

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1259

By: Hilbert of the House

3  
4 and

5 Paxton and Montgomery of  
the Senate

6  
7  
8 An Act relating to elections; amending 26 O.S. 2011,  
9 Sections 7-109 and 14-107, which relate to conduct of  
elections; allowing disclosure of certain ballots by  
10 specific means; making certain acts unlawful;  
11 providing penalties; providing for codification; and  
providing an effective date.

12  
13 AUTHOR: Add the following Senate Coauthor: Dahm

14 AMENDMENT NO. 1. Page 1, strike the title to read

15 "[ elections - disclosure of certain ballots by  
16 specific means - codification - effective date ]"



1 ENGROSSED HOUSE  
2 BILL NO. 1259

By: Hilbert of the House

3 and

4 Paxton and Montgomery of  
5 the Senate

6  
7 An Act relating to elections; amending 26 O.S. 2011,  
8 Sections 7-109 and 14-107, which relate to conduct of  
9 elections; allowing disclosure of certain ballots by  
10 specific means; making certain acts unlawful;  
11 providing penalties; providing for codification; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-109, is  
15 amended to read as follows:

16 Section 7-109. No person shall, within the election enclosure,  
17 verbally disclose to any other person how he or she voted; nor shall  
18 any person expose his or her ballot to any other person within the  
19 election enclosure. A voter may take a digital image or photograph  
20 of his or her marked ballot and distribute or share the image via  
21 social media or by any other means if performed voluntarily and in  
22 compliance with state and federal law. Testimony as to how any  
23 individual cast his or her ballot, whether or not said ballot was  
24 lawfully cast, shall not be admissible as evidence in any court of  
law or public hearing in this state.

1 SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-107, is  
2 amended to read as follows:

3 Section 14-107. A. Absentee ballots must be accompanied by:

4 1. A plain opaque envelope in which voted ballots must be  
5 placed by the voter;

6 2. An envelope bearing an affidavit stating that the voter is  
7 qualified to vote, and that the voter has personally marked the  
8 ballots, and has not exhibited the marked ballots to any other  
9 person;

10 3. A return envelope addressed to the secretary of the county  
11 election board; and

12 4. A notice that it is illegal for a Notary Public in this  
13 state to charge a fee to notarize an official absentee ballot  
14 affidavit.

15 B. A voter may take a digital image or photograph of his or her  
16 marked absentee ballot and distribute or share the image via social  
17 media or by any other means if performed voluntarily and in  
18 compliance with state and federal law. Testimony as to how any  
19 individual cast his or her absentee ballot, whether or not said  
20 absentee ballot was lawfully cast, shall not be admissible as  
21 evidence in any court of law or public hearing in this state.

22 SECTION 3. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 16-124 of Title 26, unless there  
24 is created a duplication in numbering, reads as follows:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24