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February 17, 2016

AS AMENDED

SENATE BILL NO. 1016

By: Holt of the Senate

and

Banz of the House

[elections - voter registration applications -
political affiliation - confidential -
emergency]

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

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

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

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

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

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

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

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

20 2. The applicant must affirmatively consent to the use of his
21 or her driver license or identification card record and signature
22 for voter registration purposes.
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1 3. A voter registration application properly submitted
2 electronically shall be considered by the State Election Board in
3 the same manner as a registration application submitted by mail.

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

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

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

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

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

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

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

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

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

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

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

10 4. An oath of the eligibility of the applicant to become a
11 registered voter; and

12 5. Such other information as may be deemed necessary by the
13 Secretary to identify such applicant and to ascertain his or her
14 eligibility.

15 B. A voter registration application shall be signed by the
16 applicant in writing. The applicant shall personally subscribe his
17 or her name to or make his or her mark on the application, and no
18 agent, representative or employee of the applicant may sign or mark
19 on the applicant's behalf. The signature or mark must be the
20 original, handwritten signature, autograph or mark of the applicant.
21 No facsimile, reproduction, typewritten or other substitute
22 signature, autograph or mark will be valid. Notwithstanding any law
23 to the contrary, the Secretary of the State Election Board shall
24 prescribe procedures to authorize any person incapable of personally

1 making a mark to complete a voter registration application with
2 assistance of an official of any voter registration agency or motor
3 license agency specified in Sections 4-109.2 and 4-109.3 of this
4 title. Provided, for applications submitted electronically, in lieu
5 of the signature requirements set forth in this subsection, the
6 applicant shall affirmatively consent to the use of his or her
7 driver license or identification card signature as provided in
8 Section 1 of this act.

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

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

17 E. All registration applications shall be distributed to the
18 public at no charge.

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

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON RULES
24 February 17, 2016 - DO PASS AS AMENDED