

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 146

By: Fields of the Senate

and

Russ of the House

8  
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10                               COMMITTEE SUBSTITUTE

11                   [ elections - state and local elections - duties of  
12                       Secretary of State Election Board - effective date ]

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

16               SECTION 1.           AMENDATORY           26 O.S. 2011, Section 3-105.1, is  
17 amended to read as follows:

18               Section 3-105.1 A. When any county, municipality, school  
19 district or other governmental entity authorizes an election to be  
20 conducted by the county election board, the secretary of the county  
21 election board shall, not less than thirty-five (35) days prior to  
22 the election, submit to the governmental entity for whom the  
23 election is authorized:

1        1. An itemized estimate of the number of precinct inspectors,  
2 judges, clerks, and absentee voting board members necessary for the  
3 election; and

4        2. An estimate of the compensation, mileage reimbursement and  
5 employer's share of any benefits to be provided to each precinct  
6 inspector, judge, clerk, ~~and~~ precinct employee, absentee voting  
7 board member and county election board member.

8        B. Not less than fifteen (15) days prior to the election, the  
9 county, municipality, school district or other governmental entity  
10 authorizing the election shall submit to the secretary of the county  
11 election board an amount of funds equal to the estimate of  
12 compensation and benefits for precinct inspectors, judges, clerks,  
13 precinct employees and absentee voting board members as provided in  
14 subsection A of this section. If such amount is not submitted ten  
15 (10) days prior to the election, the secretary of the county  
16 election board shall not be required to hold the election. Upon  
17 receipt of the funds, the secretary of the county election board  
18 shall deposit the funds in the County Election Board Special  
19 Depository Account.

20        C. The secretary of the county election board shall issue  
21 vouchers for the compensation and benefits of precinct inspectors,  
22 judges, clerks, precinct employees and absentee voting board members  
23 from the County Election Board Special Depository Account, pursuant  
24 to Section 681 et seq. of Title 19 of the Oklahoma Statutes. The

1 secretary of the county election board shall provide the vouchers to  
2 the precinct inspector, except the voucher for the inspector and  
3 absentee voting board members, at the time the inspector receives  
4 supplies and ballots for the election. The vouchers shall be  
5 distributed to the appropriate precinct judges and clerks upon  
6 closing of the polls on the day of the election and to absentee  
7 voting board members upon completion of their prescribed duties,  
8 according to procedures to be prescribed by the Secretary of the  
9 State Election Board. Each precinct inspector, judge or clerk shall  
10 sign a form prescribed by the Secretary of the State Election Board  
11 acknowledging receipt of compensation and benefits. The inspector  
12 shall return the form, together with any unclaimed vouchers, to the  
13 county election board, together with the results of the election and  
14 other supplies and materials. At such time, the secretary of the  
15 county election board shall provide a voucher for payment to the  
16 inspector. The secretary of the county election board shall return  
17 any unclaimed vouchers to the county treasurer within seven (7) days  
18 after the election. If any additional vouchers for compensation and  
19 benefits are required, the secretary of the county election board  
20 shall issue such vouchers not less than seven (7) days after the  
21 election. In no event shall compensation be made until after  
22 services have been rendered.

23 D. As soon as practicable after conducting an election for a  
24 municipality, school district, or other governmental entity, except

1 the state or county, the secretary of the county election board  
2 shall submit a claim to the governing body of the entity for whom  
3 the election was conducted. The claim shall itemize all expenses  
4 associated with the election, and shall deduct any amount paid by  
5 the municipality, school district or other governmental entity for  
6 the compensation and employer's share of any benefits provided to  
7 precinct inspectors, judges, clerks, ~~and~~ additional precinct  
8 officials, precinct employees, absentee voting board members and  
9 county election board members pursuant to the provisions of  
10 subsection B of this section. The claim shall include the cost of  
11 consumable supplies and materials provided by the State Election  
12 Board and used by the county election board in the course of  
13 conducting the election. The claim shall also include the cost of  
14 overtime incurred by State Election Board staff for the election.  
15 Upon receipt of such itemized claim, the governing body shall make  
16 payment to the county election board within thirty (30) days. Upon  
17 receipt of the payment, the secretary of the county election board  
18 shall deposit the payment in the County Election Board Special  
19 Depository Account. The secretary shall disburse payments for the  
20 expenses incurred in the election, pursuant to Section 681 et seq.  
21 of Title 19 of the Oklahoma Statutes.

22 E. The State Election Board shall provide the compensation and  
23 employer's share of benefits for precinct inspectors, judges,  
24 clerks, ~~and~~ additional precinct officials, precinct employees,

1 absentee voting board members and county election board members in  
2 the payment made to the respective counties for elections for which  
3 ~~said precinct inspectors, judges, clerks, and absentee voting board~~  
4 ~~members are~~ such compensation is paid by the State Election Board,  
5 in the same manner as provided in subsections A and B of this  
6 section. For the foregoing elections, the county shall place in the  
7 County Election Board Special Depository Account an amount of funds  
8 equal to Two Dollars (\$2.00) for each inspector, judge, and clerk at  
9 each election in the same manner as provided in subsections A and B  
10 of this section. The Secretary of the State Election Board shall  
11 prescribe a procedure by which the State Election Board or the  
12 county shall be reimbursed for any overpayment made to a county  
13 election board for compensation and employer's share of benefits  
14 paid to ~~precinct inspectors, judges, clerks,~~ the officials and  
15 ~~absentee voting board~~ members identified in this subsection.

16 SECTION 2. AMENDATORY 26 O.S. 2011, Section 3-108.1, is  
17 amended to read as follows:

18 Section 3-108.1 A. The State Election Board shall be  
19 reimbursed for the following expenses incurred to conduct an  
20 election called by a county, municipality, school district or other  
21 governmental entity not held concurrently with a federal or state  
22 election:  
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1        1. Consumable supplies and materials purchased and provided by  
2 the State Election Board that are used by the county election board  
3 to prepare for or conduct the election; and

4        2. Overtime incurred by State Election Board staff for the  
5 election.

6        B. 1. County election boards ~~are authorized to~~ shall reimburse  
7 the State Election Board for ~~computer supplies consumed~~ consumable  
8 supplies and materials described in subsection D of Section 3-105.1  
9 of this title that are used for the benefit of counties, schools,  
10 municipalities and other local entities for the conduct of the local  
11 elections. Such reimbursement shall be deposited in the State  
12 Election Board Revolving Fund.

13        2. County election boards shall include the costs to be  
14 reimbursed to the State Election Board in the claim described in  
15 subsection D of Section 3-105.1 of this title to be submitted to a  
16 school, municipality or local entity that called the local election.  
17 Payments for such expenses shall be made to the county election  
18 board, which shall immediately remit the appropriate funds to the  
19 State Election Board.

20        C. 1. The cost of consumable supplies and materials used in  
21 local elections shall be reimbursed at a rate equal to the actual  
22 cost of the supplies and materials used. The Secretary of the State  
23 Election Board shall prepare and provide a list of the consumable  
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1 election supplies purchased by the State Election Board. The list  
2 shall include the actual cost of the items to be reimbursed.

3 2. Reimbursement for overtime incurred by State Election Board  
4 staff for the election.

5 SECTION 3. This act shall become effective January 1, 2018.

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7 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated  
8 04/12/2017 - DO PASS, As Amended.  
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