

1 ENGROSSED SENATE AMENDMENTS  
2 TO  
3 ENGROSSED HOUSE  
4 BILL NO. 3321  
5 By: Miller and Roe of the House  
6  
7 and  
8 Stanley of the Senate  
9  
10  
11  
12  
13 [ elections - requiring ballots be printed on paper -  
14 prohibiting connection of devices to Internet -  
15 emergency ]  
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AMENDMENT NO. 1. Page 1, line 19, delete, after the word "for" and  
before the word "to", all language, and insert the  
words "any voter who requires assistance by reason  
of blindness, disability, or inability to read or  
write"

AMENDMENT NO. 2 Page 5, lines 5 through 19, delete SECTION 5 and  
renumber subsequent sections  
and amend the title to conform

AMENDMENT NO. 3 Page 1, restore the title

1 Passed the Senate the 20th day of April, 2022.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2022.

7  
8 \_\_\_\_\_  
9 Presiding Officer of the House  
10 of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 3321

By: Miller and Roe of the House  
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7 [ elections - requiring ballots be printed on paper -  
8 prohibiting connection of devices to Internet -  
9 emergency ]

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 6-104.1 of Title 26, unless  
15 there is created a duplication in numbering, reads as follows:

16 All ballots used for any election shall be printed on paper to  
17 ensure a fair and accurate count; provided, each precinct polling  
18 place and in-person absentee voting location shall provide a means  
19 for a blind or visually impaired voter to cast a ballot privately  
20 and independently, in a manner to be determined by the Secretary of  
21 the State Election Board.

22 SECTION 2. AMENDATORY 26 O.S. 2021, Section 7-130, is  
23 amended to read as follows:  
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1       Section 7-130. Any candidate or any recognized political party  
2 shall be entitled to have a watcher present at any place where an  
3 official count is being conducted. Such watcher must be  
4 commissioned in writing by the candidate, or by the chair of the  
5 recognized political party of the county in which the watcher is  
6 being authorized. Such commission must be filed with the secretary  
7 of the appropriate county election board no later than 5:00 p.m. on  
8 Wednesday preceding the election. Watchers must subscribe to an  
9 oath to observe all laws and rules prescribed for watchers as  
10 hereinafter provided. Such oath must be administered by the  
11 inspector of the precinct in which the watcher is authorized.  
12 Watchers shall be entitled to observe the voting device both before  
13 the polls are opened and after the polls are closed; provided,  
14 further, that such watchers shall not be present at the polling  
15 place at other times. Watchers may be commissioned to observe  
16 voting device testing and to accompany personnel assigned to repair  
17 or maintain machines during the period of the election. In such  
18 case, the watchers shall be limited to observing the repair or  
19 maintenance work being performed and making a written record of such  
20 work. All watchers shall only appear in person and the use of  
21 watchers via electronic devices is prohibited. Any watcher who  
22 violates the law prescribed for watchers shall be deemed guilty of a  
23 misdemeanor.  
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1       SECTION 3.       NEW LAW       A new section of law to be codified  
2 in the Oklahoma Statutes as Section 9-121 of Title 26, unless there  
3 is created a duplication in numbering, reads as follows:

4       Devices or equipment used by the State Election Board or a  
5 county election board to count or tabulate ballots shall be  
6 prohibited from connecting to the Internet. Provided, this shall  
7 not serve to prohibit a secure network connection between the State  
8 Election Board and a county election board for the purpose of  
9 transmitting or receiving voter registration or election-related  
10 data.

11       SECTION 4.       AMENDATORY       26 O.S. 2021, Section 14-101.1, is  
12 amended to read as follows:

13       Section 14-101.1 A. For the purposes of this section,  
14 "absentee ballot harvesting" means:

15       1. Collecting or obtaining an absentee ballot from another  
16 person with the intent to submit, transmit or return the ballot to  
17 election officials on behalf of that person;

18       2. Submitting, returning or transmitting an absentee ballot to  
19 election officials on behalf of another person;

20       3. Collecting or obtaining an absentee ballot from another  
21 person under a false pretense or promise of transmitting, returning  
22 or submitting it to election officials on behalf of that person;

23       4. Requesting or receiving an absentee ballot on behalf of  
24 another person;

1        5. Distributing an absentee ballot application or request to a  
2 voter using the official letterhead of a candidate or elected  
3 official;

4        6. Partially or fully completing an application for an absentee  
5 ballot on behalf of another person without that person's prior  
6 consent; or

7        ~~6.~~ 7. Notarizing or witnessing more absentee ballots than  
8 allowed by law.

