

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1351

By: Bergstrom

AS INTRODUCED

An Act relating to elections; providing legislative findings; amending 26 O.S. 2021, Section 4-101, as amended by Section 1, Chapter 289, O.S.L. 2024 (26 O.S. Supp. 2025, Section 4-101), which relates to voter eligibility; modifying voter residency requirements; updating statutory language; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

The Legislature finds that the United States Constitution expressly recognizes that absent specific constitutional provisions or Acts of Congress, states are primarily responsible for establishing the qualifications to vote in federal elections:

1. Article I, Section 2, Clause 1: "...the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature";

2. Article II, Section 2, Clause 3: "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors..."; and

1 3. Amendment XVII: "The electors in each State shall have the
2 qualifications requisite for electors of the most numerous branch of
3 the State legislatures".

4 The Legislature also finds that to be qualified and eligible to
5 vote under the laws of this state and the Oklahoma Constitution, a
6 voter must be a resident of this state. No provision of the United
7 States Constitution or any federal law extends the right to vote to
8 individuals who were never domiciled in the United States.

9 SECTION 2. AMENDATORY 26 O.S. 2021, Section 4-101, as
10 amended by Section 1, Chapter 289, O.S.L. 2024 (26 O.S. Supp. 2025,
11 Section 4-101), is amended to read as follows:

12 Section 4-101. Every person who is a qualified elector as
13 ~~defined~~ provided by Section 1 of Article III of the Oklahoma
14 Constitution shall be entitled to become a registered voter in the
15 precinct of his or her residence, ~~with~~ subject to the following
16 conditions:

17 1. A person who was never domiciled in the United States cannot
18 establish residency in this state and shall not be qualified to vote
19 in this state;

20 2. A United States citizen who was never domiciled in the
21 United States shall not be eligible to register to vote or to vote
22 in this state;

23 3. Residency in this state may not be established in this state
24 if the person was never domiciled in the United States;

1 4. Persons convicted of a felony shall be eligible to register
2 to vote when they have:

- 3 a. fully served their sentence of court-mandated calendar
4 days or had their sentence discharged, including any
5 term of incarceration, parole or supervision, or
6 completed a period of probation ordered by any court,
- 7 b. received a commutation that reduced the sentence of
8 any active felony conviction to time served pursuant
9 to federal or state law and have no other outstanding
10 sentence under any other felony conviction,
- 11 c. received a commutation pursuant to subsection F of
12 Section 332.2 of Title 57 of the Oklahoma Statutes for
13 a crime that has been reclassified from a felony to a
14 misdemeanor and has no remaining time to serve,
15 including:
 - 16 (1) any incomplete term of incarceration,
 - 17 (2) any remaining parole or supervision, or
 - 18 (3) any incomplete period of probation, or
- 19 d. been granted a pardon pursuant to federal or state law
20 and have no other outstanding sentence under any other
21 felony conviction; and

22 ~~2.~~ 5. Any person who has been adjudged to be an incapacitated
23 person as such term is defined by Section 1-111 of Title 30 of the
24 Oklahoma Statutes shall be ineligible to register to vote. When
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1 such incapacitated person has been adjudged to be no longer
2 incapacitated such person shall be eligible to become a registered
3 voter. The provisions of this paragraph shall not prohibit any
4 person adjudged to be a partially incapacitated person as such term
5 is defined by Section 1-111 of Title 30 of the Oklahoma Statutes
6 from being eligible to register to vote unless the order adjudging
7 the person to be partially incapacitated restricts such person from
8 being eligible to register to vote.

9 SECTION 3. This act shall become effective November 1, 2026.

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