

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1583

By: Kirt

6 AS INTRODUCED

7 An Act relating to voting rights; creating the  
8 Oklahoma Voting Rights Act; providing short title;  
9 providing legislative findings; defining terms;  
10 prohibiting voter suppression and dilution; providing  
11 for violations; providing relevant factors for  
12 determining violations; prohibiting certain factors  
13 for determining violations; requiring pre-suit notice  
14 in certain circumstances; providing for  
15 responsibilities of parties; providing for approval  
16 of certain remedies with court approval; providing  
17 for cost sharing; providing right of action;  
18 permitting preliminary relief in certain  
19 circumstances; providing for award of attorney fees;  
20 construing provisions; providing for noncodification;  
21 providing for codification; and providing an  
22 effective date.

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

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

26 This act shall be known and may be cited as the "Oklahoma Voting  
27 Rights Act".

28 SECTION 2. NEW LAW A new section of law not to be  
29 codified in the Oklahoma Statutes reads as follows:

1       The Legislature finds that election practices, procedures, and  
2 methods that deny or impair the equal opportunity of racial, color,  
3 or language minority groups and Tribal communities to participate in  
4 the political process or elect candidates of their choice are  
5 inconsistent with the fundamental right to vote, and the rights and  
6 privileges guaranteed by the Oklahoma Constitution and the  
7 protections found in the Fourteenth and Fifteenth Amendments to the  
8 United States Constitution.

9       The Legislature also finds that there is a history in this state  
10 and the United States overall of discrimination based on race,  
11 color, language-minority status, and Tribal membership, including in  
12 access to the political process. As a result of this history and  
13 persistent discrimination and socioeconomic inequities that bear on  
14 the right to vote, members of racial, color, or language minority  
15 groups and Tribal communities continue to face unequal barriers in  
16 exercising the franchise and participating effectively in the  
17 political process. In light of these conditions, it is the  
18 Legislature's intent by this act to encourage participation in the  
19 elective franchise by all eligible voters and to provide voters in  
20 this state with a means to secure their constitutional right to vote  
21 free from discrimination.

22                   SECTION 3.        NEW LAW        A new section of law to be codified  
23 in the Oklahoma Statutes as Section 23-100 of Title 26, unless there  
24 is created a duplication in numbering, reads as follows:

1       A. As used in this section:

2       1. "Alternative method of election" means a method of electing  
3 candidates to the legislative body of a political subdivision other  
4 than an at-large method of election or a district-based method of  
5 election including, but not limited to, cumulative voting, limited  
6 voting, and proportional ranked choice voting;

7       2. "At-large method of election" means a method of electing  
8 candidates to the legislative body of a political subdivision in  
9 which candidates are voted on by all voters of the political  
10 subdivision or that combines at-large with district-based methods of  
11 elections. At-large method of election does not include any  
12 alternative method of election;

13       3. "District-based method of election" means a method of  
14 electing candidates to the legislative body of a political  
15 subdivision in which, for political subdivisions divided into  
16 districts, a candidate for any district is required to reside in the  
17 district and candidates representing or seeking to represent the  
18 district are voted on by only the voters who reside in the district.  
19 District-based method of election does not include any alternative  
20 method of election;

21       4. "Government official" means any individual who is elected or  
22 appointed to an office in this state or a political subdivision or  
23 who is authorized to act in an official capacity on behalf of the  
24 state or a political subdivision;

1       5. "Language minority group" means a language minority group as  
2 defined in the federal Voting Rights Act of 1965, as amended, as of  
3 the effective date of this act;

4       6. "Method of election" means the method by which candidates  
5 are elected to the legislative body of a political subdivision and  
6 includes at-large method of election, district-based method of  
7 election, or any alternative method of election. Method of election  
8 also includes the districting or redistricting plan used to elect  
9 candidates to the legislative body of a political subdivision;

10       7. "Polarized voting" means voting in which the candidate or  
11 electoral choice preferred by a protected class diverges from the  
12 candidate or electoral choice preferred by other voters;

