

1 ENGROSSED HOUSE
2 BILL NO. 2052

By: Roberts, Wolfley, Hilbert,
and Lawson of the House

3 and

4 Bergstrom of the Senate

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6
7 [elections - multistate voter list maintenance
8 organizations - penalties - litigation - annual
9 publishing of information - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-121, as
14 amended by Section 20, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022,
15 Section 4-121), is amended to read as follows:

16 Section 4-121. A. The Secretary of the State Election Board
17 may join the State of Oklahoma as a member in one or more multistate
18 voter list maintenance organizations ~~including, but not limited to,~~
19 ~~the Electronic Registration Information Center (ERIC) or its~~
20 ~~successor~~. The Secretary is authorized to expend funds as available
21 for membership fees, dues and other expenses related to such
22 membership. Prior to the State of Oklahoma joining a multistate
23 voter list maintenance organization, the organization shall certify
24 in writing to the Secretary of the State Election Board that

1 membership in the organization meets the requirements of this
2 section.

3 B. Upon membership in an organization as provided in subsection
4 A of this section, the Secretary of the State Election Board may
5 provide voter registration data to the organization and Service
6 Oklahoma may provide motor vehicle license data to the organization
7 if such data is required to be provided as a condition of
8 membership. The voter registration data and motor vehicle license
9 data described in this subsection may include a person's name,
10 address, date of birth, driver license or state identification
11 number, last four digits of a Social Security number or any other
12 data required by the organization. Service Oklahoma shall not
13 provide motor vehicle license data for persons who are identified as
14 not being citizens of the United States or whose citizenship status
15 is unknown. The transmission and storage of such data shall be done
16 in a secure manner.

17 C. 1. If a multistate voter list maintenance organization of
18 which this state is a member identifies Oklahoma residents who are
19 citizens of the United States eligible to vote but not yet
20 registered, the Secretary of the State Election Board may notify
21 such citizens about the procedure for obtaining a voter registration
22 application and becoming a registered voter in this state. The
23 notification shall not include a voter registration application.

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1 2. The multistate voter list maintenance organization shall
2 certify that, to the best of its knowledge, all persons it
3 identifies as eligible to vote but not yet registered are citizens
4 of the United States.

5 3. The Secretary may delegate the contacting of such citizens
6 to the secretary of the appropriate county election board.

7 D. If a multistate voter list maintenance organization of which
8 this state is a member provides United States Postal Service
9 National Change of Address data regarding registered voters who have
10 changed their address of residence within the state, the Secretary
11 of the State Election Board may use the data pursuant to the
12 provisions of Section 4-118.1, 4-120.2 or 7-115.1 of ~~Title 26 of the~~
13 ~~Oklahoma Statutes~~ this title or the federal National Voter
14 Registration Act.

15 E. It shall be unlawful for a multistate voter list maintenance
16 organization of which this state is a member to provide or release
17 any voter registration data or motor vehicle license data received
18 from the State of Oklahoma to any other party. Provided, this shall
19 not prohibit the organization from providing relevant matching
20 information to a member state regarding duplicate registrations,
21 deaths, or changes of residency involving persons identified in the
22 data provided by the State of Oklahoma. Any verified evidence that
23 indicates that any voter registration data or motor vehicle license
24 data for Oklahoma is being used for purposes unrelated to voter roll

1 maintenance or is being used for or is being released to any third
2 party, except as provided in this subsection, shall result in
3 Oklahoma's immediate withdrawal from the multistate voter list
4 maintenance organization. Verified evidence may include Oklahoma
5 Open Records Act documents reviewed during investigation by the
6 Legislature or the Secretary of the State Election Board that
7 indicates that such activity is occurring.

8 F. The Oklahoma Attorney General shall have the authority to
9 pursue litigation in a district court of this state for damages
10 caused by the unlawful sharing of Oklahoma's data as provided in
11 subsection E of this section against the multistate voter list
12 maintenance organization if the data of the state is shared in
13 violation of this section. Should the Attorney General decline to
14 pursue action, the Secretary of the State Election Board or the
15 Legislature by a majority vote may initiate an action to hire
16 outside counsel to sue the multistate voter list maintenance
17 organization if Oklahoma's data is shared in violation of this
18 section.

19 G. On an annual basis, the Secretary of the State Election
20 Board shall cause to be published on the website of the State
21 Election Board the following costs associated with membership in a
22 multistate voter list maintenance organization:

23 1. Annual membership dues, if any;
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1 2. Mailings sent to persons identified in subsection C of this
2 section, if any;

3 3. Information technology utilized for the transfer or receipt
4 of data as described in this section; and

5 4. Any other costs directly attributable to the state's
6 membership in the organization.

7 H. On an annual basis, the Secretary of the State Election
8 Board shall cause to be published on the website of the State
9 Election Board the following statistical information:

10 1. The number of voter registrations by county that are
11 canceled on the basis of information received from the multistate
12 voter list maintenance organization, and the reason for the
13 cancellation;

14 2. The number of registered voters by county required to
15 receive an address confirmation mailing on the basis of information
16 received from the multistate voter list maintenance organization;

17 3. The number of mailings by county for persons identified in
18 subsection C of this section; and

19 4. Such other statistical information deemed appropriate by the
20 Secretary of the State Election Board.

21 SECTION 2. AMENDATORY 26 O.S. 2021, Section 7-103.2, as
22 last amended by Section 6, Chapter 293, O.S.L. 2022 (26 O.S. Supp.
23 2022, Section 7-103.2), is amended to read as follows:

1 Section 7-103.2 A. 1. County election boards shall maintain a
2 current list of all registered voters in each precinct, which will
3 reflect the address and party affiliation of each voter. The list
4 shall be public information; ~~provided, the.~~

5 2. The list shall only be shared with a court system if that
6 court system agrees to regularly provide the names of persons
7 convicted of a felony in that court system to the Secretary of the
8 State Election Board and the appropriate secretary of a county
9 election board, or if the court system is required by state law to
10 do so.

11 3. The ~~publicly available voter~~ list shall note any voter for
12 whom a first-class mailing from the county election board or the
13 State Election Board was returned undeliverable.

14 B. The Secretary of the State Election Board shall ensure that
15 an electronic copy of the voter registration information eligible to
16 be released publicly pursuant to the Oklahoma Open Records Act is
17 available to the public free of charge.

18 SECTION 3. This act shall become effective November 1, 2023.
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1 Passed the House of Representatives the 6th day of March, 2023.

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4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2023.

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9 Presiding Officer of the Senate