9 [elections - voter registration applications -
10 political affiliation - confidential -
11 ~~emergency~~]

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

16 SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L. 2015
17 (26 O.S. Supp. 2015, Section 4-109.4), is amended to read as
18 follows:

19 Section 4-109.4. A. A person may submit a voter registration
20 application electronically as provided in this section if such
21 person:

22 1. Has a current and valid Oklahoma driver license or
23 identification card issued by the Department of Public Safety
24

1 pursuant to the provisions of Section 6-101 et seq. of Title 47 of
2 the Oklahoma Statutes;

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

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

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

18 C. 1. The applicant must attest to the truth of the
19 information provided on the application by affirmatively accepting
20 the information as true and correct. Any person who submits false
21 information on an electronic voter registration application shall be
22 deemed guilty of a felony as described in Sections 16-103 and 16-
23 103.1 of ~~Title 26 of the Oklahoma Statutes~~ this title.

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

4 3. A voter registration application properly submitted
5 electronically shall be considered by the State Election Board in
6 the same manner as a registration application submitted by mail.

7 D. 1. When an applicant submits a voter registration
8 application electronically, the Secretary shall generate an
9 electronic confirmation on the website that the application has been
10 received, with instructions as to how the applicant may check the
11 status of the application thereafter.

12 2. In addition, the Secretary shall ~~obtain a digital copy~~
13 compare the information contained in the record of the applicant's
14 driver license or identification card ~~from~~ of the Department of
15 Public Safety ~~and shall compare with~~ the information submitted on
16 the application ~~to the information shown on the digital copy and~~
17 ensure that the information on the application substantially matches
18 the information in the driver license or identification card record.

19 3. If the Secretary finds that the application is in compliance
20 with this section and all applicable laws relating to voter
21 registration, the digital signature contained in the driver license
22 or identification card record of the applicant shall be obtained
23 from the Department of Public Safety and included on the application
24 and the application shall be processed as provided by law.

1 Provided, the Secretary of the State Election Board may utilize an
2 alternative method of obtaining the signature of the applicant, if
3 necessary.

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

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

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

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

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

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

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

7 3. The Oklahoma driver license or identification card number if
8 the applicant has been issued a current and valid driver license or
9 identification card by the Department of Public Safety, or if the
10 applicant does not have a valid Oklahoma driver license or
11 identification card, the last four digits of the voter's social
12 security number;

13 4. An oath of the eligibility of the applicant to become a
14 registered voter; and

15 5. Such other information as may be deemed necessary by the
16 Secretary to identify such applicant and to ascertain his or her
17 eligibility.

18 B. A voter registration application shall be signed by the
19 applicant in writing. The applicant shall personally subscribe his
20 or her name to or make his or her mark on the application, and no
21 agent, representative or employee of the applicant may sign or mark
22 on the applicant's behalf. The signature or mark must be the
23 original, handwritten signature, autograph or mark of the applicant.
24 No facsimile, reproduction, typewritten or other substitute

1 signature, autograph or mark will be valid. Notwithstanding any law
2 to the contrary, the Secretary of the State Election Board shall
3 prescribe procedures to authorize any person incapable of personally
4 making a mark to complete a voter registration application with
5 assistance of an official of any voter registration agency or motor
6 license agency specified in Sections 4-109.2 and 4-109.3 of this
7 title. Provided, for applications submitted electronically, in lieu
8 of the signature requirements set forth in this subsection, the
9 applicant shall affirmatively consent to the use of his or her
10 driver license or identification card signature as provided in
11 Section 1 of this act.

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

15 D. Any person may apply in writing to the Secretary of the
16 State Election Board for permission to print, copy or otherwise
17 prepare and distribute the registration applications designed by the
18 Secretary of the State Election Board. The Secretary may revoke any
19 such permission at any time.

20 E. All registration applications shall be distributed to the
21 public at no charge.

22 F. The Secretary also shall prescribe procedures to accept and
23 use ~~federal registration applications~~ the National Mail Voter
24 Registration Form, or its successor, as required by the National

1 Voter Registration Act of 1993. Provided, the form shall include an
2 original, handwritten signature, autograph or mark as described in
3 subsection B of this section.

4 G. Applicants for voter registration or for change of voter
5 registration in any way shall provide a residence address and, if
6 different from the residence address, a mailing address. A
7 residence address shall include the street address of the residence,
8 including a full house number, street name or number, apartment or
9 suite number, if applicable, and zip code. If a street address is
10 not available for the residence, applicants shall provide such
11 information as the Secretary of the State Election Board deems
12 necessary for voter registration purposes. A post office box may
13 not be given as a residence address. A mailing address, which shall
14 include the city and zip code, may be the actual emergency
15 notification or 911 address on file in the local community, a rural
16 route and box number, a post office box number or a street address.

17 H. A full or partial Social Security number or driver license
18 number in a voter registration record or a voter registration
19 application shall be kept confidential by the State Election Board
20 and each county election board, except by order of a court of record
21 in this state.

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

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4 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
5 03/23/2016 - DO PASS, As Amended.

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