

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 90

By: Kirt

AS INTRODUCED

An Act relating to voter registration; amending Section 26 O.S. 2021, Section 4-109.4, as amended by Section 16, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022, Section 4-109.4), which relates to electronic submission of voter registration application; requiring establishment of certain website by specified date; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-109.4, as amended by Section 16, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022, Section 4-109.4), is amended to read as follows:

Section 4-109.4. A. A person may submit a voter registration application electronically as provided in this section if such person:

1. Has a current and valid Oklahoma driver license or identification card issued by Service Oklahoma pursuant to the provisions of Section 6-101 et seq. of Title 47 of the Oklahoma Statutes;

1 2. Is registering to vote at the address shown on the driver
2 license or identification card; and

3 3. Is a qualified elector and entitled to become a registered
4 voter as provided by law.

5 B. The Secretary of the State Election Board, ~~subject to~~
6 ~~available funding,~~ shall establish a secure website to permit
7 persons described in subsection A of this section to submit voter
8 registration applications electronically by December 31, 2023. The
9 website must permit such persons to submit an application to
10 register to vote or to update an existing registration. The
11 Secretary may employ security measures he or she deems necessary to
12 ensure the accuracy and integrity of voter registration applications
13 submitted electronically and may establish an initial date on which
14 voter registration applications may be submitted electronically
15 after establishment of the website.

16 C. 1. The applicant must attest to the truth of the
17 information provided on the application by affirmatively accepting
18 the information as true and correct. Any person who submits false
19 information on an electronic voter registration application shall be
20 deemed guilty of a felony as described in Sections 16-103 and 16-
21 103.1 of this title.

22 2. The applicant must consent to the comparison of the
23 information entered into an electronic voter registration
24 application to the information contained in his or her driver
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1 license or identification card record and also to the use of the
2 signature included in the driver license or identification card
3 record for voter registration purposes.

4 3. A voter registration application properly submitted
5 electronically shall be processed by the State Election Board and
6 the appropriate county election board in the same manner as a voter
7 registration application submitted on a paper form.

8 D. 1. When an applicant submits a voter registration
9 application electronically, the Secretary shall generate an
10 electronic confirmation on the website that the application has been
11 received, with instructions as to how the applicant may check the
12 status of the application thereafter.

13 2. a. The Secretary shall submit the information entered
14 into the electronic voter registration application by
15 the applicant to Service Oklahoma for comparison to
16 the record of the applicant's driver license or
17 identification card.

18 b. Service Oklahoma shall respond to the submission and
19 shall indicate if the information submitted matches
20 the information in the applicant's driver license
21 record.

22 c. If the information matches, the electronic voter
23 registration application may proceed and Service
24 Oklahoma shall provide the State Election Board with

1 the digital image of the signature included in the
2 applicant's driver license or identification card
3 record. If the information does not match, the
4 application shall not proceed, and the applicant shall
5 be notified of the failed match and may be provided
6 information and instruction for updating the driver
7 license or identification card record with Service
8 Oklahoma.

9 3. a. Following a match of records by Service Oklahoma
10 described in subparagraph b of paragraph 2 of this
11 subsection, and if the Secretary finds that the
12 electronic voter registration application is in
13 compliance with this section and all applicable laws
14 relating to voter registration, the digital image of
15 the signature from the applicant's driver license or
16 identification card record shall be included on the
17 application and the application shall be submitted and
18 processed as provided by law. Provided, the Secretary
19 of the State Election Board is authorized to designate
20 an alternative method of obtaining the signature of
21 the applicant, if necessary.

22 b. If the Secretary does not find that the electronic
23 voter registration application is in compliance with
24 this section and all applicable laws relating to voter
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1 registration, the applicant shall be notified that the
2 electronic voter registration application cannot be
3 submitted and the reasons it cannot be submitted, and
4 shall provide information about other methods to
5 submit a voter registration application.

6 E. The provisions of Section 24A.5 of Title 51 of the Oklahoma
7 Statutes relating to confidentiality of personal information within
8 driver records as defined by the Driver's Privacy Protection Act, 18
9 United States Code, Sections 2721 through 2725, shall be applicable
10 to information obtained by the State Election Board from Service
11 Oklahoma during the information matching procedure described in this
12 section. Provided, however, this subsection shall not apply to
13 information entered into the electronic voter registration
14 application by the voter registration applicant nor to the digital
15 image of the applicant's signature provided to the Secretary of the
16 State Election Board by Service Oklahoma, upon the consent of the
17 applicant, for use on the electronic voter registration application
18 as provided in this section.

19 F. The Secretary of the State Election Board may establish a
20 system whereby a registered voter may electronically submit a change
21 to his or her voter registration information, including a change of
22 name, political party affiliation or address of residence within the
23 county in which the voter is currently registered to vote. An
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1 electronically submitted change in voter registration information
2 shall include:

3 1. Such information as the Secretary of the State Election
4 Board deems necessary to confirm the identity of the voter; and

5 2. An oath that the voter is eligible to register to vote in
6 Oklahoma.

7 Upon receipt of a valid electronically submitted change in voter
8 registration, the secretary of the appropriate county election board
9 shall update the voter's registration information in the voter
10 registration database and shall file a notation of such changes with
11 the voter's original voter registration application.

12 G. The Secretary shall promulgate rules as may be necessary to
13 implement the provisions of this section.

14 SECTION 2. This act shall become effective November 1, 2023.

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