ENGROSSED SENATE
BILL NO. 1362

By: Kirt, Boren, and Paxton of the Senate

and

Osburn of the House

An Act relating to in-person absentee voting; amending 26 O.S. 2021, Section 14-115.4, which relates to in-person absentee ballots; modifying time for in-person absentee voting; modifying elections eligible for in-person absentee voting; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-115.4, is amended to read as follows:

Section 14-115.4. A. 1. A registered voter may apply for an in-person absentee ballot at a location designated by the secretary of the county election board from:

a. 8 a.m. to 6 p.m. on the Thursday ~~and~~, Friday, and Saturday immediately preceding any election conducted by a county election board, and

b. ~~8 a.m. to 2 p.m. on the Saturday immediately preceding a General Election, Primary Election, Runoff Primary Election or Presidential Preferential Primary Election as described in Sections 1-101, 1-102, 1-103 and 20-101 of this title, and~~

~~c.~~ 8 a.m. to 6 p.m. on the Wednesday immediately preceding a General Election as described in Section 1-101 of this title.

2. As part of the application for an in-person absentee ballot such registered voter shall swear or affirm that the voter has not voted a regular mail absentee ballot and that the voter will not vote at the regular polling place in the election for which the in-person absentee ballot is requested.

3. The secretary of the county election board in counties with twenty-five thousand (25,000) or more registered voters, or with an area in excess of one thousand five hundred (1,500) square miles, may designate more than one location as an in-person absentee polling place for an election, subject to the approval of and pursuant to the procedures prescribed by the Secretary of the State Election Board.

B. 1. The voter also shall provide proof of identity as defined in Section 7-114 of this title. If the voter declines to or is unable to produce proof of identity, the voter may sign a statement under oath, in a form approved by the Secretary of the State Election Board, swearing or affirming that the person is the person identified on the precinct registry, and shall be allowed to cast a provisional ballot as provided in Section 7-116.1 of this title.

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

C. One or more absentee voting boards shall be on duty at the in-person absentee polling place on the days and during the hours set forth in subsection A of this section. If the secretary of a county election board receives an application from a registered voter requesting to vote by in-person absentee ballot the secretary shall cause to be implemented the following procedures:

1. An absentee voting board shall provide to each registered voter who applies for an in-person absentee ballot appropriate ballots and materials as may be necessary to vote;

2. The voter ~~must~~ shall sign an in-person absentee voter record, and the signature of the voter on such record ~~must~~ shall be certified by both members of the absentee voting board, except that the secretary of the county election board and one other member of the absentee voting board may certify the signature of another member of the absentee voting board;

3. The voter ~~must~~ shall mark the ballots of the voter in the manner provided by law in the presence of the absentee voting board, but in such a manner as to make it impossible for any person other than the voter to ascertain how such ballots are marked. Insofar as is possible, the voting procedure shall be the same as if the voter were casting a vote in person at a precinct;

4. The voter shall then deposit the ballot in a voting device designated for in-person absentee voting by the secretary of the county election board;

5. When the in-person polling place is closed on each day of in-person absentee voting the in-person absentee voting board shall, without obtaining a printout of results, remove the electronic results storage media from the voting device and seal ballots counted that day in a transfer case which shall be secured by the sheriff of the county in the same manner as provided in Section 8-110 of this title. The electronic results storage media shall be sealed in a container prescribed by the Secretary of the State Election Board. The sheriff shall secure the sealed electronic results storage media container and return it to the in-person absentee voting board no later than 7:45 a.m. on the next day of in-person absentee voting or to the secretary of the county election board at the time of the county election board meeting to count absentee ballots on election day; and

6. If there is a malfunction in such a way that the electronic results storage media used for in-person absentee voting will not function, the sheriff is authorized to return the transfer cases containing in-person absentee ballots to the county election board to be recounted as provided in Section 7-134.1 of this title.

SECTION 2. This act shall become effective January 1, 2027.

Passed the Senate the 10th day of March, 2026.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2026.

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Presiding Officer of the House of Representatives