13       8. "Political subdivision" means a county, city, town, or  
14 school district;

15       9. "Politically cohesive" means that members of a group tend to  
16 prefer the same candidates, electoral choices, or policies;

17       10. "Protected class" means a class of citizens who are members  
18 of a racial, color, or language minority group, or who are members  
19 of a federally recognized Indian Tribe, including a class of two or  
20 more such groups;

21       11. "Vote" or "voting" includes any action necessary to cast a  
22 ballot and make that ballot count in any election including, but not  
23 limited to, registering to vote, applying for an absentee ballot,  
24 and any other action required by law as a prerequisite to casting a

1 ballot and having that ballot counted, canvassed, certified, and  
2 included in the appropriate totals of votes cast with respect to an  
3 election; and

4       12. "Voting eligible population" means persons who are eligible  
5 to register and vote in this state, regardless of whether the  
6 individuals are registered to vote in this state.

7       B. Any law, rule, charter provision, local ordinance, or local  
8 code relating to the right to vote, or which grants authority to  
9 prescribe or maintain voting or elections policies and practices,  
10 shall be construed or applied liberally in favor of a voter's  
11 exercise of the right of suffrage. To the extent a court is  
12 afforded discretion on an issue including, but not limited to,  
13 discovery, procedure, admissibility of evidence, or remedies, the  
14 court shall exercise such discretion and weigh other equitable  
15 discretion in favor of the right to vote.

16       C. No political subdivision or any other government official or  
17 entity responsible for election administration shall adopt or apply  
18 a qualification for eligibility to vote or other prerequisite to  
19 voting; adopt or apply any law, ordinance, rule, standard, practice,  
20 procedure, or policy regarding the administration of elections; or  
21 take any other action or fail to take any action that results in, is  
22 likely to result in, or is intended to result in a denial or  
23 abridgement of the right to vote by a member of a protected class.  
24 A violation of this subsection may be established if it is shown

1 that the challenged qualification, law, ordinance, rule, standard,  
2 practice, procedure, policy, or action results in a disparate burden  
3 on members of a protected class and the burden is, under the  
4 totality of the circumstances, related to social and historical  
5 conditions affecting members of the protected class.

6 D. No political subdivision or any other government official or  
7 entity responsible for election administration shall adopt or  
8 enforce any method of election, or cause an annexation,  
9 incorporation, dissolution, consolidation, or division of a  
10 political subdivision, that has the effect of impairing the equal  
11 opportunity or ability of members of a protected class to nominate  
12 or elect candidates of their choice as a result of diluting the vote  
13 of members of that protected class.

14 1. A violation of this subsection exists when it is shown that  
15 either:

16 a. elections in a political subdivision exhibit polarized  
17 voting resulting in an impairment of the equal  
18 opportunity or ability of protected class members to  
19 nominate or elect candidates of their choice, or  
20 b. based on the totality of the circumstances, the equal  
21 opportunity or ability of protected class members to  
22 nominate or elect candidates of their choice is  
23 impaired; and

1       2. One or more new methods of election or changes to the  
2 existing method of election exist that the court could order  
3 pursuant to paragraph 1 of subsection H of Section 23-102 of Title  
4 26 of the Oklahoma Statutes would likely mitigate the impairment.

5       E. To the extent that a new method of election or change to the  
6 existing method of election that is presented under paragraph 2 of  
7 subsection D of this section is a proposed district-based plan that  
8 provides protected class members with one or more reasonably  
9 configured districts in which the protected class members would have  
10 an equal opportunity or ability to nominate or elect candidates of  
11 the protected class members' choice, it is not necessary to show  
12 that members of a protected class comprise a majority of the total  
13 population, voting age population, voting eligible population, or  
14 registered voter population in any such district or districts.

15       F. The fact that members of a protected class are not  
16 geographically compact does not preclude a finding of a violation of  
17 this section but may be a factor in determining whether an  
18 appropriate remedy exists that would likely mitigate the impairment.

