

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2504</b>
<b>Version:</b>	<b>Introduced</b>
<b>Request Number:</b>	<b>5751</b>
<b>Author:</b>	<b>Rep. Lepak</b>
<b>Date:</b>	<b>2/10/2023</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

HB2504 creates the "Federal Election Communications Transparency Act of 2023," which ensures that the Governor and State Legislature are aware of all communications made or provided to agencies and entities responsible for overseeing elections so that the state can respond as needed. The Secretary of the State Election Board, the secretary of a county election board, or any state agency that receives official federal communication regarding voting or elections must provide notice to the Governor and Legislature leadership within 10 business days of receipt, using the postmark. A willful and intentional violation of requirements will be deemed a misdemeanor.

The measure also creates the "Unlawful Federalization of Elections Act of 2023," which is to ensure that all new federal election guidance has been properly reviewed by the State Legislature. If the Secretary of the State Election Board or a county election board intends to implement any new federal election guidance contrary to state law, they must provide notice to the Governor and State Legislature leadership at least 30 days before implementation. State and county election entities must not implement any federal directive or guidance contrary to state law without an explicit state or federal legal requirement to do so, including a court order or Legislative approval. A violation of this section will be deemed a misdemeanor.

Last, the measure creates the "State Oversight of Election Funding Act of 2023." This requires the Secretary of the State Election Board or the secretary of a county election board to provide notice to the Governor and the Legislative leadership 30 days before acceptance if they intend to accept or disburse new federal election funds. All new funds must approved by the State Legislature unless explicitly required by state or federal law. Violation of this provision will be deemed a misdemeanor.

Prepared By: Suzie Nahach

**Fiscal Analysis**

HB 2504 ensures that the Governor and State Legislature are made aware of all federal communications. This measure also requires that all new federal election guidance is reviewed by the State Legislature prior to implementation by the State Election Board, and any acceptance or disbursement of new federal elections funds must by approved by the State Legislature. Per the State Election Board, these changes would not result in any fiscal or revenue impacts to the state.

Prepared By: Jay St Clair, House Fiscal Staff

**Other Considerations**

None.

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