

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 1016

By: Jett

AS INTRODUCED

An Act relating to absentee ballots; amending 26 O.S. 2021, Section 14-105, as amended by Section 1, Chapter 292, O.S.L. 2022 (26 O.S. Supp. 2022, Section 14-105), which relates to applications for ballot; requiring certain list on request form for absentee ballot; requiring applicant for absentee ballot to select reason for request; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-105, as amended by Section 1, Chapter 292, O.S.L. 2022 (26 O.S. Supp. 2022, Section 14-105), is amended to read as follows:

Section 14-105. A. 1. Any registered voter may apply for an absentee ballot in person at the county election board, by United States mail, by facsimile device as defined in Section 1862 of Title 21 of the Oklahoma Statutes or by a means of electronic communication designated by the Secretary of the State Election Board. The Secretary of the State Election Board shall prescribe a form to be used for the application, although any application setting forth substantially the same facts shall be valid.

1 2. The form to be used for the application required pursuant to
2 this section shall contain a list of valid reasons for requesting
3 the absentee ballot. To receive an absentee ballot, the voter shall
4 select one reason for which the voter is unable to vote in person
5 early or on election day, described as follows:

- 6 a. absent from the jurisdiction,
- 7 b. illness or disability,
- 8 c. employment-related,
- 9 d. education-related,
- 10 e. military service,
- 11 f. religion,
- 12 g. serving as an election official,
- 13 h. seventy-five (75) years of age or older,
- 14 i. incarcerated or institutionalized,
- 15 j. serving on jury duty, or
- 16 k. participation in a confidentiality program.

17 B. 1. A registered voter applying for an absentee ballot by
18 means of electronic communication shall provide his or her name,
19 birth date, an identification number, and other information as may
20 be prescribed by the Secretary of the State Election Board. The
21 name, birth date, and identification number provided on the
22 application must match the name, birth date, and identification
23 number in the voter registration record in order to apply for an
24 absentee ballot pursuant to this subsection.

1 2. If the voter does not recall which identification number he
2 or she included in the voter registration record, the voter may
3 provide multiple identification numbers, at least one of which must
4 match the identification number in the voter registration record if
5 such record included an identification number. If the name, birth
6 date, or any identification number provided does not match the voter
7 registration record, the voter shall be informed of the failure to
8 match the voter registration record and shall be provided
9 information and instruction to contact the county election board.

10 3. If the voter registration record on file with the county
11 election board does not contain a birth date or identification
12 number, the voter shall not be eligible to apply for an absentee
13 ballot by means of electronic communication but may apply for an
14 absentee ballot pursuant to subsection C of this section.

15 4. Identifying information such as birth date and
16 identification number shall not be modified online in an existing
17 voter registration except as provided in Section 4-109.4 of this
18 title.

19 5. No later than January 1, 2023, a registered voter applying
20 for an absentee ballot pursuant to this subsection who meets the
21 criteria provided in Section 7-115.1 of this title shall be required
22 to confirm his or her address prior to submitting an application for
23 absentee ballot by means of electronic communication.

1 C. 1. A registered voter applying for an absentee ballot in
2 person, by United States mail, or by facsimile device shall provide
3 his or her name, birth date, an identification number, and other
4 information as may be prescribed by the Secretary of the State
5 Election Board. The name, birth date, and identification number
6 provided on the application must match the name, birth date, and
7 identification number in the voter registration record.

8 2. If the voter does not recall which identification number he
9 or she included in the voter registration record, the voter may
10 provide multiple identification numbers, at least one of which must
11 match the identification number in the voter registration record if
12 such record included an identification number. If the voter
13 registration record does not contain a birth date or an
14 identification number, the absentee ballot application shall be
15 accepted without a match of a birth date or an identification
16 number.

17 D. For purposes of this section, "identification number" means
18 a number submitted on the registration application pursuant to
19 paragraph 3 of subsection A of Section 4-112 of this title.

20 SECTION 2. This act shall become effective November 1, 2023.

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