

# An Act

ENROLLED SENATE  
BILL NO. 1040

By: Jech of the Senate

and

Worthen of the House

An Act relating to voter registration; amending 26 O.S. 2021, Section 4-109.3, as amended by Section 15, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022, Section 4-109.3), which relates to motor vehicle licensing agencies; requiring certain request to person upon certain application; requiring certain response to be submitted in writing or electronically; requiring electronic transmission of certain applications to the State Election Board; prohibiting voter registration services to certain persons; removing authority to develop certain system; and declaring an emergency.

SUBJECT: Voter registration

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-109.3, as amended by Section 15, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022, Section 4-109.3), is amended to read as follows:

Section 4-109.3. A. When a qualified elector applies for issuance or renewal of an Oklahoma driver license, or issuance of a state identification card issued pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes, he or she shall be provided voter registration services as required by the National Voter Registration Act. ~~All completed~~ The person shall be asked whether he or she wishes to register to vote or to change his or her address for voting purposes. A person who declines to register shall confirm

such choice in writing or by electronic means. Completed electronic voter registration applications shall be electronically transmitted by the agency accepting the application to the State Election Board or county election board. Completed paper voter registration applications shall be transmitted by the agency accepting the application at the close of business each week to the State Election Board in preaddressed, postage prepaid envelopes provided by the State Election Board. If a person registers or declines to register to vote, the office at which the person submits the voter registration application or the fact that the person declined to register shall remain confidential and will be used only for voter registration purposes.

B. No voter registration services shall be offered to any person who, at the time of an application for issuance or renewal of an Oklahoma driver license or state identification card, provides documentation that shows that the person is not a citizen of the United States.

C. A change of address for an Oklahoma driver license or state identification card submitted by a registered voter shall also serve as a change of address for voter registration purposes if the new address is within the same county where the voter is registered to vote. If the new address is outside the county where the voter is currently registered to vote, the voter shall be sent a notice and application with instructions for registering to vote at the new address. A change of address for an Oklahoma driver license or state identification card shall not be used to update a voter registration address if the registrant states in writing or by electronic means that the change of address is not for voter registration purposes.

~~C.~~ D. Licensed operators shall receive fifty cents (\$0.50) per valid paper voter registration application or application for change in voter registration taken by themselves and employees of the licensed operator's office taken at the licensed operator's office, payable by the State Election Board.

~~D.~~ E. Service Oklahoma shall notify the Secretary of the State Election Board of licensed operator appointments. Service Oklahoma shall notify the Secretary of the State Election Board of licensed operators qualified to issue driver licenses.

~~E. The Secretary of the State Election Board is authorized to develop with Service Oklahoma a system to electronically transmit voter registration applications from licensed operators to the State Election Board or county election boards. Such system shall be consistent with the requirements for electronic submission of voter registration applications provided in Section 4-109.4 of this title.~~

F. The Secretary of the State Election Board shall promulgate rules and procedures to implement the requirements of this section.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 9th day of March, 2023.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2023.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_