

1 ENGROSSED SENATE
2 BILL NO. 360

By: Holt of the Senate

3 and

4 Murphey of the House
5

6 An Act relating to elections; amending Section 1,
7 Chapter 87, O.S.L. 2015, as amended by Section 4,
8 Chapter 326, O.S.L. 2016 (26 O.S. Supp. 2016, Section
9 4-109.4), which relates to voter registration;
10 authorizing Secretary of State Election Board to
11 establish system for electronically updating voter
12 registration information; specifying requirements and
13 procedures therefor; and providing an effective date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L.
16 2015, as amended by Section 4, Chapter 326, O.S.L. 2016 (26 O.S.
17 Supp. 2016, Section 4-109.4), is amended to read as follows:

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

21 1. Has a current and valid Oklahoma driver license or
22 identification card issued by the Department of Public Safety
23 pursuant to the provisions of Section 6-101 et seq. of Title 47 of
24 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 this title.

20 2. The applicant must consent to the comparison of the
21 information entered into an electronic voter registration
22 application to the information contained in his or her driver
23 license or identification card record and also to the use of the
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1 signature included in the driver license or identification card
2 record for voter registration purposes.

3 3. A voter registration application properly submitted
4 electronically shall be processed by the State Election Board and
5 the appropriate county election board in the same manner as a voter
6 registration application submitted on a paper form.

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. a. The Secretary shall submit the information entered
13 into the electronic voter registration application by
14 the applicant to the Department of Public Safety for
15 comparison to the record of the applicant's driver
16 license or identification card.

17 b. The Department of Public Safety shall respond to the
18 submission and shall indicate if the information
19 submitted matches the information in the applicant's
20 driver license record.

21 c. If the information matches, the electronic voter
22 registration application may proceed and the
23 Department of Public Safety shall provide the State
24 Election Board with the digital image of the signature

1 included in the applicant's driver license or
2 identification card record. If the information does
3 not match, the application shall not proceed, and the
4 applicant shall be notified of the failed match and
5 may be provided information and instruction for
6 updating the driver license or identification card
7 record with the Department of Public Safety.

8 3. a. Following a match of records by the Department of
9 Public Safety described in subparagraph b of paragraph
10 2 of this subsection, and if the Secretary finds that
11 the electronic voter registration application is in
12 compliance with this section and all applicable laws
13 relating to voter registration, the digital image of
14 the signature from the applicant's driver license or
15 identification card record shall be included on the
16 application and the application shall be submitted and
17 processed as provided by law. Provided, the Secretary
18 of the State Election Board is authorized to designate
19 an alternative method of obtaining the signature of
20 the applicant, if necessary.

21 b. If the Secretary does not find that the electronic
22 voter registration application is in compliance with
23 this section and all applicable laws relating to voter
24 registration, the applicant shall be notified that the

1 electronic voter registration application cannot be
2 submitted and the reasons it cannot be submitted, and
3 shall provide information about other methods to
4 submit a voter registration application.

5 E. The provisions of Section 24A.5 of Title 51 of the Oklahoma
6 Statutes relating to confidentiality of personal information within
7 driver records as defined by the Driver's Privacy Protection Act, 18
8 United States Code, Sections 2721 through 2725, shall be applicable
9 to information obtained by the State Election Board from the
10 Department of Public Safety during the information matching
11 procedure described in this section. Provided, however, this
12 subsection shall not apply to information entered into the
13 electronic voter registration application by the voter registration
14 applicant nor to the digital image of the applicant's signature
15 provided to the Secretary of the State Election Board by the
16 Department of Public Safety, upon the consent of the applicant, for
17 use on the electronic voter registration application as provided in
18 this section.

19 F. The Secretary of the State Election Board may establish a
20 system whereby a registered voter may electronically submit a change
21 to his or her voter registration information, including a change of
22 name, political party affiliation or address of residence within the
23 county in which the voter is currently registered to vote. An
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1 electronically submitted change in voter registration information
2 shall include:

- 3 1. Such information as the Secretary of the State Election
4 Board deems necessary to confirm the identity of the voter; and
5 2. An oath that the voter is eligible to register to vote in
6 Oklahoma.

7 Upon receipt of a valid electronically submitted change in voter
8 registration, the secretary of the appropriate county election board
9 shall update the voter's registration information in the voter
10 registration database and shall file a notation of such changes with
11 the voter's original voter registration application.

12 G. The Secretary shall promulgate rules as may be necessary to
13 implement the provisions of this section.

14 SECTION 2. This act shall become effective November 1, 2017.

15 Passed the Senate the 14th day of March, 2017.

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18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2017.

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22 _____
23 Presiding Officer of the House
24 of Representatives