

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1711

By: Hill

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9 COMMITTEE SUBSTITUTE

10 An Act relating to elections; allowing blind or
11 visually impaired persons to request certain ballot
12 electronically; authorizing Secretary of the State
13 Election Board to prescribe absentee voting packet;
14 providing for delivery by mail or electronically;
15 providing for marking of ballot; providing for
16 absentee ballot affidavit; providing for return of
17 ballot; prohibiting return of ballot electronically;
18 providing for request of assistance; providing for
19 processing of ballot; providing for penalty;
20 authorizing promulgation of rules; providing for
21 codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 14-115.12 of Title 26, unless
there is created a duplication in numbering, reads as follows:

A. 1. A registered voter who swears or affirms that the voter
is physically unable to vote in person at the voter's precinct on
the day of the election because the voter is blind or visually

1 impaired may request that an accessible absentee ballot be delivered
2 to the voter electronically in a manner prescribed by the Secretary
3 of the State Election Board.

4 2. An accessible absentee voting packet for blind or visually
5 impaired voters, which shall include all necessary materials except
6 the absentee ballot, shall be prescribed by the Secretary of the
7 State Election Board. The accessible absentee voting packet may be
8 delivered to the voter by United States mail or electronically.

9 B. 1. The electronic delivery system shall provide the voter
10 the opportunity to use the voter's personal computer to mark an
11 accessible absentee ballot privately and independently and then
12 print the marked ballot.

13 2. The absentee ballot shall be accompanied by an absentee
14 ballot affidavit, which shall be executed in the same manner as
15 provided for affidavits in Section 14-113.2 of Title 26 of the
16 Oklahoma Statutes.

17 3. The voter shall return the absentee ballot and executed
18 affidavit to the secretary of the county election board in the same
19 manner provided in Section 14-113.2 of Title 26 of the Oklahoma
20 Statutes. Nothing in this section shall allow for an absentee
21 ballot to be returned to the county election board electronically,
22 and no absentee ballot returned electronically shall be eligible to
23 be counted by a county election board.

1 C. A registered voter who is blind or visually impaired may
2 choose to request the assistance of another person to complete any
3 requirements of this section, as provided in Section 7-123.3 of
4 Title 26 of the Oklahoma Statutes.

5 D. Upon return of an absentee ballot described in this section,
6 the secretary of the county election board shall cause it to be
7 processed in the same manner as prescribed by law for other absentee
8 ballots.

9 E. Any person who is not blind or visually impaired according
10 to state law, but who applies for an absentee ballot described in
11 this section, shall be deemed guilty of a felony as provided in
12 Section 16-102.2 of Title 26 of the Oklahoma Statutes.

13 F. The Secretary of the State Election Board may promulgate
14 rules or procedures to implement the requirements of this section.

15 SECTION 2. This act shall become effective November 1, 2021.

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17 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
18 02/11/2021 - DO PASS, As Amended.
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