

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

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

4   ENGROSSED SENATE  
5   BILL NO. 1108

By: Justice of the Senate

and

Banz of the House

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

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

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

21           Section 2-128.1. In anticipation of large numbers of voters in  
22   specific precincts at any election, the Secretary of the State  
23   Election Board may authorize the secretary of any county election  
24   board to appoint or employ additional precinct election board

1 members, ~~in multiples of three,~~ as needed to assist the regular  
2 precinct election officials in processing voters. The Secretary of  
3 the State Election Board shall prescribe procedures to be used in  
4 such cases.

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

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

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

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

20 Section 6-110. The names of candidates of the several political  
21 parties shall be printed on separate ballots for the Primary and  
22 Runoff Primary Elections, and each party's ballot shall be a  
23 ~~different~~ differentiated by color or by other conspicuous means  
24 determined by the Secretary of the State Election Board.

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

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

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

20       Section 10-105. A. At any General Election in which  
21 Presidential Electors are to be elected, the State Election Board  
22 shall provide ballots on which the names of the Presidential  
23 Electors of each political party shall be ~~bracketed~~ printed adjacent  
24 to the names of ~~said~~ the party's candidates for President and Vice

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

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

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

18 Notwithstanding the provisions of any statute of this state, if  
19 the Secretary of the State Election Board determines that sufficient  
20 funds are not available in fiscal year 2017 to send an address  
21 confirmation mailing to certain voters by June 1, 2017, as required  
22 by Section 4-120.2 of Title 26 of the Oklahoma Statutes, then the  
23 Secretary may delay such mailing until a date not later than  
24 December 31, 2017.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated  
7 03/23/2016 - DO PASS.  
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