

1 **SENATE FLOOR VERSION**

2 February 28, 2023

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1040

6 By: Jech

7 An Act relating to voter registration; amending 26
8 O.S. 2021, Section 4-109.3, as amended by Section 15,
9 Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022, Section
10 4-109.3), which relates to motor vehicle licensing
11 agencies; requiring certain request to person upon
12 certain application; requiring certain response to be
13 submitted in writing or electronically; requiring
14 electronic transmission of certain applications to
15 the State Election Board; prohibiting voter
16 registration services to certain persons; removing
17 authority to develop certain system; and declaring an
18 emergency.

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

20 SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-109.3, as
21 amended by Section 15, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022,
22 Section 4-109.3), is amended to read as follows:

23 Section 4-109.3. A. When a qualified elector applies for
24 issuance or renewal of an Oklahoma driver license, or issuance of a
state identification card issued pursuant to Section 6-105 of Title
47 of the Oklahoma Statutes, he or she shall be provided voter
registration services as required by the National Voter Registration
Act. ~~All completed~~ The person shall be asked whether he or she

1 wishes to register to vote or to change his or her address for
2 voting purposes. A person who declines to register shall confirm
3 such choice in writing or by electronic means. Completed electronic
4 voter registration applications shall be electronically transmitted
5 by the agency accepting the application to the State Election Board
6 or county election board. Completed paper voter registration
7 applications shall be transmitted by the agency accepting the
8 application at the close of business each week to the State Election
9 Board in preaddressed, postage prepaid envelopes provided by the
10 State Election Board. If a person registers or declines to register
11 to vote, the office at which the person submits the voter
12 registration application or the fact that the person declined to
13 register shall remain confidential and will be used only for voter
14 registration purposes.

15 B. No voter registration services shall be offered to any
16 person who, at the time of an application for issuance or renewal of
17 an Oklahoma driver license or state identification card, provides
18 documentation that shows that the person is not a citizen of the
19 United States.

20 C. A change of address for an Oklahoma driver license or state
21 identification card submitted by a registered voter shall also serve
22 as a change of address for voter registration purposes if the new
23 address is within the same county where the voter is registered to
24 vote. If the new address is outside the county where the voter is

1 currently registered to vote, the voter shall be sent a notice and
2 application with instructions for registering to vote at the new
3 address. A change of address for an Oklahoma driver license or
4 state identification card shall not be used to update a voter
5 registration address if the registrant states in writing or by
6 electronic means that the change of address is not for voter
7 registration purposes.

8 ~~C.~~ D. Licensed operators shall receive fifty cents (\$0.50) per
9 valid paper voter registration application or application for change
10 in voter registration taken by themselves and employees of the
11 licensed operator's office taken at the licensed operator's office,
12 payable by the State Election Board.

13 ~~D.~~ E. Service Oklahoma shall notify the Secretary of the State
14 Election Board of licensed operator appointments. Service Oklahoma
15 shall notify the Secretary of the State Election Board of licensed
16 operators qualified to issue driver licenses.

17 ~~E.~~ ~~The Secretary of the State Election Board is authorized to~~
18 ~~develop with Service Oklahoma a system to electronically transmit~~
19 ~~voter registration applications from licensed operators to the State~~
20 ~~Election Board or county election boards. Such system shall be~~
21 ~~consistent with the requirements for electronic submission of voter~~
22 ~~registration applications provided in Section 4-109.4 of this title.~~

23 F. The Secretary of the State Election Board shall promulgate
24 rules and procedures to implement the requirements of this section.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
6 February 28, 2023 - DO PASS AS AMENDED BY CS
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