19       G. For claims brought on behalf of a protected class including  
20 one consisting of two or more racial, color, Tribal, or language  
21 minority groups that are politically cohesive in the political  
22 subdivision, the court shall consider only the combined electoral  
23 preferences of those racial, color, Tribal, or language minority  
24 groups in determining whether voting by the protected class is

1 polarized from other voters. It is not necessary to demonstrate  
2 that voting by members of each racial, color, Tribal, or language  
3 minority group within a protected class, or by any subgroup within a  
4 racial, color, or language minority group, is separately polarized  
5 from other voters.

6       H. Evidence concerning the causes of, or the reasons for, the  
7 occurrence of polarized voting is not relevant to the determination  
8 of whether polarized voting occurs, or whether candidates or  
9 electoral choices preferred by a protected class would usually be  
10 defeated. Evidence concerning alternate explanations for polarized  
11 voting patterns or election outcomes, including but not limited to  
12 partisan explanations, shall not be considered. Evidence concerning  
13 projected changes in population or demographics may only be  
14 considered when determining whether an appropriate remedy exists  
15 that would likely mitigate the impairment.

16       SECTION 4.        NEW LAW        A new section of law to be codified  
17 in the Oklahoma Statutes as Section 23-101 of Title 26, unless there  
18 is created a duplication in numbering, reads as follows:

19       A. In determining whether, under the totality of the  
20 circumstances, a violation of Section 3 of this act has occurred  
21 with respect to a protected class, a court may consider any of the  
22 following factors:

23           1. The history of discrimination affecting members of the  
24 protected class;

1       2. The extent to which members of the protected class are  
2 disadvantaged, or otherwise bear the effects of past public or  
3 private discrimination, in any areas that may hinder their ability  
4 to participate effectively in the political process, including  
5 education, employment, health, criminal justice, housing,  
6 transportation, land use, or environmental protection;

7       3. Whether members of the protected class vote at a lower rate  
8 than other voters;

9       4. The use of overt or subtle racial appeals in political  
10 campaigns or by government officials;

11       5. The extent to which members of the protected class have been  
12 elected to office;

13       6. The extent to which candidates who are members of the  
14 protected class have faced barriers with respect to accessing the  
15 ballot, receiving financial support, or receiving any other support  
16 for their candidacies for elective office;

17       7. The extent to which candidates who are members of a  
18 protected class face hostility or barriers while campaigning due to  
19 the protected class membership;

20       8. The extent of polarized voting;

21       9. The use of any standard, practice, procedure, or policy that  
22 may enhance the dilutive effects of a challenged method of election;

1       10. The lack of responsiveness by elected officials to the  
2 particularized needs of protected class members or a community of  
3 protected class members;

4       11. Whether the challenged method of election, ordinance,  
5 resolution, rule, policy, standard, regulation, procedure, or law  
6 was designed to advance, and does materially advance, a compelling  
7 state interest that is substantiated and supported by evidence; and

8       12. Any other factor the court may deem relevant.

9       B. No one factor in subsection A of this section is dispositive  
10 or necessary to establish the existence of a violation of Section 3  
11 of this act, nor shall any specified number or combination of  
12 factors be required in establishing that such a violation has  
13 occurred. The court shall consider a particular factor only if and  
14 to the extent evidence pertaining to that factor is introduced. The  
15 absence of evidence as to any particular factor does not preclude a  
16 finding of a violation of Section 3 of this act.

17       C. To the extent a claim concerns a political subdivision,  
18 evidence of the factors in subsection A of this section is most  
19 probative if the evidence relates to the political subdivision in  
20 which the alleged violation occurred but still holds probative value  
21 if the evidence relates to the geographic region in which that  
22 political subdivision is located or to this state.

23       D. Evidence concerning the intent of voters, elected officials,  
24 or the political subdivision to discriminate against members of a

1 protected class is not required to find a violation of Section 3 of  
2 this act.

