

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 376

 By: Howard of the Senate

 and

 Newton of the House

8 An Act relating to absentee voting; amending 26 O.S.
9 2021, Section 14-113.2, which relates to marking and
10 return of ballot; modifying procedures for marking
11 and return of ballot for certain persons; clarifying
12 signature requirement for certain affidavit; updating
13 statutory language; and providing an effective date.

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

13 SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-113.2, is
14 amended to read as follows:

15 Section 14-113.2. A. ~~The~~ 1. A voter who receives an absentee
16 ballot pursuant to Section 14-110.1 of this title shall be
17 responsible for marking the ~~ballots~~ ballot or directing a person
18 chosen by the voter to mark the ~~ballots~~ ballot in accordance with
19 the provisions of Section 7-123.3 of this title and as prescribed by
20 the Secretary of the State Election Board;

21 2. The voter or person chosen by the voter shall seal the
22 ~~ballots~~ ballot in the plain opaque envelope;

23 3. The voter shall fill out completely and sign the affidavit
24 or direct a person chosen by the voter to fill out completely and

1 sign the voter's name on the affidavit, such. The name and address
2 of residence of the person chosen by the voter shall be printed on
3 the affidavit;

4 4. The signature ~~to~~ of the voter or person chosen by the voter
5 shall be witnessed by two persons, who did not sign the affidavit on
6 behalf of the voter, whose ~~signature~~ printed names, signatures, and
7 ~~address~~ addresses of residence shall appear on the affidavit; and

8 5. The voter or person chosen by the voter shall seal the plain
9 opaque envelope inside the envelope bearing the affidavit and return
10 both envelopes, sealed inside the return envelope, ~~by United States~~
11 ~~mail or by a private mail service, provided such service has~~
12 ~~delivery documentation, to the county election board~~ in the same
13 manner described in Section 14-108 of this title.

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

21 SECTION 2. This act shall become effective November 1, 2023.

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23 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
24 04/03/2023 - DO PASS.