

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

SENATE BILL 778

By: Bass

AS INTRODUCED

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

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

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

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

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

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

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

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

4 2. Completing a voter registration application in person with
5 any official of an agency described in Section ~~10~~ 4-109.2 of this
6 ~~act~~ title; ~~or~~

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

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

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

22 SECTION 3. AMENDATORY 26 O.S. 2011, Section 4-110.1, is
23 amended to read as follows:
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1 Section 4-110.1. A. Voter registration applications may be
2 submitted at any time. However, completed applications received by
3 the State Election Board, any county election board, any agency
4 designated to accept voter registration applications or any motor
5 license agent as part of a ~~driver's~~ driver license or identification
6 card application twenty-four (24) or fewer days prior to an
7 election; any mail application postmarked or any electronic
8 application submitted twenty-four (24) or fewer days ~~or less~~ prior
9 to an election or any mail application received without a postmark
10 nineteen (19) or fewer days ~~or less~~ prior to an election shall not
11 be approved for that election if the applicant's residence is
12 located within the geographical boundaries of the entity for which
13 the election is being conducted.

14 B. No more than seven (7) days after any election, each county
15 election board secretary for the county of the applicant's residence
16 shall ~~mail~~ send a notice of disposition as required in Section 4-
17 103.1 of this title to all persons whose voter registration
18 applications were received twenty-four (24) or fewer days ~~or less~~
19 prior to the election.

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

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

21 SECTION 4. AMENDATORY 26 O.S. 2011, Section 4-112, is
22 amended to read as follows:

23 Section 4-112. A. The Secretary of the State Election Board
24 shall devise and distribute a registration application form to be

1 used for registering voters. Such registration application shall
2 contain the following information:

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

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

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

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

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

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

1 No facsimile, reproduction, typewritten or other substitute
2 signature, autograph or mark will be valid. Notwithstanding any law
3 to the contrary, the Secretary of the State Election Board shall
4 prescribe procedures to authorize any person incapable of personally
5 making a mark to complete a voter registration application with
6 assistance of an official of any voter registration agency or motor
7 license agency specified in Sections 4-109.2 and 4-109.3 of this
8 title. Provided, for applications submitted electronically, in lieu
9 of the signature requirements set forth in this subsection, the
10 applicant shall affirmatively consent to the use of his or her
11 driver license or identification card signature as provided in
12 Section 1 of this act.

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

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

21 E. All registration applications shall be distributed to the
22 public at no charge.
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1 F. The Secretary also shall prescribe procedures to accept and
2 use federal registration applications as required by the National
3 Voter Registration Act of 1993.

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

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