3       E. In determining whether a violation of Section 3 of this act  
4 has occurred, a court shall not consider any of the following:

5       1. The number of protected class members not burdened by the  
6 challenged qualification, prerequisite, standard, practice, or  
7 procedure;

8       2. The degree to which the challenged qualification,  
9 prerequisite, standard, practice, or procedure has a long pedigree  
10 or was in widespread use at some earlier date;

11       3. The use of an identical or similar qualification,  
12 prerequisite, standard, practice, or procedure in other states or  
13 jurisdictions;

14       4. The availability of other forms of voting unimpacted by the  
15 challenged qualification, prerequisite, standard, practice, or  
16 procedure to all members of the electorate, including members of the  
17 protected class;

18       5. An impact on potential criminal activity by individual  
19 voters, if those crimes have not occurred in the political  
20 subdivision in substantial numbers, or if the connection between the  
21 challenged policy and any claimed prophylactic effect is not  
22 supported by substantial evidence; or

23       6. Mere invocation of interests in voter confidence or  
24 prevention of fraud.

1 SECTION 5. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 23-102 of Title 26, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. Except as provided in this section, before filing an action  
5 a prospective plaintiff shall send a notice letter to the political  
6 subdivision identifying the potential violation, the affected  
7 protected class, and the type of remedy the potential plaintiff  
8 believes may address the potential violation. The party may not  
9 file an action related to the violations described in the notice  
10 letter until its receipt of a written denial by the political  
11 subdivision or within sixty (60) days of sending the letter,  
12 whichever is earlier. A notice letter required by this section  
13 shall identify a potential violation of Section 3 of this act with  
14 specificity, including whether the prospective plaintiff believes  
15 the potential violation constitutes voter suppression under  
16 subsection C of Section 3 of this act, vote dilution under  
17 subsection D of Section 3 of this act, or both. The letter shall  
18 include the relevant facts and evidence that the prospective  
19 plaintiff relied upon when evaluating whether a potential violation  
20 of Section 3 of this act exists.

21 B. Notwithstanding subsection A of this section, a notice  
22 letter shall not be required if:

23 1. The party is seeking preliminary relief with respect to an  
24 upcoming election in accordance with subsection G of this section;

1       2. The party is seeking to intervene in or join an existing  
2 action; or

3       3. Following the party's submission of a notice letter, the  
4 political subdivision enacted a remedy that would not remedy the  
5 violation identified in the letter.

6       C. The political subdivision shall respond in writing to a  
7 notice letter submitted under subsection A of this section within  
8 sixty (60) days. If the political subdivision does not deny the  
9 potential violation, it shall work in good faith with the party that  
10 submitted the letter to explore and implement any mutually agreed-  
11 upon remedies to cure the potential violation. If the political  
12 subdivision adopts a resolution within sixty (60) days of the filing  
13 of the letter identifying a remedy, affirming its intent to enact  
14 and implement a remedy, and establishing a timeline and specific  
15 steps it will take to do so, the political subdivision shall have  
16 one hundred fifty (150) days from the submission of the letter to  
17 enact and implement a remedy, during which time the party who sent  
18 the letter may not file an action related to those violations  
19 against that political subdivision. A statement, action, or  
20 decision of a political subdivision under this subsection does not  
21 constitute an admission by the political subdivision of its  
22 liability or establish the existence of a violation of Section 3 of  
23 this act.

1       D. If the political subdivision lacks authority to enact or  
2 implement an identified remedy, the political subdivision may  
3 nonetheless enact and implement the remedy upon approval by the  
4 district court. To seek approval, the political subdivision shall  
5 file a petition in district court that identifies with specificity  
6 the law or other authority that prevents the remedy from being  
7 enacted or implemented. The venue for a petition under this  
8 subsection is in the district court of the county where the  
9 challenged act or practice occurred, or in the District Court of  
10 Oklahoma County. The district court may authorize the political  
11 subdivision to implement or enact the identified remedy  
12 notwithstanding the applicable law or authority to the contrary, if  
13 the court determines that the prospective plaintiff is likely to  
14 succeed in a lawsuit on the merits of the alleged violation, that  
15 the proposed remedy would address the alleged violation, and that  
16 the proposed remedy is narrowly tailored to that purpose.

