

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3317

By: Blancett

COMMITTEE SUBSTITUTE

An Act relating to elections; amending Section 1, Chapter 26, O.S.L. 2012, as last amended by Section 1, Chapter 333, O.S.L. 2015 and 26 O.S. 2011, Section 14-110.1, as last amended by Section 5, Chapter 200, O.S.L. 2013 (26 O.S. Supp. 2019, Sections 14-108.1 and 14-110.1), which relate to absentee ballots; increasing maximum number of absentee ballots a notary may notarize; modifying requirements to vote absentee; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 26, O.S.L. 2012, as last amended by Section 1, Chapter 333, O.S.L. 2015 (26 O.S. Supp. 2019, Section 14-108.1), is amended to read as follows:

Section 14-108.1 A. Neither a notary public nor an agent working on behalf of a notary public shall be authorized to:

1. Request absentee ballots on behalf of a voter other than himself or herself;

1 2. Assist a voter in requesting absentee ballots, other than
2 for himself or herself or a member of his or her household;

3 3. Receive by mail an absentee ballot on behalf of a voter,
4 other than for himself or herself or a member of his or her
5 household; or

6 4. Submit a completed absentee ballot on behalf of a voter
7 other than for himself or herself.

8 B. A notary public shall maintain a log of all absentee ballot
9 affidavits that he or she notarizes for a period of at least two (2)
10 years after the date of the election.

11 C. A notary public shall be authorized to notarize a maximum of
12 ~~twenty~~ fifty absentee ballot affidavits for a single election. A
13 notary public may be authorized to notarize more than ~~twenty~~ fifty
14 absentee ballot affidavits ~~with the written approval of by~~
15 submitting a notice, prescribed by the State Election Board, to the
16 secretary of the county election board. The limitation required by
17 this subsection shall not apply to the notarizing of ballots at the
18 place of business of a notary public during the normal business
19 hours of the notary public; provided, however, such limitations
20 shall apply to any agency or other entity that provides voter
21 registration services as required by the National Voter Registration
22 Act of 1993 or by Sections 4-109.2 and 4-109.3 of this title.

23 D. If more than ten absentee ballots for a single election are
24 requested to be mailed to a single mailing address, the secretary of

1 the county election board shall immediately notify the district
2 attorney for that county and the Secretary of the State Election
3 Board. Provided, this requirement shall not apply to requests for
4 ballots to be sent to nursing homes, veterans centers, medical
5 facilities, multiunit housing, addresses of uniformed or overseas
6 voters as defined by the Uniformed and Overseas Citizens Absentee
7 Voting Act, or other locations authorized in writing by the
8 Secretary of the State Election Board.

9 E. The provisions of this section shall only apply to an
10 election conducted by a county election board or the State Election
11 Board.

12 SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-110.1, as
13 last amended by Section 5, Chapter 200, O.S.L. 2013 (26 O.S. Supp.
14 2019, Section 14-110.1), is amended to read as follows:

15 Section 14-110.1 A registered voter who swears or affirms that
16 the voter is ~~physically~~ unable to vote in person at the precinct on
17 the day of the election because the voter is:

18 1. Physically incapacitated, either permanently or temporarily;

19 ~~or~~

20 2. Charged with the care of another person who is physically
21 incapacitated and who cannot be left unattended; or

22 3. Issued a physical disability placard,

23 may apply for an absentee ballot. Such applications may be made by
24 United States mail, by facsimile device as defined by Section 1862

1 of Title 21 of the Oklahoma Statutes or by a means of electronic
2 communication designated by the Secretary of the State Election
3 Board or may be made in person at the office of the county election
4 board by an agent of the voter. Such an agent shall be a person of
5 the voter's choosing who is at least sixteen (16) years of age and
6 who is not employed by or related within the third degree of
7 consanguinity or affinity to any person whose name appears on the
8 ballot. No person may be the agent for more than one voter at any
9 election. The Secretary of the State Election Board shall prescribe
10 a form to be used for the application, although any application
11 setting forth substantially the same facts shall be valid.

12 SECTION 3. This act shall become effective November 1, 2020.

13

14 57-2-11392 SD 02/25/20

15

16

17

18

19

20

21

22

23

24