

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 989

By: Jett

AS INTRODUCED

An Act relating to election results; amending Section 26 O.S. 2021, Section 3-130, which relates to post-election audit of election results; requiring post-election audits for certain election results in randomly selected counties; authorizing additional post-election audits; clarifying authority to promulgate certain policies, rules and procedures; modifying definition; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 3-130, is amended to read as follows:

Section 3-130. A. The Secretary of the State Election Board shall ~~have the authority to~~ direct the secretary of the election board of selected counties to conduct a post-election audit of election results upon the completion of elections scheduled pursuant to Sections 1-101, 1-102, 1-103, 3-101 and 13A-103 of this title for the purpose of maintaining the security of the election system.

Such audits shall verify whether the voting devices and software used in the elections correctly tabulated votes. Post-election

1 audits required pursuant to this subsection shall be completed for
2 no fewer than three elections in a minimum of three randomly
3 selected counties.

4 B. In addition to the post-election audits required pursuant to
5 subsection A of this section, the Secretary of the State Election
6 Board may direct the secretary of a county election board to conduct
7 a post-election audit of election results, for the purpose of
8 maintaining the security of the election system by ensuring that
9 voting devices and software used in a particular election correctly
10 tabulated votes.

11 ~~B. The method, timing and procedures for conducting a post-~~
12 ~~election audit shall be determined by the Secretary of the State~~
13 ~~Election Board.~~

14 C. The secretary of a county election board shall report the
15 findings of a post-election audit required pursuant to this section
16 to the Secretary of the State Election Board, and such report shall
17 be available to the public.

18 D. The Secretary of the State Election Board may promulgate
19 policies, rules and procedures related to the method and timing of
20 post-election audits and to otherwise implement the requirements of
21 this section.

22 E. For the purposes of this title, a "post-election audit" is
23 defined as a manual or electronic examination of ~~a limited number of~~
24 ballots by a secretary of a county election board or other

1 authorized election officials following an election. A post-
2 election audit shall be conducted only at the direction of the
3 Secretary of the State Election Board and only subject to the
4 Secretary's previously promulgated policies, rules or procedures.
5 For a post-election audit conducted pursuant to subsection A of this
6 section, all ballots shall receive a manual and electronic
7 examination. For a post-election audit conducted pursuant to
8 subsection B of this section, a limited number of ballots may be
9 audited by a manual or electronic examination.

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

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