

1 ENGROSSED HOUSE
2 BILL NO. 3717

By: O'Donnell and Crosswhite
Hader of the House

3 and

4 Daniels of the Senate

5
6
7 [elections - registration card - photo - effective
8 date]
9

10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

23 2. The document shows a photograph of the person to whom the
24 document was issued;

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

- 4 a. an identification card that is valid indefinitely, or
- 5 b. an identification card issued by a branch of the armed
6 services of the United States to a person who is a
7 member of such branch or is retired therefrom; and

8 4. The document was issued by the United States, the State of
9 Oklahoma or the government of a federally recognized Indian tribe or
10 nation.

11 5. Provided, for any election conducted prior to January 1,
12 2026, if the person presents a voter identification card issued by
13 the appropriate county election board, such card may serve as proof
14 of identity without meeting the requirements of paragraphs 2 and 3
15 of this subsection.

16 6. Provided, for any election conducted after January 1, 2026,
17 each person appearing to vote as described in this subsection shall
18 present proof of identity that meets the requirements of paragraphs
19 1 through 4 of this subsection.

20 B. 1. No later than January 1, 2026, Service Oklahoma shall
21 develop and make available a photo identification card that meets
22 the requirements of subsection A of this section to serve as a proof
23 of identity for voters.

1 2. The photo identification card described in this subsection
2 shall be provided free of charge by Service Oklahoma to any
3 registered voter who presents a voter registration card described in
4 Section 4-113 or another document showing proof of voter
5 registration. The voter shall affirm that he or she is a registered
6 voter and does not possess a document that meets the requirements of
7 paragraphs 1 through 4 of subsection A of this section.

8 3. The Chief Executive Officer of Service Oklahoma shall
9 consult with the Secretary of the State Election Board to develop
10 the photo identification card.

11 C. The requirements for proof of identity described in
12 subsection A of this section shall apply to each voter appearing to
13 vote at an in-person absentee voting site.

14 ~~B.~~ D. 1. If a person declines to or is unable to produce proof
15 of identity, the person may sign a statement under oath, in a form
16 approved by the Secretary of the State Election Board, swearing or
17 affirming that the person is the person identified on the precinct
18 registry, and shall be allowed to cast a provisional ballot in a
19 manner consistent with the provisions of Section 7-116.1 of this
20 title.

21 2. A provisional ballot cast by a voter who declines or is
22 unable to produce proof of identity shall only be considered
23 verified and approved for counting if:
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- 1 a. the voter's name on the affidavit substantially
2 conforms to the voter's name in the voter registration
3 database, except as provided in paragraph 3 of this
4 subsection,
- 5 b. the voter's residence address on the affidavit
6 substantially conforms to the voter's residence
7 address in the voter registration database, except as
8 provided in paragraph 4 of this subsection,
- 9 c. the voter's date of birth matches the information in
10 the voter registration database,
- 11 d. the voter's Oklahoma driver license number or the last
12 four digits of the voter's Social Security number on
13 the affidavit matches the information in the voter
14 registration database. The provisions of this
15 subparagraph shall not apply if the voter was not
16 required to provide a driver license number or the
17 last four digits of the voter's Social Security number
18 at the time of registration, and
- 19 e. the provisional ballot meets the eligibility
20 requirements set forth in Section 7-116.1 of this
21 title.

22 3. A voter casting a provisional ballot as provided in this
23 section who has legally changed his or her name, but has not updated
24 the name on the voter registry, may note this fact on the affidavit

1 and submit a form prescribed by the Secretary of the State Election
2 Board to update his or her name. In such a case, and where the
3 requirements of Section 4-117 of this title are satisfied, the
4 provisional ballot shall be deemed to meet the requirements of
5 subparagraph a of paragraph 2 of this subsection.

6 4. A voter casting a provisional ballot as provided in this
7 section who has changed his or her address of residence, but has not
8 updated the address on the voter registry, may note this fact on the
9 affidavit and submit a form to update the address prescribed by the
10 Secretary of the State Election Board. In such a case, and where
11 the requirements of Section 4-117 of this title are satisfied, the
12 provisional ballot shall be deemed to meet the requirements of
13 subparagraph a of paragraph 2 of this subsection.

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

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

19 SECTION 2. This act shall become effective November 1, 2024.
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1 Passed the House of Representatives the 7th day of March, 2024.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2024.

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9 Presiding Officer of the Senate