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February 19, 2020

**AS AMENDED**

SENATE BILL NO. 1282

By: Kirt of the Senate

and

## Pae of the House

An Act relating to voter registration; amending Section 1, Chapter 87, O.S.L. 2015, as last amended by Section 1, Chapter 203, O.S.L. 2017 (26 O.S. Supp. 2019, Section 4-109.4), which relates to electronic submission of voter registration application; requiring establishment of certain website by specified date; **authorizing extension of deadline under certain circumstances; requiring written notice of deadline extension to certain persons;** and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L. 2015, as last amended by Section 1, Chapter 203, O.S.L. 2017 (26 O.S. Supp. 2019, Section 4-109.4), is amended to read as follows:

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

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 by December 31, 2021;  
11 provided, however, if the Secretary of the State Election Board  
12 determines that a secure website cannot be launched by such date due  
13 to technical or security reasons, the Secretary may extend the  
14 deadline until such date the website can be properly implemented.  
15 If such deadline is extended, the Secretary shall provide written  
16 notice of the reasons for the delay to the Governor, President Pro  
17 Tempore of the Senate, the Speaker of the House of Representatives,  
18 and the minority leaders of the Senate and House of Representatives.

19 The website must permit such persons to submit an application to  
20 register to vote or to update an existing registration. The  
21 Secretary may employ security measures he or she deems necessary to  
22 ensure the accuracy and integrity of voter registration applications  
23 submitted electronically and may establish an initial date on which  
24

1 voter registration applications may be submitted electronically  
2 after establishment of the website.

3 C. 1. The applicant must attest to the truth of the  
4 information provided on the application by affirmatively accepting  
5 the information as true and correct. Any person who submits false  
6 information on an electronic voter registration application shall be  
7 deemed guilty of a felony as described in Sections 16-103 and 16-  
8 103.1 of this title.

9 2. The applicant must consent to the comparison of the  
10 information entered into an electronic voter registration  
11 application to the information contained in his or her driver  
12 license or identification card record and ~~also~~ to the use of the  
13 signature included in the driver license or identification card  
14 record for voter registration purposes.

15 3. A voter registration application properly submitted  
16 electronically shall be processed by the State Election Board and  
17 the appropriate county election board in the same manner as a voter  
18 registration application submitted on a paper form.

19 D. 1. When an applicant submits a voter registration  
20 application electronically, the Secretary shall generate an  
21 electronic confirmation on the website that the application has been  
22 received, with instructions as to how the applicant may check the  
23 status of the application thereafter.

24

- 1        2.    a.        The Secretary shall submit the information entered  
2                    into the electronic voter registration application by  
3                    the applicant to the Department of Public Safety for  
4                    comparison to the record of the applicant's driver  
5                    license or identification card.
- 6                    b.        The Department of Public Safety shall respond to the  
7                    submission and shall indicate if the information  
8                    submitted matches the information in the applicant's  
9                    driver license record.
- 10                  c.        If the information matches, the electronic voter  
11                    registration application may proceed and the  
12                    Department of Public Safety shall provide the State  
13                    Election Board with the digital image of the signature  
14                    included in the applicant's driver license or  
15                    identification card record. If the information does  
16                    not match, the application shall not proceed, and the  
17                    applicant shall be notified of the failed match and  
18                    may be provided information and instruction for  
19                    updating the driver license or identification card  
20                    record with the Department of Public Safety.
- 21        3.    a.        Following a match of records by the Department of  
22                    Public Safety described in subparagraph b of paragraph  
23                    2 of this subsection, and if the Secretary finds that  
24                    the electronic voter registration application is in

1 compliance with this section and all applicable laws  
2 relating to voter registration, the digital image of  
3 the signature from the applicant's driver license or  
4 identification card record shall be included on the  
5 application and the application shall be submitted and  
6 processed as provided by law. Provided, the Secretary  
7 of the State Election Board is authorized to designate  
8 an alternative method of obtaining the signature of  
9 the applicant, if necessary.

10 b. If the Secretary does not find that the electronic  
11 voter registration application is in compliance with  
12 this section and all applicable laws relating to voter  
13 registration, the applicant shall be notified that the  
14 electronic voter registration application cannot be  
15 submitted and the reasons it cannot be submitted, and  
16 shall provide information about other methods to  
17 submit a voter registration application.

18 E. The provisions of Section 24A.5 of Title 51 of the Oklahoma  
19 Statutes relating to confidentiality of personal information within  
20 driver records as defined by the Driver's Privacy Protection Act, 18  
21 United States Code, Sections 2721 through 2725, shall be applicable  
22 to information obtained by the State Election Board from the  
23 Department of Public Safety during the information matching  
24 procedure described in this section. Provided, however, this

1 subsection shall not apply to information entered into the  
2 electronic voter registration application by the voter registration  
3 applicant nor to the digital image of the applicant's signature  
4 provided to the Secretary of the State Election Board by the  
5 Department of Public Safety, upon the consent of the applicant, for  
6 use on the electronic voter registration application as provided in  
7 this section.

8 F. The Secretary of the State Election Board may establish a  
9 system whereby a registered voter may electronically submit a change  
10 to his or her voter registration information, including a change of  
11 name, political party affiliation or address of residence within the  
12 county in which the voter is currently registered to vote. An  
13 electronically submitted change in voter registration information  
14 shall include:

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

17 2. An oath that the voter is eligible to register to vote in  
18 Oklahoma.

19 Upon receipt of a valid electronically submitted change in voter  
20 registration, the secretary of the appropriate county election board  
21 shall update the voter's registration information in the voter  
22 registration database and shall file a notation of such changes with  
23 the voter's original voter registration application.  
24

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

3 SECTION 2. This act shall become effective November 1, 2020.

4 COMMITTEE REPORT BY: COMMITTEE ON RULES  
5 February 19, 2020 - DO PASS AS AMENDED  
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