

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL NO. 58

By: Pemberton

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Section 7-101, which relates to voting time for employees; extending days upon which employees allowed time to vote to include days on which in-person absentee voting allowed; requiring certain notification; allowing employer to select days and hours for such time; clarifying language; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-101, is amended to read as follows:

Section 7-101. A. Every corporation, firm, association or individual, hereinafter referred to as "employer", ~~who, on election day,~~ has a registered voter employed or in ~~his~~ service, shall grant the employee two (2) hours of time ~~during the period when the election is open~~ in which to vote, ~~and if~~ subject to the following provisions:

1. Such time to vote shall be allowed on the day of the election or on a day on which in-person absentee voting is allowed by law;

1        2. If such employee ~~be in the county or is~~ at such distance  
2 from the voting place that more than two (2) hours are required in  
3 which to attend such elections, then the employee shall be allowed a  
4 sufficient time in which to cast a ballot~~;~~;

5        3. No such employee shall be entitled to such time to vote  
6 unless the employee notifies orally or in writing an employer's  
7 representative of the employee's intention to be absent, on the day  
8 preceding the election day. ~~Upon proof of voting, such employee~~  
9 ~~shall not be subject to any loss of compensation or other penalty~~  
10 ~~for such absence~~ of the election or the day of in-person absentee  
11 voting. Such employer shall select the days and hours which such  
12 employees are to be allowed ~~in which~~ to attend such elections, and  
13 shall notify each of the employees which days and hours they are to  
14 have in which to vote. This section shall not apply to an employee  
15 whose work day begins three (3) hours or more subsequent to the time  
16 of opening of the polls, or ends three (3) hours or more prior to  
17 the time of closing the polls. The employer may change the work  
18 hours to allow such three (3) hours before the beginning of work or  
19 after the work hours; and

20        4. Upon proof of voting, such employee shall not be subject to  
21 any loss of compensation or other penalty for such absence.

22        B. Any employer who fails to comply with this section shall be  
23 deemed guilty of a misdemeanor, and upon conviction shall be fined  
24

1 not less than Fifty Dollars (\$50.00) nor more than One Hundred  
2 Dollars (\$100.00).

3 SECTION 2. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.  
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