

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3717

By: O'Donnell of the House

and

**Daniels** of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   [ elections - registration card - photo - effective  
12                   date ]

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

16           SECTION 1.        AMENDATORY        26 O.S. 2021, Section 7-114, is  
17 amended to read as follows:

18           Section 7-114. A. Each person appearing to vote shall announce  
19 that person's name to the judge of the precinct and shall provide  
20 proof of identity, whereupon the judge shall determine whether the  
21 person's name is in the precinct registry. As used in this section,  
22 "proof of identity" shall mean a document that satisfies all of the  
23 following:

1 1. The document shows the name of the person to whom the  
2 document was issued, and the name substantially conforms to the name  
3 in the precinct registry;

4 2. The document shows a photograph of the person to whom the  
5 document was issued;

6 3. The document includes an expiration date, which is after the  
7 date of the election in which the person is appearing to vote. The  
8 provisions of this paragraph shall not apply to:

9 a. an identification card that is valid indefinitely, or

10 b. an identification card issued by a branch of the armed  
11 services of the United States to a person who is a  
12 member of such branch or is retired therefrom; and

13 4. The document was issued by the United States, the State of  
14 Oklahoma or the government of a federally recognized Indian tribe or  
15 nation.

16 Provided, if the person presents a voter identification card  
17 issued by the appropriate county election board, such card may serve  
18 as proof of identity without meeting the requirements of paragraphs  
19 2 and 3 of this subsection. Provided, however, beginning January 1,  
20 2026, each person appearing to vote shall present proof of identity  
21 that meets all the requirements of paragraphs 1 through 4 of this  
22 subsection. Service Oklahoma, in consultation with the Secretary of  
23 the State Election Board, shall develop a voter identification card  
24 that includes a photograph of the person to whom the card is issued

1 and is in compliance with the requirements of this subsection. The  
2 voter identification card shall be provided free of charge and may  
3 only be used for voting purposes.

4 B. 1. If a person declines to or is unable to produce proof of  
5 identity, the person may sign a statement under oath, in a form  
6 approved by the Secretary of the State Election Board, swearing or  
7 affirming that the person is the person identified on the precinct  
8 registry, and shall be allowed to cast a provisional ballot in a  
9 manner consistent with the provisions of Section 7-116.1 of this  
10 title.

11 2. A provisional ballot cast by a voter who declines or is  
12 unable to produce proof of identity shall only be considered  
13 verified and approved for counting if:

14 a. the voter's name on the affidavit substantially  
15 conforms to the voter's name in the voter registration  
16 database, except as provided in paragraph 3 of this  
17 subsection,

18 b. the voter's residence address on the affidavit  
19 substantially conforms to the voter's residence  
20 address in the voter registration database, except as  
21 provided in paragraph 4 of this subsection,

22 c. the voter's date of birth matches the information in  
23 the voter registration database,

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1 d. the voter's Oklahoma driver license number or the last  
2 four digits of the voter's Social Security number on  
3 the affidavit matches the information in the voter  
4 registration database. The provisions of this  
5 subparagraph shall not apply if the voter was not  
6 required to provide a driver license number or the  
7 last four digits of the voter's Social Security number  
8 at the time of registration, and

9 e. the provisional ballot meets the eligibility  
10 requirements set forth in Section 7-116.1 of this  
11 title.

12 3. A voter casting a provisional ballot as provided in this  
13 section who has legally changed his or her name, but has not updated  
14 the name on the voter registry, may note this fact on the affidavit  
15 and submit a form prescribed by the Secretary of the State Election  
16 Board to update his or her name. In such a case, and where the  
17 requirements of Section 4-117 of this title are satisfied, the  
18 provisional ballot shall be deemed to meet the requirements of  
19 subparagraph a of paragraph 2 of this subsection.

20 4. A voter casting a provisional ballot as provided in this  
21 section who has changed his or her address of residence, but has not  
22 updated the address on the voter registry, may note this fact on the  
23 affidavit and submit a form to update the address prescribed by the  
24 Secretary of the State Election Board. In such a case, and where

1 the requirements of Section 4-117 of this title are satisfied, the  
2 provisional ballot shall be deemed to meet the requirements of  
3 subparagraph a of paragraph 2 of this subsection.

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

7 SECTION 2. This act shall become effective November 1, 2024.

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9 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
10 02/26/2024 - DO PASS, As Amended and Coauthored.

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