

OKLAHOMA STATE SENATE
CONFERENCE
COMMITTEE REPORT

May 18, 2023

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB377

By: Howard of the Senate and Newton and West (Josh) of the House

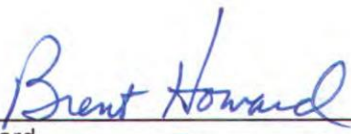

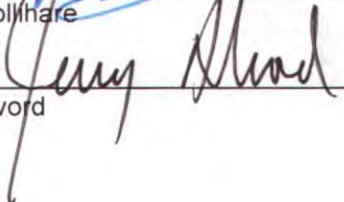
Title: Voter registration; adding cause for cancellation of voter registration; establishing procedures for cancellation of certain registrations. Effective date.

together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute (Request #2187) be adopted.

Respectfully submitted,

SENATE CONFEREES:


Howard

Gollhare

Alvord


Rosino

Kidd
Jech
Boren

HOUSE CONFEREES:

Conference Committee on Elections and Ethics

Senate Action _____ Date _____ House Action _____ Date _____

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 377

By: Howard of the Senate

and

Newton and West (Josh) of
the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to voter registration; amending 26 O.S. 2021, Sections 4-113, as amended by Section 1, Chapter 293, O.S.L. 2022, 4-120, as amended by Section 3, Chapter 293, O.S.L. 2022, 4-120.1, and 4-120.5 (26 O.S. Supp. 2022, Sections 4-113 and 4-120), which relate to voter identification cards and cancellation of registrations; establishing requirements for transmission of voter identification cards; authorizing promulgation of rules by Secretary of the State Election Board; adding cause for cancellation of voter registration; authorizing application for new voter registration within certain time period after voluntary cancellation; requiring court to prepare certain list; requiring list to be provided to county election board; requiring secretary to cancel certain registrations; requiring report to district attorney and United States attorney; updating statutory language; making language gender neutral; and providing an effective date.

1
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-113, as
4 amended by Section 1, Chapter 293, O.S.L. 2022 (26 O.S. Supp. 2022,
5 Section 4-113), is amended to read as follows:

6 Section 4-113. A. The Secretary of the State Election Board
7 shall devise a voter identification card which shall be issued to
8 every person who becomes a registered voter in Oklahoma. The voter
9 identification card shall contain such information as is necessary
10 to determine a registered voter's eligibility.

11 B. When a person registers to vote or changes his or her
12 registration in any manner to require a new voter identification
13 card, or upon the eighteenth birthday of a person who has submitted
14 a voter registration application pursuant to the provisions of
15 subsection B of Section 4-103 of this title, the county election
16 board secretary in the county of the voter's residence shall
17 transmit the new voter identification card as acknowledgment of the
18 transaction which may be the notice required in Section 4-103.1 of
19 this title. New voter identification cards provided for in this
20 subsection shall be mailed to the physical address of the voter if
21 such address is valid to receive mail delivery; provided, however,
22 the voter identification card shall be transmitted to the mailing
23 address provided by the voter on his or her voter registration
24

1 application if the mailing type or physical address meets one of the
2 following exceptions:

3 1. The voter's physical address of residence is not a valid
4 address to receive mail delivery. A valid address is one that
5 follows the correct standards and formatting of the United States
6 Postal Service. A valid address shall have a street name, street
7 number, city, state, and ZIP code. An invalid address is one that
8 has a directional address or unknown structure under standards of
9 the United States Postal Service or is otherwise not eligible to
10 receive mail delivery from the United States Postal Service.~~If the~~
11 ~~applicant's address of residence is not a valid address for mail~~
12 ~~delivery, the voter identification card shall be transmitted to the~~
13 ~~mailing address provided by the applicant on his or her voter~~
14 ~~registration application;~~

15 2. The voter cannot receive mail delivery at a physical address
16 due to "No Mail Receptacle" according to the United States Postal
17 Service; or

18 3. The mailing of the voter identification card is the result
19 of an action initiated by the election board which may include
20 notification to the voter of changes to a polling place, district
21 lines, or precincts listed on the voter registration card.

