

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 148

By: Fields of the Senate

and

Russ of the House

7
8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to elections; amending 26 O.S. 2011,
12 Sections 4-109.3, as last amended by Section 3,
13 Chapter 326, O.S.L. 2016 and 4-120.2, as amended by
14 Section 2, Chapter 377, O.S.L. 2015 (26 O.S. Supp.
15 2016, Sections 4-109.3 and 4-120.2), which relate to
16 voter registration; modifying procedures for
17 providing and updating voter registration information
18 upon application for issuance or renewal of driver
19 license; authorizing promulgation of rules and
20 procedures; modifying persons required to receive
21 address confirmation; modifying circumstances under
22 which voter designated as inactive; and declaring an
23 emergency.

24
BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 26 O.S. 2011, Section 4-109.3, as
last amended by Section 3, Chapter 326, O.S.L. 2016 (26 O.S. Supp.
2016, Section 4-109.3), is amended to read as follows:

1 Section 4-109.3 A. When a qualified elector applies for
2 issuance or renewal of an Oklahoma ~~driver's~~ driver license, or
3 issuance of a state identification card issued pursuant to Section
4 6-105 of Title 47 of the Oklahoma Statutes, ~~or for a change of~~
5 ~~address for driver license purposes, the person shall be asked if he~~
6 ~~or she wishes to register to vote or to change his or her address~~
7 ~~for voting purposes. If the person wishes to register to vote or to~~
8 ~~change his or her address for voting purposes, the person shall be~~
9 ~~given a voter registration application which should be completed and~~
10 ~~signed by the applicant and returned to the official of the motor~~
11 ~~license agency. If the person declines, he or she shall be given a~~
12 ~~declination statement with the application form prescribed by the~~
13 ~~Secretary of the State Election Board which shall be retained by the~~
14 ~~motor license agency or designated representative of the Department~~
15 ~~of Public Safety for twenty-four (24) months~~ he or she shall be
16 provided voter registration services as required by the National
17 Voter Registration Act. All completed paper voter registration
18 applications shall be transmitted by the ~~motor license agent~~ agency
19 accepting the application at the close of business each week to the
20 State Election Board in preaddressed, postage prepaid envelopes
21 provided by the State Election Board. If a person registers or
22 declines to register to vote, the office at which the person submits
23 the voter registration application or the fact that the person

24

1 declined to register shall remain confidential and will be used only
2 for voter registration purposes.

3 B. A change of address for an Oklahoma driver license or state
4 identification card submitted by a registered voter shall also serve
5 as a change of address for voter registration purposes if the new
6 address is within the same county where the voter is registered to
7 vote. If the new address is outside the county where the voter is
8 currently registered to vote, the voter shall be sent a notice and
9 application with instructions for registering to vote at the new
10 address. A change of address for an Oklahoma driver license or
11 state identification card shall not be used to update a voter
12 registration address if the registrant states in writing that the
13 change of address is not for voter registration purposes.

14 C. Motor license agents shall receive fifty cents (\$0.50) per
15 valid paper voter registration application or application for change
16 in voter registration taken by themselves and employees of the motor
17 license agent's office taken at the agent's office, payable by the
18 State Election Board.

19 ~~C.~~ D. The Oklahoma Tax Commission shall notify the Secretary of
20 the State Election Board of motor license agent appointments. The
21 Oklahoma Department of Public Safety shall notify the Secretary of
22 the State Election Board of motor license agents qualified to issue
23 driver licenses.

24

1 ~~D.~~ E. The Secretary of the State Election Board is authorized
2 to develop with the Department of Public Safety a system to
3 electronically transmit voter registration applications from motor
4 license agencies to the State Election Board or county election
5 boards. Such system shall be consistent with the requirements for
6 electronic submission of voter registration applications provided in
7 Section 4-109.4 of this title.

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

10 SECTION 2. AMENDATORY 26 O.S. 2011, Section 4-120.2, as
11 amended by Section 2, Chapter 377, O.S.L. 2015 (26 O.S. Supp. 2016,
12 Section 4-120.2), is amended to read as follows:

13 Section 4-120.2 A. No later than June 1 of each odd-numbered
14 year, any voter identified within the previous twenty-four (24)
15 months as subject to the provisions of this subsection shall be sent
16 an address confirmation mailing prescribed by the Secretary of the
17 State Election Board and paid for by the state. The following shall
18 be subject to the provisions of this subsection:

19 1. Any voter for whom a first-class mailing from the county
20 election board or the State Election Board was returned;

21 2. Any voter identified by the Secretary of the State Election
22 Board as a potential duplicate voter in another county in this state
23 or in another state;

24

1 3. Any voter who has surrendered his or her Oklahoma driver
2 license to the Department of Public Safety upon being issued a
3 driver license in another state;

4 4. Any voter identified in subsection C of Section ~~1 of this~~
5 ~~act~~ 4-118.1 of this title who has not updated his or her voter
6 registration;

7 5. Any registered voter identified in subsection F of Section
8 4-120.3 of this title whose voter registration has not been
9 canceled; ~~and~~

10 6. Any active registered voter who did not vote in the second
11 previous general election or any election conducted by a county
12 election board since the second previous general election and who
13 has initiated no voter registration change; and

14 7. Any registered voter who was sent a notice and application
15 to update a voter registration address as required by subsection B
16 of Section 4-109.3 of this title, but whose voter registration
17 address has not been updated or cancelled.

18 Voters who do not respond to the confirmation mailing or whose
19 mailing is returned as nonforwardable or undeliverable as addressed
20 shall be designated as inactive sixty (60) days after the mailing.

21 B. An inactive voter's status shall be changed to active under
22 the following conditions:

23 1. With any registration change initiated by the voter; or
24

1 2. By voting in any election conducted by a county election
2 board.

3 An inactive voter who does not vote in any election conducted by
4 a county election board during the period beginning on the date of
5 the confirmation mailing and ending on the day after the date of the
6 second successive general election for federal office shall be
7 removed as a registered voter and all the information on that voter
8 shall be destroyed. Each county election board secretary shall
9 maintain a list of the names and addresses of all persons sent a
10 confirmation mailing as described in this section and information on
11 whether or not each such person has responded to the notice. The
12 list shall be maintained for twenty-four (24) months following the
13 date of the second successive federal general election after the
14 date of the confirmation mailing.

15 C. The secretary of each county election board shall cause all
16 inactive voters in a precinct to be identified on the precinct
17 registry.

18 D. No later than June 1 of each odd-numbered year, the
19 Secretary of the State Election Board shall identify duplicate voter
20 registrations in the state and shall direct appropriate county
21 election board secretaries to cancel the voter registration of all
22 but the latest registration of duplicate voter registrations. Each
23 county election board secretary shall maintain for twenty-four (24)
24 months a list of the names and addresses of all canceled duplicate

1 voter registrations. For the purposes of this subsection, duplicate
2 voter registrations are those registrations which contain the
3 following identical information on more than one registration:

4 1. First name, middle name or initial, last name, and date of
5 birth;

6 2. Driver license number and date of birth; or

7 3. Last name, date of birth, and the last four digits of the
8 Social Security number.

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

13

14 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
15 04/12/2017 - DO PASS, As Amended.

16

17

18

19

20

21

22

23

24