17       E. If a political subdivision enacts or implements a remedy in  
18 response to a notice letter submitted under subsection A of this  
19 section, the political subdivision and the party who sent the notice  
20 letter shall mutually agree on a reimbursement amount to be paid by  
21 the political subdivision to that party. The reimbursement amount  
22 shall reflect the reasonable costs associated with producing and  
23 sending the letter and any accompanying evidence, subject to the  
24 limitations of this subsection. To be eligible for a reimbursement,

1 the party who submitted the notice letter shall submit a request to  
2 the political subdivision in writing. The request shall be received  
3 by the political subdivision within thirty (30) days of its  
4 enactment or adoption of the remedy and be substantiated with  
5 financial documentation including, as applicable, detailed invoices  
6 for expert analysis and reasonable attorney fees. The cumulative  
7 amount of reimbursements to all parties shall not exceed Thirty  
8 Thousand Dollars (\$30,000.00). Reimbursement amounts for attorney  
9 fees shall be limited to amounts calculated using a lodestar  
10 methodology.

11 F. To the extent a party requests reimbursement for a purported  
12 notice letter that fails to comply with the requirements in  
13 subsection A of this section, or the request fails to comply with  
14 this subsection, the political subdivision may dismiss the request.  
15 If the request is dismissed, the political subdivision shall notify  
16 the party in writing of the reasons for the dismissal.

17 G. 1. The Attorney General, a district attorney, any  
18 individual aggrieved by a violation of this act, any entity whose  
19 membership includes individuals aggrieved by a violation of this  
20 act, any entity whose mission would be impeded by a violation of  
21 this act, or any entity that would expend resources in order to  
22 fulfill its mission as a result of a violation of this act, may file  
23 an action in the district court for the county where the challenged  
24 act or practice has occurred, or in the District Court of Oklahoma

1 County. Actions brought under this act are subject to expedited  
2 pretrial and trial proceedings and shall receive an automatic  
3 calendar preference. The state is a necessary party in any action  
4 in which an alleged violation is based on a political subdivision's  
5 implementation of a state law, if the state law does not afford  
6 discretion to the political subdivision in its implementation of the  
7 law.

8 2. In an action related to a districting or redistricting plan,  
9 any individual with standing to challenge any single district shall  
10 be deemed to have standing to challenge the districting or  
11 redistricting plan as a whole.

12 3. In any action seeking a temporary injunction or other  
13 preliminary relief under this act before an election, the court  
14 shall grant relief if warranted based on the factors considered in  
15 seeking a temporary injunction or preliminary relief under laws of  
16 this state, except that if the court determines that it is possible  
17 to implement appropriate relief that would address an alleged  
18 violation before an election, such relief shall not be denied on the  
19 basis that the election is close in time or that the relief could  
20 result in voter confusion.

21 H. 1. Notwithstanding any other law, if the court finds a  
22 violation of any provision of Section 3 of this act, the court has  
23 authority to order remedies that are tailored to best mitigate the  
24 violation. Any remedy ordered by the court shall be constructed

1 liberally in favor of a voter's exercise of the right of suffrage.  
2 The court may consider, among others, any remedy that has been  
3 ordered by a federal court or the court of another state  
4 jurisdiction, including through a court-approved consent decree or  
5 settlement adopted in the context of similar facts or to remedy a  
6 similar violation. The court shall consider remedies proposed by  
7 any party and may consider remedies proposed by interested  
8 nonparties. The court may not provide deference or priority to a  
9 proposed remedy offered by a defendant or political subdivision  
10 simply because the remedy has been proposed by the defendant or  
11 political subdivision.

12 2. In any action brought under this act, the court, in its  
13 discretion, may allow the prevailing party costs and reasonable  
14 attorney fees. If a party prevails on only a portion of their  
15 action, the court may award costs and attorney fees attributable to  
16 that portion of the action. If the party against whom the action  
17 was filed prevails in the action, the court shall not award that  
18 party any costs or attorney fees unless the court finds the action  
19 is frivolous.

20 SECTION 6. This act shall become effective November 1, 2026.  
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