1	ENGROSSED SENATE AMENDMENT TO
2	ENGROSSED HOUSE
3	BILL NO. 1259 By: Hilbert of the House
4	and
5	Paxton and Montgomery of the Senate
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8	An Act relating to elections; amending 26 O.S. 2011,
9	Sections 7-109 and 14-107, which relate to conduct of elections; allowing disclosure of certain ballots by specific means; making certain acts unlawful;
LO	providing penalties; providing for codification; and providing an effective date.
1	providing an effective date.
L2	
L3	AUTHOR: Add the following Senate Coauthor: Dahm
L 4	AMENDMENT NO. 1. Page 1, strike the title to read
L5	"[elections - disclosure of certain ballots by specific means - codification - effective date]"
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1	Passed the Senate the 24th day of April, 2019.
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4	Presiding Officer of the Senate
5	Passed the House of Representatives the day of,
6	2019.
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9	Presiding Officer of the House of Representatives
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1 ENGROSSED HOUSE BILL NO. 1259 By: Hilbert of the House 2 and 3 Paxton and Montgomery of 4 the Senate 5 6 7 An Act relating to elections; amending 26 O.S. 2011, Sections 7-109 and 14-107, which relate to conduct of elections; allowing disclosure of certain ballots by 8 specific means; making certain acts unlawful; 9 providing penalties; providing for codification; and providing an effective date. 10 11 12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 13 SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-109, is 14 amended to read as follows: 15 Section 7-109. No person shall, within the election enclosure, 16 verbally disclose to any other person how he or she voted; nor shall 17 any person expose his or her ballot to any other person within the 18 election enclosure. A voter may take a digital image or photograph 19 of his or her marked ballot and distribute or share the image via 20 social media or by any other means if performed voluntarily and in 21 compliance with state and federal law. Testimony as to how any 22 individual cast his or her ballot, whether or not said ballot was 23 lawfully cast, shall not be admissible as evidence in any court of 24 law or public hearing in this state.

SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-107, is amended to read as follows:

Section 14-107. A. Absentee ballots must be accompanied by:

- A plain opaque envelope in which voted ballots must be placed by the voter;
- 2. An envelope bearing an affidavit stating that the voter is qualified to vote, and that the voter has personally marked the ballots, and has not exhibited the marked ballots to any other person;
- 3. A return envelope addressed to the secretary of the county election board; and
- 4. A notice that it is illegal for a Notary Public in this state to charge a fee to notarize an official absentee ballot affidavit.
- B. A voter may take a digital image or photograph of his or her marked absentee ballot and distribute or share the image via social media or by any other means if performed voluntarily and in compliance with state and federal law. Testimony as to how any individual cast his or her absentee ballot, whether or not said absentee ballot was lawfully cast, shall not be admissible as evidence in any court of law or public hearing in this state.

 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 16-124 of Title 26, unless there

is created a duplication in numbering, reads as follows:

1	A. Any person who:
2	1. Threatens or intimidates a voter who has shared an image of
3	a voted ballot in the manner described in Section 7-109 or 14-107 of
4	Title 26 of the Oklahoma Statutes; or
5	2. Shares such an image as described in Section 7-109 or 14-107
6	of Title 26 of the Oklahoma Statutes in order to intimidate, coerce
7	or unlawfully influence another voter,
8	shall, upon conviction, be guilty of a misdemeanor.
9	B. No employer, supervisor, union leader, or other person with
10	authority or influence over another person, shall demand or require
11	that person to distribute or share an image of his or her voted
12	ballot. Any person who violates this subsection shall, upon
13	conviction, be guilty of a misdemeanor.
14	SECTION 4. This act shall become effective November 1, 2019.
15	Passed the House of Representatives the 18th day of February, 2019.
16	2019.
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18	Presiding Officer of the House
19	of Representatives
20	Passed the Senate the day of, 2019.
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23	Presiding Officer of the Senate
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