

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 654

By: Paxton

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2021, Section 14-101.1, as last amended by Section 17, Chapter 452, O.S.L. 2024 (26 O.S. Supp. 2024, Section 14-101.1), which relates to absentee ballot harvesting; modifying certain definition; amending 26 O.S. 2021, Section 14-108.1, which relates to notary public as it relates to absentee ballots and affidavits; creating a certain misdemeanor offense; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-101.1, as last amended by Section 17, Chapter 452, O.S.L. 2024 (26 O.S. Supp. 2024, Section 14-101.1), is amended to read as follows:

Section 14-101.1. A. For the purposes of this section, "absentee ballot harvesting" means:

1. Collecting or obtaining an absentee ballot from another person with the intent to submit, transmit or return the ballot to election officials on behalf of that person;

2. Submitting, returning or transmitting an absentee ballot to election officials on behalf of another person;

1 3. Collecting or obtaining an absentee ballot from another
2 person under a false pretense or promise of transmitting, returning
3 or submitting it to election officials on behalf of that person;

4 4. Requesting or receiving an absentee ballot on behalf of
5 another person; or

6 5. Distributing an absentee ballot application or request to a
7 voter using the official letterhead of a candidate or elected
8 official;

9 ~~6. Partially or fully completing an application for an absentee~~
10 ~~ballot on behalf of another person without that person's prior~~
11 ~~consent; or~~

12 ~~7. Notarizing or witnessing more absentee ballots than allowed~~
13 ~~by law.~~

14 B. Absentee ballot harvesting shall be unlawful at any election
15 conducted by a county election board, the State Election Board or
16 any political subdivision of this state; provided, the following
17 shall not be deemed to be ballot harvesting:

18 1. A voter's assistant or agent acting pursuant to law as
19 otherwise allowed by this title;

20 2. An absentee voting board member, as described in this title,
21 who assists a voter confined to a nursing home or State Veterans
22 Home pursuant to law;

23 3. An employee of the Federal Voting Assistance Program, the
24 United States Department of Defense or the Oklahoma National Guard

1 who assists a uniformed-services voter in returning or transmitting
2 an absentee ballot;

3 4. A spouse, relative in the first or second degree of
4 consanguinity or affinity or cohabitant of a voter who forwards an
5 absentee ballot to the voter when absent from the home;

6 5. A voter's spouse who, with the voter's consent, returns the
7 voter's absentee ballot by mail; or

8 6. An official action by an election official that is required
9 or authorized by law.

10 SECTION 2. AMENDATORY 26 O.S. 2021, Section 14-108.1, is
11 amended to read as follows:

12 Section 14-108.1. A. Neither a notary public nor an agent
13 working on behalf of a notary public shall be authorized to:

14 1. Request absentee ballots on behalf of a voter other than
15 himself or herself;

16 2. Assist a voter in requesting absentee ballots, other than
17 for himself or herself or a member of his or her household;

18 3. Receive by mail an absentee ballot on behalf of a voter,
19 other than for himself or herself or a member of his or her
20 household; or

21 4. Submit a completed absentee ballot on behalf of a voter
22 other than for himself or herself.

1 B. A notary public shall maintain a log of all absentee ballot
2 affidavits that he or she notarizes for a period of at least two (2)
3 years after the date of the election.

4 C. 1. A notary public shall be authorized to notarize a
5 maximum of twenty absentee ballot affidavits for a single election,
6 except as provided in paragraphs 2 and 3 of this subsection.

7 2. A notary public may be authorized to notarize more than
8 twenty absentee ballot affidavits at a single election with the
9 written approval of the secretary of the county election board.
10 Such approval shall apply for affidavits notarized within the county
11 served by the county election board secretary.

12 3. The limitation required by this subsection shall not apply
13 to the notarizing of absentee ballot affidavits at the place of
14 business of a notary public that is open to the general public
15 during the normal business hours of the notary public.

16 D. 1. If more than ten absentee ballots for a single election
17 are requested to be mailed to a single mailing address, the
18 secretary of the county election board shall immediately notify the
19 district attorney for that county and the Secretary of the State
20 Election Board.

21 2. Upon receipt of such notification, the district attorney, or
22 a member of law enforcement designated by the district attorney,
23 shall investigate any possible criminal violation of the law related
24 to the absentee ballot requests.

1 3. Provided, this notification requirement shall not apply to
2 requests for absentee ballots to be sent to the addresses of nursing
3 homes, veterans centers, medical facilities, multiunit housing,
4 installations of the Armed Forces of the United States where
5 uniformed or overseas voters, as defined by the Uniformed and
6 Overseas Citizens Absentee Voting Act, are stationed or other
7 locations authorized in writing by the Secretary of the State
8 Election Board.

9 E. The provisions of this section shall only apply to an
10 election conducted by a county election board, the State Election
11 Board or a political subdivision of this state.

12 F. A notary public who knowingly and intentionally violates the
13 restrictions and requirements provided in this section, upon
14 conviction, shall be guilty of a misdemeanor, punishable as provided
15 for in Section 16-110 of this title.

16 SECTION 3. This act shall become effective November 1, 2025.
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