22 C. 1. If a voter registration card is mailed to the voter's
23 physical address and is returned to the election board by the postal
24 service due to "No Mail Receptacle", the voter registration card may

1 be resent to the mailing address provided on the voter registration
2 application. A person whose voter identification card was returned
3 pursuant to this subsection may appear in person to request and be
4 provided the returned voter registration card at the county election
5 board by presenting proof of identity as described in subsection A
6 of Section 7-114 of this title.

7 2. Upon determination that a voter's physical address of
8 residence cannot receive mail as described in paragraph 1 or 2 of
9 subsection B of this section, the secretary of the county election
10 board may make a notation of such information in the election
11 management system, and any future mailings under the voter's current
12 voter registration may be mailed to the voter's mailing address.

13 D. The Secretary of the State Election Board may promulgate
14 rules to implement the requirements of this section.

15 SECTION 2. AMENDATORY 26 O.S. 2021, Section 4-120, as
16 amended by Section 3, Chapter 293, O.S.L. 2022 (26 O.S. Supp. 2022,
17 Section 4-120), is amended to read as follows:

18 Section 4-120. A. The registration of any registered voter
19 shall be canceled only for one of the following reasons:

- 20 1. Written notice from the voter pursuant to Section 4-120.1 of
21 this title;
- 22 2. Death;
- 23 3. Conviction of a felony;
- 24

1 4. Judicial determination of mental incapacitation under Title
2 30 of the Oklahoma Statutes;

3 5. Registration in another county or state;

4 6. Failure to respond to a confirmation of address mailing and
5 failure to vote as prescribed in Section 4-120.2 of this title; ~~or~~

6 7. The surrendering of the voter's Oklahoma driver license to
7 ~~the Department of Public Safety~~ Service Oklahoma upon being issued a
8 driver license in another state; or

9 8. Being excused from jury duty for not being a citizen of the
10 United States.

11 B. For purposes of this section, paragraphs 5 and 7 of
12 subsection A of this section shall constitute confirmation from the
13 voter to cancel his or her voter registration due to a change of
14 residence.

15 C. A list of voter registrations that were canceled during the
16 previous twenty-four (24) months, and the reason for the
17 cancellation, shall be made available to the public.

18 SECTION 3. AMENDATORY 26 O.S. 2021, Section 4-120.1, is
19 amended to read as follows:

20 Section 4-120.1. A. A registered voter may have his or her
21 name removed from the voter registration database by executing a
22 written notice for same to the Secretary of the State Election Board
23 or any county election board. Such written notice shall be
24 personally signed by the voter and either shall be notarized or

1 shall be witnessed by two persons whose names and addresses shall be
2 included on the notice.

3 B. Any voter who voluntarily cancels his or her voter
4 registration as provided in this section shall be eligible to submit
5 a new voter registration application in the same county when sixty
6 (60) or more calendar days have passed since the submission of the
7 request for cancellation.

8 SECTION 4. AMENDATORY 26 O.S. 2021, Section 4-120.5, is
9 amended to read as follows:

10 Section 4-120.5. A. The court clerk in each county shall
11 prepare each month a list of all persons who have been adjudged
12 incapacitated and ~~hold said~~ provide the list for to the secretary of
13 the county election board. The secretary shall cancel the
14 registration of each registered voter included on ~~said~~ the list, and
15 ~~such~~ the person shall be ineligible for registration until he or she
16 has been adjudged no longer incapacitated by a court of competent
17 jurisdiction.

18 B. The court clerk in each county shall prepare each month a
19 list of all persons who were excused from jury duty for not being a
20 citizen of the United States and provide the list to the secretary
21 of the county election board. The secretary shall cancel the
22 registration of each registered voter included on the list, and
23 shall report the person or persons to the district attorney and the
24 United States attorney for the county.

SECTION 5. This act shall become effective November 1, 2023.

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