

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 25, 2015

AS AMENDED

SENATE BILL NO. 313

By: Holt and Bass

An Act relating to electronic voter registration; allowing certain persons to submit voter registration applications electronically; specifying duties and authority of Secretary of State Election Board; requiring establishment of secure website; stating requirements for applicants; providing procedures upon submission of application electronically; providing for signature on application; allowing promulgation of certain rules; amending 26 O.S. 2011, Sections 4-103.1, 4-110.1 and 4-112, which relate to voter registration; clarifying references and language; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4-109.4 of Title 26, unless there is created a duplication in numbering, reads as follows:

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;

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

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

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

15 C. 1. The applicant must attest to the truth of the
16 information provided on the application by affirmatively accepting
17 the information as true and correct.

18 2. The applicant must affirmatively consent to the use of his
19 or her driver license or identification card signature for voter
20 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.
24

1 D. When an applicant submits a voter registration application
2 electronically, **the Secretary shall generate an electronic**
3 **confirmation on the website that the application has been received,**
4 **with instructions as to how the applicant may check the status of**
5 **the application thereafter. In addition,** the Secretary shall obtain
6 a digital copy of the applicant's driver license or identification
7 card from the Department of Public Safety and shall compare the
8 information submitted on the application to the information shown on
9 the digital copy. If the Secretary finds that the application is in
10 compliance with this section and all applicable laws relating to
11 voter registration, the digital signature of the applicant shall be
12 included on the application and the application shall be processed
13 as provided by law. If the Secretary does not so find, the
14 applicant shall be notified that the application has been rejected
15 and the reasons for such rejection.

16 E. The Secretary shall promulgate rules as may be necessary to
17 implement the provisions of this section.

18 SECTION 2. AMENDATORY 26 O.S. 2011, Section 4-103.1, is
19 amended to read as follows:

20 Section 4-103.1. A. A qualified elector may apply to register
21 to vote or update a registration to vote by:

22 1. Delivering by mail or otherwise a completed voter
23 registration application to the State Election Board or any county
24 election board;

1 2. Completing a voter registration application in person with
2 any official of an agency described in Section ~~40~~ 4-109.2 of this
3 ~~act~~ title; ~~or~~

4 3. Completing a voter registration application in person as
5 part of an application for issuance, renewal or change of address
6 for a ~~driver's~~ driver license or issuance of a state identification
7 card issued pursuant to Section 6-105 of Title 47 of the Oklahoma
8 Statutes with a designated representative of the Department of
9 Public Safety; or

10 4. Completing a voter registration application electronically
11 as provided in Section 1 of this act.

12 B. The secretary of the county election board for the county of
13 the applicant's residence shall send to each applicant by
14 nonforwardable, first-class United States mail a notice of the
15 disposition of the application. Notice mailing costs shall be paid
16 by the county. Provided, the Secretary of the State Election Board
17 may authorize such notices to be sent by electronic means for voter
18 registration applications submitted electronically.

19 SECTION 3. AMENDATORY 26 O.S. 2011, Section 4-110.1, is
20 amended to read as follows:

21 Section 4-110.1. A. Voter registration applications may be
22 submitted at any time. However, completed applications received by
23 the State Election Board, any county election board, any agency
24 designated to accept voter registration applications or any motor

1 license agent as part of a ~~driver's~~ driver license or identification
2 card application twenty-four (24) or fewer days prior to an
3 election; any mail application postmarked or any electronic
4 application submitted twenty-four (24) or fewer days ~~or less~~ prior
5 to an election or any mail application received without a postmark
6 nineteen (19) or fewer days ~~or less~~ prior to an election shall not
7 be approved for that election if the applicant's residence is
8 located within the geographical boundaries of the entity for which
9 the election is being conducted.

10 B. No more than seven (7) days after any election, each county
11 election board secretary for the county of the applicant's residence
12 shall ~~mail~~ send a notice of disposition as required in Section 4-
13 103.1 of this title to all persons whose voter registration
14 applications were received twenty-four (24) or fewer days ~~or less~~
15 prior to the election.

16 C. Registration for voting purposes occurs when a completed
17 voter registration application is approved by the county election
18 board secretary for the county of the applicant's residence and on
19 the date that the information is entered into the voter registration
20 database for the county of the applicant's residence.

21 D. Registration for candidate filing or party affiliation
22 purposes occurs at the earliest time the completed voter
23 registration application is received at the State Election Board,
24 any county election board, any agency designated to accept voter

1 registration applications or any Motor License Agent as part of a
2 ~~driver's~~ driver license or identification card application provided
3 that the application subsequently is approved by the secretary of
4 the county election board for the county of the applicant's
5 residence; or, in the case of mail applications, registration for
6 candidate filing or party affiliation purposes shall occur at the
7 time when the completed voter registration application is postmarked
8 provided that the application subsequently is approved by the
9 secretary of the county election board for the county of the
10 applicant's residence; or in the case of a mail application received
11 without a postmark, registration for candidate filing or party
12 affiliation purposes shall occur at the earliest time when the
13 completed application is received by the State Election Board or any
14 county election board provided that the application is subsequently
15 approved by the secretary of the county election board for the
16 county of the applicant's residence.

17 SECTION 4. AMENDATORY 26 O.S. 2011, Section 4-112, is
18 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:
23
24

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 ~~B~~ G of this section; ~~the~~

4 2. The names of political parties recognized by the laws of the
5 State of Oklahoma with which the applicant may be affiliated; ~~the~~

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

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

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

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

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

11 C. Persons who do not indicate a recognized political party or
12 political organization on their registration application shall be
13 designated as Independents.

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

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

21 F. The Secretary also shall prescribe procedures to accept and
22 use federal registration applications as required by the National
23 Voter Registration Act of 1993.
24

1 ~~B.~~ 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 State Election Board deems necessary for voter
9 registration purposes. A post office box may not be given as a
10 residence address. A mailing address, which shall include the city
11 and zip code, may be the actual emergency notification or 911
12 address on file in the local community, a rural route and box
13 number, a post office box number or a street address.

14 SECTION 5. This act shall become effective November 1, 2015.

15 COMMITTEE REPORT BY: COMMITTEE ON RULES
16 February 25, 2015 - DO PASS AS AMENDED
17
18
19
20
21
22
23
24