

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 103

By: Kirt

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5
6 AS INTRODUCED

7 An Act relating to absentee ballots; amending 26 O.S.
8 2011, Sections 14-104, as amended by Section 1,
9 Chapter 237, O.S.L. 2016 and 14-113.2 (26 O.S. Supp.
10 2020, Section 14-104), which relate to return and
11 marking of ballots; conforming language; authorizing
12 hand delivery of certain absentee ballots; requiring
13 proof of identity for hand delivery of certain
14 absentee ballots; establishing deadline for return of
15 certain absentee ballots by hand delivery; defining
16 term; and providing an effective date.

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

18 SECTION 1. AMENDATORY 26 O.S. 2011, Section 14-104, as
19 amended by Section 1, Chapter 237, O.S.L. 2016 (26 O.S. Supp. 2020,
20 Section 14-104), is amended to read as follows:

21 Section 14-104. Absentee ballots shall be returned to the
22 secretary of each county election board no later than 7:00 p.m. the
23 day of the election; provided, absentee ballots that are hand
24 delivered to the county election board as provided in ~~Section~~
25 Sections 14-108 and 14-113.2 of this title shall be delivered no
later than the end of regular business hours on the day prior to the
date of the election.

1 SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-113.2, is

2 amended to read as follows:

3 Section 14-113.2. A. The voter shall be responsible for
4 marking the ballots or directing a person chosen by the voter to
5 mark the ballots in accordance with the provisions of Section 7-
6 123.3 of this title and as prescribed by the Secretary of the State
7 Election Board; seal the ballots in the plain opaque envelope; fill
8 out completely and sign the affidavit or direct a person chosen by
9 the voter to sign the affidavit, such signature to be witnessed by
10 two persons, who did not sign the affidavit, whose signature and
11 address shall appear on the affidavit; seal the plain opaque
12 envelope inside the envelope bearing the affidavit and return both
13 envelopes, sealed inside the return envelope, by hand delivery,
14 United States mail or by a private mail service, provided such
15 service has delivery documentation, to the county election board.

16 B. No person, except members of absentee voting boards, shall
17 witness the signature of more than five affidavits of persons who
18 swear they are physically incapacitated and unable to vote in person
19 at their precinct on election day. No person who is a candidate for
20 an office on the ballot or who is related within the third degree of
21 consanguinity or affinity to a candidate on the ballot may witness
22 any absentee ballot affidavit.

23 C. Except for absentee ballots issued pursuant to Sections 14-
24 115 or 14-115.1 of this title, any voter or the person chosen by the

1 voter to mark the ballot pursuant to subsection A of this section
2 who hand delivers the voter's ballot shall provide proof of identity
3 to the county election board and shall hand deliver the ballot no
4 later than the end of regular business hours on the day prior to the
5 date of the election. For purposes of this section, "proof of
6 identity" shall have the same meaning as used in subsection A of
7 Section 7-114 of this title.

8 SECTION 3. This act shall become effective November 1, 2021.

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