

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3341

By: Roberts (Sean)

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to elections; authorizing certain
10 data validation for citizenship status; providing for
11 utilization of the Office of Management and
12 Enterprise Services for security of data validation;
13 requiring participation from state agencies;
14 specifying time to conduct data validations;
15 requiring reporting of noncitizens to district
16 attorney; providing for reporting of results of data
17 validation to certain persons; providing exemption to
18 the Oklahoma Open Records Act; providing for
19 promulgation of rules; providing for codification;
20 and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 4-120.11 of Title 26, unless
24 there is created a duplication in numbering, reads as follows:

25 A. The Secretary of the State Election Board is hereby
26 authorized to conduct a data validation of the state voter
27 registration database with other state or federal databases that
28 contain information regarding the citizenship status of a person.

1 The Secretary may utilize the Office of Management and Enterprise
2 Services to ensure the security of the data being validated. Any
3 state agency requested to participate in the data validation
4 pursuant to this section shall be required to cooperate unless
5 specifically prohibited by federal law. The Secretary of the State
6 Election Board shall conduct the data validation pursuant to this
7 section no later than June 30, 2019, and at least once every two (2)
8 years thereafter.

9 B. Persons who are identified in the data validation pursuant
10 to this section as potentially being noncitizens and who are
11 registered to vote shall be reported to the district attorney in the
12 county in which the voter is registered. Upon being notified by the
13 Secretary of the State Election Board about persons who are
14 potentially noncitizens and who are registered to vote, the district
15 attorney shall investigate and notify the Secretary within sixty
16 (60) days of the disposition of each investigation.

17 C. The Secretary of the State Election Board shall provide a
18 report on the results of the data validation to the Governor,
19 President Pro Tempore of the Senate and the Speaker of the House of
20 Representatives no later than December 31 of any year in which the
21 data validation is conducted.

22 D. Personal information, including the name, address and
23 birthdate of persons included in the data validation, shall not be
24 subject to the Oklahoma Open Records Act and shall not be made

1 public except by an order of the court. The total number of
2 potential identifications reported to each district attorney shall
3 be a matter of public record.

4 E. The Secretary of the State Election Board shall promulgate
5 rules and shall prescribe materials necessary for the implementation
6 of this section.

7 SECTION 2. This act shall become effective January 1, 2019.

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9 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
10 02/14/2018 - DO PASS, As Amended.
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