

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 2123

By: Swope

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2021, Sections 7-119 and 7-127, which relate to conduct of elections; eliminating straight-party voting; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 7-119, is amended to read as follows:

Section 7-119. The voter shall vote by marking the ballot as prescribed by the Secretary of the State Election Board ~~for the party of his choice or for the~~ voter's choice of candidates ~~of his choice~~ or for the ~~answer he~~ choice the voter desires to select on each question.

SECTION 2. AMENDATORY 26 O.S. 2021, Section 7-127, is amended to read as follows:

Section 7-127. The following rules shall govern the counting and recounting of votes:

1. If the name of any person is written on a ballot, the name shall not be counted;

1 2. A valid vote shall be any mark prescribed by the Secretary
2 of the State Election Board made by voters indicating the voter's
3 choice of ~~party~~, candidate or issue on a ballot. Such marking shall
4 be hereinafter referred to as "valid markings". Such valid markings
5 located otherwise on the ballot shall not be counted;

6 3. Marks used to designate the intention of the voter, other
7 than those herein defined as valid markings, shall not be counted;

8 4. Failure to properly mark a ballot as to one or more
9 candidates or questions shall not of itself invalidate the entire
10 ballot if the same has been properly marked as to other candidates
11 or questions; and

12 5. ~~A valid marking marked for a political party shall be~~
13 ~~counted as a vote for each of the political party's candidates on~~
14 ~~that ballot, except that a valid marking marked for a candidate's~~
15 ~~name shall take precedence, for that office, over a valid marking~~
16 ~~for a political party. Provided, further, that if valid markings~~
17 ~~are marked for more than one political party on a ballot, the ballot~~
18 ~~shall not be counted for any party offices thereon; and~~

19 ~~6.~~ Any ballot or part of a ballot on which it is impossible to
20 determine the voter's choice of candidate shall be void as to the
21 candidate or candidates thereby affected.
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SECTION 3. This act shall become effective November 1, 2023.

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