

An Act

ENROLLED HOUSE
BILL NO. 1711

By: Hill of the House

and

Rosino of the Senate

An Act relating to absentee ballots; authorizing blind persons to request electronic delivery of accessible absentee ballot; requiring State Election Board Secretary to prescribe accessible absentee voting packet for blind persons; authorizing electronic delivery of certain packet; establishing procedures for marking and returning of certain absentee ballots; prohibiting electronic return of absentee ballots; allowing request for certain assistance; providing for processing of certain absentee ballots; creating felony offense for fraudulent application for certain absentee ballot; authorizing promulgation of certain rules and procedures by the Secretary of the State Election Board; providing for codification; and providing an effective date.

SUBJECT: Absentee ballots

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-115.12 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. 1. A registered voter who swears or affirms that the voter is physically unable to vote in person at the voter's precinct on the day of the election because the voter is a blind person, as defined by Section 72 of Title 7 of the Oklahoma Statutes, may request that an accessible absentee ballot be delivered to the voter electronically in a manner prescribed by the Secretary of the State

Election Board. A system for electronic delivery of absentee ballots to voters who are blind persons may include the same or similar requirements as the electronic delivery system authorized for uniformed services voters as set forth in Section 14-118 of Title 26 of the Oklahoma Statutes.

2. An accessible absentee voting packet for voters who are blind persons, which shall include all necessary materials except the absentee ballot, shall be prescribed by the Secretary of the State Election Board. The accessible absentee voting packet may be delivered to the voter by United States mail or electronically.

B. 1. The electronic delivery system may provide the voter the opportunity to use the voter's personal computer to mark an accessible absentee ballot privately and independently and then print the marked ballot.

2. The absentee ballot shall be accompanied by an absentee ballot affidavit, which shall be executed in the same manner as provided for affidavits in Section 14-113.2 of Title 26 of the Oklahoma Statutes.

3. The voter shall return the absentee ballot and executed affidavit to the secretary of the county election board in the same manner provided in Section 14-113.2 of Title 26 of the Oklahoma Statutes. Nothing in this section shall allow for an absentee ballot to be returned to the county election board electronically, and no absentee ballot returned electronically shall be eligible to be counted by a county election board.

C. A registered voter who is a blind person, as defined by Section 72 of Title 7 of the Oklahoma Statutes, may choose to request the assistance of another person to complete any requirements of this section, as provided in Section 7-123.3 of Title 26 of the Oklahoma Statutes.

D. Upon return of an absentee ballot described in this section, the secretary of the county election board shall cause it to be processed in the same manner as prescribed by law for other absentee ballots.

E. Any person who is not qualified for the electronic delivery of an absentee ballot as provided in this section, but who applies for an absentee ballot described in this section, shall be deemed

guilty of a felony as provided in Section 16-102.2 of Title 26 of the Oklahoma Statutes.

F. The Secretary of the State Election Board may promulgate rules or procedures to implement the requirements of this section.

SECTION 2. This act shall become effective July 1, 2023.

Passed the House of Representatives the 12th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 28th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____