

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1493

By: Bergstrom

AS INTRODUCED

An Act relating to voter registration; amending 26 O.S. 2021, Section 7-114, which relates to determining voter eligibility; prohibiting identification cards issued by an educational institution from being used as proof of identity; updating statutory language; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 7-114, is amended to read as follows:

Section 7-114. A. Each person appearing to vote shall announce that person's name to the judge of the precinct and shall provide proof of identity, whereupon the judge shall determine whether the person's name is in the precinct registry. As used in this section, "proof of identity" shall mean a document that satisfies all of the following:

1. The document shows the name of the person to whom the document was issued, and the name substantially conforms to the name in the precinct registry;

1        2. The document shows a photograph of the person to whom the  
2 document was issued;

3        3. The document includes an expiration date, which is after the  
4 date of the election in which the person is appearing to vote. The  
5 provisions of this paragraph shall not apply to:

6            a. an identification card that is valid indefinitely, or

7            b. an identification card issued by a branch of the armed  
8 services of the United States to a person who is a  
9 member of such branch or is retired therefrom; ~~and~~

10        4. The document was issued by the United States, the State of  
11 Oklahoma or the government of a federally recognized Indian tribe or  
12 nation; and

13        5. The document is not an identification card issued by a  
14 school, university, or other educational institution.

15        Provided, if the person presents a voter identification card  
16 issued by the appropriate county election board, such card may serve  
17 as proof of identity without meeting the requirements of paragraphs  
18 2 and 3 of this subsection.

19        B. 1. If a person declines to or is unable to produce proof of  
20 identity, the person may sign a statement under oath, in a form  
21 approved by the Secretary of the State Election Board, swearing or  
22 affirming that the person is the person identified on the precinct  
23 registry, and shall be allowed to cast a provisional ballot in a  
24

1 manner consistent with the provisions of Section 7-116.1 of this  
2 title.

3 2. A provisional ballot cast by a voter who declines or is  
4 unable to produce proof of identity shall only be considered  
5 verified and approved for counting if:

- 6 a. the voter's name on the affidavit substantially  
7 conforms to the voter's name in the voter registration  
8 database, except as provided in paragraph 3 of this  
9 subsection,
- 10 b. the voter's residence address on the affidavit  
11 substantially conforms to the voter's residence  
12 address in the voter registration database, except as  
13 provided in paragraph 4 of this subsection,
- 14 c. the voter's date of birth matches the information in  
15 the voter registration database,
- 16 d. the voter's Oklahoma driver license number or the last  
17 four digits of the voter's Social Security number on  
18 the affidavit matches the information in the voter  
19 registration database. The provisions of this  
20 subparagraph shall not apply if the voter was not  
21 required to provide a driver license number or the  
22 last four digits of the voter's Social Security number  
23 at the time of registration, and  
24

1           e.    the provisional ballot meets the eligibility  
2                   requirements set forth in Section 7-116.1 of this  
3                   title.

4           3.   A voter casting a provisional ballot as provided in this  
5 section who has legally changed his or her name, but has not updated  
6 the name on the voter registry, may note this fact on the affidavit  
7 and submit a form prescribed by the Secretary of the State Election  
8 Board to update his or her name. In such a case, and where the  
9 requirements of Section 4-117 of this title are satisfied, the  
10 provisional ballot shall be deemed to meet the requirements of  
11 subparagraph a of paragraph 2 of this subsection.

12          4.   A voter casting a provisional ballot as provided in this  
13 section who has changed his or her address of residence, but has not  
14 updated the address on the voter registry, may note this fact on the  
15 affidavit and submit a form to update the address prescribed by the  
16 Secretary of the State Election Board. In such a case, and where  
17 the requirements of Section 4-117 of this title are satisfied, the  
18 provisional ballot shall be deemed to meet the requirements of  
19 subparagraph a of paragraph 2 of this subsection.

20          5.   False swearing or affirming under oath shall be punishable  
21 as a felony as provided in Section 16-103 of this title, and the  
22 penalty shall be distinctly set forth on the face of the statement.

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