

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 360

By: Holt of the Senate

and

Murphey of the House

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

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

18 SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L.
19 2015, as amended by Section 4, Chapter 326, O.S.L. 2016 (26 O.S.
20 Supp. 2016, Section 4-109.4), is amended to read as follows:

21 Section 4-109.4. A. A person may submit a voter registration
22 application electronically as provided in this section if such
23 person:

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

18 C. 1. The applicant must attest to the truth of the
19 information provided on the application by affirmatively accepting
20 the information as true and correct. Any person who submits false
21 information on an electronic voter registration application shall be
22 deemed guilty of a felony as described in Sections 16-103 and 16-
23 103.1 of this title.

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

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

11 D. 1. When an applicant submits a voter registration
12 application electronically, the Secretary shall generate an
13 electronic confirmation on the website that the application has been
14 received, with instructions as to how the applicant may check the
15 status of the application thereafter.

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

21 b. The Department of Public Safety shall respond to the
22 submission and shall indicate if the information
23 submitted matches the information in the applicant's
24 driver license record.

1 c. If the information matches, the electronic voter
2 registration application may proceed and the
3 Department of Public Safety shall provide the State
4 Election Board with the digital image of the signature
5 included in the applicant's driver license or
6 identification card record. If the information does
7 not match, the application shall not proceed, and the
8 applicant shall be notified of the failed match and
9 may be provided information and instruction for
10 updating the driver license or identification card
11 record with the Department of Public Safety.

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

1 b. If the Secretary does not find that the electronic
2 voter registration application is in compliance with
3 this section and all applicable laws relating to voter
4 registration, the applicant shall be notified that the
5 electronic voter registration application cannot be
6 submitted and the reasons it cannot be submitted, and
7 shall provide information about other methods to
8 submit a voter registration application.

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

23 F. The Secretary of the State Election Board may establish a
24 system whereby a registered voter may electronically submit a change

1 to his or her voter registration information, including a change of
2 name, political party affiliation or address of residence within the
3 county in which the voter is currently registered to vote. An
4 electronically submitted change in voter registration information
5 shall include:

6 1. Such information as the Secretary of the State Election
7 Board deems necessary to confirm the identity of the voter; and

8 2. An oath that the voter is eligible to register to vote in
9 Oklahoma.

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

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

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

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19 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
20 04/05/2017 - DO PASS.
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