

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3317

By: Blancett

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to elections; amending Section 1,  
10 Chapter 26, O.S.L. 2012, as last amended by Section  
11 1, Chapter 333, O.S.L. 2015 and 26 O.S. 2011, Section  
12 14-110.1, as last amended by Section 5, Chapter 200,  
13 O.S.L. 2013 (26 O.S. Supp. 2019, Sections 14-108.1  
14 and 14-110.1), which relate to absentee ballots;  
15 increasing maximum number of absentee ballots a  
16 notary may notarize; modifying requirements to vote  
17 absentee; and providing an effective date.

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

19                   SECTION 1.           AMENDATORY           Section 1, Chapter 26, O.S.L.  
20 2012, as last amended by Section 1, Chapter 333, O.S.L. 2015 (26  
21 O.S. Supp. 2019, Section 14-108.1), is amended to read as follows:

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

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

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

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

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

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

11        C. A notary public shall be authorized to notarize a maximum of  
12 ~~twenty~~ fifty absentee ballot affidavits for a single election. A  
13 notary public may be authorized to notarize more than ~~twenty~~ fifty  
14 absentee ballot affidavits ~~with the written approval of by~~  
15 submitting a notice, prescribed by the State Election Board, to the  
16 secretary of the county election board. The limitation required by  
17 this subsection shall not apply to the notarizing of ballots at the  
18 place of business of a notary public during the normal business  
19 hours of the notary public; provided, however, such limitations  
20 shall apply to any agency or other entity that provides voter  
21 registration services as required by the National Voter Registration  
22 Act of 1993 or by Sections 4-109.2 and 4-109.3 of this title.

23        D. If more than ten absentee ballots for a single election are  
24 requested to be mailed to a single mailing address, the secretary of

1 the county election board shall immediately notify the district  
2 attorney for that county and the Secretary of the State Election  
3 Board. Provided, this requirement shall not apply to requests for  
4 ballots to be sent to nursing homes, veterans centers, medical  
5 facilities, multiunit housing, addresses of uniformed or overseas  
6 voters as defined by the Uniformed and Overseas Citizens Absentee  
7 Voting Act, or other locations authorized in writing by the  
8 Secretary of the State Election Board.

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

12 SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-110.1, as  
13 last amended by Section 5, Chapter 200, O.S.L. 2013 (26 O.S. Supp.  
14 2019, Section 14-110.1), is amended to read as follows:

15 Section 14-110.1 A registered voter who swears or affirms that  
16 the voter is ~~physically~~ unable to vote in person at the precinct on  
17 the day of the election because the voter is:

18 1. Physically incapacitated, either permanently or temporarily;

19 ~~or~~

20 2. Charged with the care of another person who is physically  
21 incapacitated and who cannot be left unattended; or

22 3. Issued a physical disability placard,

23 may apply for an absentee ballot. Such applications may be made by  
24 United States mail, by facsimile device as defined by Section 1862

1 of Title 21 of the Oklahoma Statutes or by a means of electronic  
2 communication designated by the Secretary of the State Election  
3 Board or may be made in person at the office of the county election  
4 board by an agent of the voter. Such an agent shall be a person of  
5 the voter's choosing who is at least sixteen (16) years of age and  
6 who is not employed by or related within the third degree of  
7 consanguinity or affinity to any person whose name appears on the  
8 ballot. No person may be the agent for more than one voter at any  
9 election. The Secretary of the State Election Board shall prescribe  
10 a form to be used for the application, although any application  
11 setting forth substantially the same facts shall be valid.

12 SECTION 3. This act shall become effective November 1, 2020.

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14 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/25/2020 - DO PASS,  
15 As Amended.

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