

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

SENATE BILL 148

By: Fields

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Sections 4-109.3, as last amended by Section 3, Chapter 326, O.S.L. 2016 and 4-120.2, as amended by Section 2, Chapter 377, O.S.L. 2015 (26 O.S. Supp. 2016, Sections 4-109.3 and 4-120.2), which relate to voter registration; modifying procedures for providing and updating voter registration information upon application for issuance or renewal of driver license; providing for certain payments to motor license agents and Department of Public Safety; authorizing promulgation of rules and procedures; modifying persons required to receive address confirmation; modifying circumstances under which voter designated as inactive; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 4-109.3, as last amended by Section 3, Chapter 326, O.S.L. 2016 (26 O.S. Supp. 2016, Section 4-109.3), is amended to read as follows:

Section 4-109.3. A. When a qualified elector applies for issuance or renewal of an Oklahoma ~~driver's~~ driver license, or issuance of a state identification card issued pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes, ~~or for a change of~~

~~address for driver license purposes, the person shall be asked if he or she wishes to register to vote or to change his or her address for voting purposes. If the person wishes to register to vote or to change his or her address for voting purposes, the person shall be given a voter registration application which should be completed and signed by the applicant and returned to the official of the motor license agency. If the person declines, he or she shall be given a declination statement with the application form prescribed by the Secretary of the State Election Board which shall be retained by the motor license agency or designated representative of the Department of Public Safety for twenty-four (24) months~~ he or she shall be provided voter registration services as required by the National Voter Registration Act. All completed paper voter registration applications shall be transmitted by the ~~motor license agent~~ agency accepting the application at the close of business each week to the State Election Board in preaddressed, postage prepaid envelopes provided by the State Election Board. If a person registers or declines to register to vote, the office at which the person submits the voter registration application or the fact that the person declined to register shall remain confidential and will be used only for voter registration purposes.

B. A change of address for an Oklahoma driver license or state identification card submitted by a registered voter shall also serve as a change of address for voter registration purposes if the new

1 address is within the same county where the voter is registered to
2 vote. If the new address is outside the county where the voter is
3 currently registered to vote, the voter shall be sent a notice and
4 application with instructions for registering to vote at the new
5 address. A change of address for an Oklahoma driver license or
6 state identification card shall not be used to update a voter
7 registration address if the registrant states in writing that the
8 change of address is not for voter registration purposes.

9 C. Motor license agents shall receive fifty cents (\$0.50) per
10 valid paper voter registration application or application for change
11 in voter registration taken by themselves and employees of the motor
12 license agent's office taken at the agent's office, payable by the
13 State Election Board. The Department of Public Safety shall receive
14 fifty cents (\$0.50) for each valid paper application taken by its
15 employees and five cents (\$0.05) for each valid voter registration
16 application or change of address transmitted electronically by the
17 Department of Public Safety to the State Election Board.

18 ~~C.~~ D. The Oklahoma Tax Commission shall notify the Secretary of
19 the State Election Board of motor license agent appointments. The
20 Oklahoma Department of Public Safety shall notify the Secretary of
21 the State Election Board of motor license agents qualified to issue
22 driver licenses.

23 ~~D.~~ E. The Secretary of the State Election Board is authorized
24 to develop with the Department of Public Safety a system to

1 electronically transmit voter registration applications from motor
2 license agencies to the State Election Board or county election
3 boards. Such system shall be consistent with the requirements for
4 electronic submission of voter registration applications provided in
5 Section 4-109.4 of this title.

6 F. The Secretary of the State Election Board shall promulgate
7 rules and procedures to implement the requirements of this section.

8 SECTION 2. AMENDATORY 26 O.S. 2011, Section 4-120.2, as
9 amended by Section 2, Chapter 377, O.S.L. 2015 (26 O.S. Supp. 2016,
10 Section 4-120.2), is amended to read as follows:

11 Section 4-120.2. A. No later than June 1 of each odd-numbered
12 year, any voter identified within the previous twenty-four (24)
13 months as subject to the provisions of this subsection shall be sent
14 an address confirmation mailing prescribed by the Secretary of the
15 State Election Board and paid for by the state. The following shall
16 be subject to the provisions of this subsection:

17 1. Any voter for whom a first-class mailing from the county
18 election board or the State Election Board was returned;

19 2. Any voter identified by the Secretary of the State Election
20 Board as a potential duplicate voter in another county in this state
21 or in another state;

22 3. Any voter who has surrendered his or her Oklahoma driver
23 license to the Department of Public Safety upon being issued a
24 driver license in another state;

1 4. Any voter identified in subsection C of Section ~~1 of this~~
2 ~~act~~ 4-118.1 of this title who has not updated his or her voter
3 registration;

4 5. Any registered voter identified in subsection F of Section
5 4-120.3 of this title whose voter registration has not been
6 canceled; ~~and~~

7 6. Any active registered voter who did not vote in the second
8 previous general election or any election conducted by a county
9 election board since the second previous general election and who
10 has initiated no voter registration change; and

11 7. Any registered voter who was sent a notice and application
12 to update a voter registration address as required by subsection B
13 of Section 4-109.3 of this title, but whose voter registration
14 address has not been updated or cancelled.

15 Voters who do not respond to the confirmation mailing or whose
16 mailing is returned as nonforwardable or undeliverable as addressed
17 shall be designated as inactive sixty (60) days after the mailing.

18 B. An inactive voter's status shall be changed to active under
19 the following conditions:

- 20 1. With any registration change initiated by the voter; or
21 2. By voting in any election conducted by a county election
22 board.

23 An inactive voter who does not vote in any election conducted by
24 a county election board during the period beginning on the date of

1 the confirmation mailing and ending on the day after the date of the
2 second successive general election for federal office shall be
3 removed as a registered voter and all the information on that voter
4 shall be destroyed. Each county election board secretary shall
5 maintain a list of the names and addresses of all persons sent a
6 confirmation mailing as described in this section and information on
7 whether or not each such person has responded to the notice. The
8 list shall be maintained for twenty-four (24) months following the
9 date of the second successive federal general election after the
10 date of the confirmation mailing.

11 C. The secretary of each county election board shall cause all
12 inactive voters in a precinct to be identified on the precinct
13 registry.

14 D. No later than June 1 of each odd-numbered year, the
15 Secretary of the State Election Board shall identify duplicate voter
16 registrations in the state and shall direct appropriate county
17 election board secretaries to cancel the voter registration of all
18 but the latest registration of duplicate voter registrations. Each
19 county election board secretary shall maintain for twenty-four (24)
20 months a list of the names and addresses of all canceled duplicate
21 voter registrations. For the purposes of this subsection, duplicate
22 voter registrations are those registrations which contain the
23 following identical information on more than one registration:
24

- 1 1. First name, middle name or initial, last name, and date of
2 birth;
3 2. Driver license number and date of birth; or
4 3. Last name, date of birth, and the last four digits of the
5 social security number.

6 SECTION 3. This act shall become effective November 1, 2017.
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