9        B. Absentee ballot harvesting shall be unlawful at any election  
10 conducted by a county election board, the State Election Board or  
11 any political subdivision of this state; provided, the following  
12 shall not be deemed to be ballot harvesting:

13        1. A voter's assistant or agent acting pursuant to law as  
14 otherwise allowed by Title 26 of ~~the Oklahoma Statutes~~ this title;

15        2. An absentee voting board member, as described in ~~Title 26 of~~  
16 ~~the Oklahoma Statutes~~ this title, who assists a voter confined to a  
17 nursing home or veterans center pursuant to law;

18        3. An employee of the Federal Voting Assistance Program, the  
19 United States Department of Defense or the Oklahoma National Guard  
20 who assists a uniformed-services voter in returning or transmitting  
21 an absentee ballot;

22        4. A spouse, relative in the first or second degree of  
23 consanguinity or affinity or cohabitant of a voter who forwards an  
24 absentee ballot to the voter when absent from the home;

1        5. A voter's spouse who, with the voter's consent, returns the  
2 voter's absentee ballot by mail; or

3        6. An official action by an election official that is required  
4 or authorized by law.

5        SECTION 5.        AMENDATORY        26 O.S. 2021, Section 16-123, is  
6 amended to read as follows:

7        Section 16-123. A. The Secretary of the State Election Board  
8 or any county election board who has documents that appear to be  
9 evidence of voter registration or voting crimes shall notify the  
10 district attorney for the county or counties involved and the Office  
11 of the Attorney General.

12        B. When presented with documentation of possible voter  
13 registration or voting crimes by the Secretary of the State Election  
14 Board or any county election board, a district attorney shall  
15 investigate and, within thirty (30) days and each thirty (30) days  
16 thereafter following receipt of such documentation, report in  
17 writing to the Secretary of the State Election Board or county  
18 election board the status of the investigation until charges are  
19 filed or the district attorney declines to file charges.

20        SECTION 6.        AMENDATORY        26 O.S. 2021, Section 21-101, is  
21 amended to read as follows:

22        Section 21-101. A. The Secretary of the State Election Board  
23 is hereby authorized beginning July 1, 1989, to purchase equipment  
24 for and implement a unitary, unified, integrated system of election

1 administration for the State of Oklahoma that includes an electronic  
2 data processing system for maintenance of voter registration  
3 records, certification of election results and other  
4 election-related applications, and the installation of electronic,  
5 optical scanning voting devices compatible with the same system in  
6 every precinct polling place.

7 B. The Secretary of the State Election Board is authorized to  
8 adopt procedures consistent, insofar as practicable, with existing  
9 law for implementation of the system.

10 C. Except as provided in subsection A, no electronic data  
11 processing applications shall be implemented by a county election  
12 board, nor shall voting devices be purchased by a county, except for  
13 those electronic data processing applications and voting devices  
14 already in use or for which a contract had been signed by no later  
15 than March 31, 1986.

16 D. A new unitary integrated voting system described in  
17 subsection A of this section that is implemented on or after January  
18 1, 2023, shall be required to report the official election returns  
19 of each election by precinct, including, but not limited to, all  
20 votes cast in person and by absentee.

21 SECTION 7. It being immediately necessary for the preservation  
22 of the public peace, health or safety, an emergency is hereby  
23 declared to exist, by reason whereof this act shall take effect and  
24 be in full force from and after its passage and approval.



1 Passed the House of Representatives the 23rd day of March, 2022.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2022.

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Presiding Officer of the Senate