

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 2032

By: Stewart

AS INTRODUCED

An Act relating to absentee voting; amending 26 O.S. 2021, Section 14-118, which relates to transmission of ballots to voters; specifying allowable methods of return of absentee ballots; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-118, is amended to read as follows:

Section 14-118. A. When an application for an absentee ballot pursuant to Section 14-142 of this title is received by the secretary of a county election board, it shall be the duty of the secretary to transmit by United States mail, by facsimile device as defined in Section 1862 of Title 21 of the Oklahoma Statutes, or as provided in subsection B of this section the ballots which the elector has requested and is entitled to receive. When an application for an absentee ballot is received at least forty-five (45) days before an election involving state or federal offices, the absentee ballot shall be transmitted by mail, by electronic mail, or

1 by other means of electronic communication, as provided in this  
2 section, or by facsimile device as provided in Section 14-118.1 of  
3 this title, not less than forty-five (45) days preceding the  
4 election. When an application for an absentee ballot for an  
5 election involving state or federal offices is received less than  
6 forty-five (45) days preceding the election, the absentee ballot  
7 shall be transmitted by mail, by electronic mail, or by other means  
8 of electronic communication, as provided in this section, or by  
9 facsimile device as provided in Section 14-118.1 of this title,  
10 within forty-eight (48) hours of receipt of the application.

11 B. The secretary of the county election board may transmit  
12 balloting materials for any state or federal election, or for any  
13 other election as designated by the Secretary of the State Election  
14 Board as provided in subsection D of this section, by electronic  
15 mail or by other means of electronic communication in a form and  
16 manner prescribed by the Secretary of the State Election Board, if  
17 the voter:

- 18 1. Is a Federal Post Card Application registrant and is  
19 eligible to receive an absentee ballot as provided by law;
- 20 2. Provides an electronic mail address; and
- 21 3. Requests that balloting materials be sent by electronic  
22 mail.

23 If the secretary of the county election board transmits a ballot  
24 to a voter by electronic mail or by other means of electronic

1 communication as provided in this subsection, the secretary shall  
2 amend the voter's federal postcard application for future elections  
3 to include the voter's electronic mail address.

4 C. An electronic mail address provided under this section is  
5 confidential and does not constitute public information for purposes  
6 of the Oklahoma Open Records Act. The secretary of the county  
7 election board shall ensure that an electronic mail address provided  
8 under this section is excluded from disclosure.

9 D. The Secretary of the State Election Board shall determine if  
10 balloting materials for any election other than a state or federal  
11 election may be produced in a form which would allow them to be  
12 transmitted by electronic mail or by other means of electronic  
13 communication. If so, the Secretary shall so designate them. If  
14 such designation is not made, the balloting materials may be  
15 transmitted to the voter as provided in subsection A of this  
16 section.

17 E. All other provisions of this title that would normally apply  
18 to a ballot voted under this title apply to a ballot provided  
19 pursuant to the provisions of subsection B of this section.

20 F. The Secretary of the State Election Board may suspend the  
21 provisions of subsection B of this section if the Secretary  
22 determines that electronic transmission of balloting materials is  
23 not in the best interest of the people of this state due to a  
24 potential problem with the security of the balloting materials.

1        G. Any absentee ballot received by a method authorized by this  
2 section shall be returned by hand delivery, United States mail, or  
3 by a private mail service to the county election board as required  
4 pursuant to Section 14-108 of this title.

5            SECTION 2. This act shall become effective January 1, 2025.

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