

SENATE FLOOR VERSION

February 15, 2023

SENATE BILL NO. 479

By: Stanley

An Act relating to soldiers and sailors; amending 26 O.S. 2021, Section 14-137, which relates to Uniform Military and Overseas Voters Act; modifying definition; amending 72 O.S. 2021, Section 2, which relates to certain definition; modifying definition; updating statutory references; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-137, is amended to read as follows:

As used in the Uniform Military and Overseas Voters Act:

1. "Covered voter" means:

a. a uniformed-service voter or an overseas voter who is registered to vote in this state,

b. a uniformed-service voter defined in subparagraph a of paragraph 9 of this section, whose voting residence is in this state and who otherwise satisfies this state's voter eligibility requirements,

c. an overseas voter who, before leaving the United States, was last eligible to vote in this state and,

1 except for a state residency requirement, otherwise
2 satisfies this state's voter eligibility requirements,
3 d. an overseas voter who, before leaving the United
4 States, would have been last eligible to vote in this
5 state had the voter then been of voting age and,
6 except for a state residency requirement, otherwise
7 satisfies this state's voter eligibility requirements,
8 or

9 e. an overseas voter who was born outside the United
10 States, is not described in subparagraph c or d of
11 this paragraph, and, except for a state residency
12 requirement, otherwise satisfies this state's voter
13 eligibility requirements, if:

14 (1) the last place where a parent or legal guardian
15 of the voter was, or under ~~this act~~ the Uniform
16 Military and Overseas Voters Act would have been,
17 eligible to vote before leaving the United States
18 is within this state, and

19 (2) the voter has not previously registered to vote
20 in any other state;

21 2. "Dependent" means an individual recognized as a dependent by
22 a uniformed service;
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1 3. "Federal postcard application" means the application
2 prescribed under Section 101(b)(2) of the Uniformed and Overseas
3 Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)(2);

4 4. "Federal write-in absentee ballot" means the ballot
5 described in Section 103 of the Uniformed and Overseas Citizens
6 Absentee Voting Act, 42 U.S.C. Section 1973ff-2;

7 5. "Military-overseas ballot" means:

8 a. a federal write-in absentee ballot,

9 b. a ballot specifically prepared or distributed for use
10 by a covered voter in accordance with ~~this act~~ Section
11 14-136 et seq. of this title, or

12 c. a ballot cast by a covered voter in accordance with
13 ~~this act~~ the Uniform Military and Overseas Voters Act;

14 6. "Overseas voter" means a United States citizen who is
15 outside the United States;

16 7. "State" means a state of the United States, the District of
17 Columbia, Puerto Rico, the United States Virgin Islands, or any
18 territory or insular possession subject to the jurisdiction of the
19 United States;

20 8. "Uniformed service" means:

21 a. active and reserve components of the Army, Navy, Air
22 Force, Marine Corps, Space Force, or Coast Guard of
23 the United States,
24

- 1 b. the Merchant ~~Marine~~ Marines, the commissioned corps of
2 the Public Health Service, or the commissioned corps
3 of the National Oceanic and Atmospheric Administration
4 of the United States, or
- 5 c. the National Guard and state militia;

6 9. "Uniformed-service voter" means an individual who is
7 qualified to vote and is:

- 8 a. a member of the active or reserve components of the
9 Army, Navy, Air Force, Marine Corps, Space Force, or
10 Coast Guard of the United States who is on active
11 duty,
- 12 b. a member of the Merchant ~~Marine~~ Marines, the
13 commissioned corps of the Public Health Service, or
14 the commissioned corps of the National Oceanic and
15 Atmospheric Administration of the United States,
- 16 c. a member on activated status of the National Guard or
17 state militia, or
- 18 d. a spouse or dependent of a member referred to in this
19 paragraph; and

20 10. "United States", used in the territorial sense, means the
21 several states, the District of Columbia, Puerto Rico, the United
22 States Virgin Islands, and any territory or insular possession
23 subject to the jurisdiction of the United States.

1 SECTION 2. AMENDATORY 72 O.S. 2021, Section 2, is
2 amended to read as follows:

3 The words "ex-service person", "veteran", or "war veteran" used
4 in ~~this act~~ Section 1 et seq. of this title shall be construed to
5 mean any person who:

6 1. Has served the full obligation for active duty, Reserve or
7 National Guard service in the ~~military~~ uniformed service as defined
8 in Section 14-137 of Title 26 of the Oklahoma Statutes, or received
9 an early discharge for a medical condition, hardship, or reduction
10 in force; and

11 2. Has been separated or discharged from such service honorably
12 or under honorable conditions.

13 SECTION 3. This act shall become effective November 1, 2023.

14 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS
15 February 15, 2023 - DO PASS
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