

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1849

By: Lepak of the House

and

Jech of the Senate

[ elections - compensation of precinct officials -  
modifying compensation amounts - effective date ]

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause  
and entire bill and insert

"[ elections - election officials - compensation of  
precinct officials - effective date ]

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 2-129, as  
amended by Section 1, Chapter 202, O.S.L. 2013 (26 O.S. Supp. 2018,  
Section 2-129), is amended to read as follows:

Section 2-129. ~~The~~ A. 1. For any election held prior to July  
1, 2020, the inspector shall be paid Ninety-five Dollars (\$95.00)  
~~for each election and shall be allowed mileage reimbursement at the~~  
~~rate provided by the State Travel Reimbursement Act for mileage~~

1 ~~incurred to receive or return ballots and materials for the~~  
2 ~~election. Judges,~~

3 2. For any election held on or after July 1, 2020, and prior to  
4 July 1, 2024, the inspector shall be paid One Hundred Ten Dollars  
5 (\$110.00).

6 3. For any election held on or after July 1, 2024, and prior to  
7 July 1, 2028, the inspector shall be paid One Hundred Twenty-five  
8 Dollars (\$125.00).

9 4. For any election held on or after July 1, 2028, the  
10 inspector shall be paid One Hundred Fifty Dollars (\$150.00).

11 B. 1. For any election held prior to July 1, 2020, judges and  
12 ~~clerks and counters~~ shall be paid Eighty-five Dollars (\$85.00) ~~for~~  
13 ~~each election.~~

14 2. For any election held on or after July 1, 2020, and prior to  
15 July 1, 2024, judges and clerks shall be paid One Hundred Dollars  
16 (\$100.00).

17 3. For any election held on or after July 1, 2024, and prior to  
18 July 1, 2028, judges and clerks shall be paid One Hundred Fifteen  
19 Dollars (\$115.00).

20 4. For any election held on or after July 1, 2028, judges and  
21 clerks shall be paid One Hundred Thirty Dollars (\$130.00).

22 C. Precinct officials assigned to work a polling place ten (10)  
23 miles or more from their home, shall be allowed mileage  
24 reimbursement at the rate provided by the State Travel Reimbursement

1 Act for mileage incurred from their home to and from their assigned  
2 polling place. ~~An additional Two Dollars (\$2.00) per election shall~~  
3 ~~be paid to each inspector, judge, clerk and counter of a precinct~~  
4 ~~from the funds of the county.~~ In addition, inspectors shall be  
5 allowed mileage reimbursement at the rate provided by the State  
6 Travel Reimbursement Act for mileage incurred to receive or return  
7 ballots and materials for the election.

8 D. Compensation and mileage reimbursement provided herein shall  
9 be paid for any ~~state, county, municipal or school district~~  
10 ~~election; provided, however, that compensation for elections~~  
11 ~~conducted concurrently shall not exceed in total the amount herein~~  
12 ~~prescribed.~~ Said conducted by a county election board.

13 E. 1. Five Dollars (\$5.00) of the compensation described in  
14 subsections A, B and C of this section shall be paid by the county  
15 election board from county funds and the remainder shall be paid by  
16 the State Election Board for all regular Primary, Runoff Primary and  
17 General Elections, for state and federal offices. For all statewide  
18 special elections and all special elections for United States  
19 Representatives or United States Senators and State Senators or  
20 State Representatives, the compensation and mileage reimbursement  
21 described above shall be paid for by the State Election Board and  
22 county election board in those precincts included in the special  
23 election.

1        2. Except for elections described in paragraph 1 of this  
2 subsection, for any election involving a county office or county  
3 question the entire amount of the compensation and mileage  
4 reimbursement described in subsections A, B and C of this section  
5 shall be paid from county funds.

6        3. For all other elections conducted by a county election  
7 board, the entity for which the election is being conducted shall  
8 pay the compensation and mileage reimbursement described in  
9 subsections A, B and C of this section; provided, if an election for  
10 more than one entity is conducted in the same precinct, the entities  
11 shall equally share the cost of precinct official compensation and  
12 mileage reimbursement for that precinct. ~~Provided,~~

13        F. The secretary of the county election board may appoint  
14 volunteer ~~inspectors, judges, clerks and counters~~ precinct officials  
15 who shall not receive the compensation provided herein.

16        SECTION 2.        AMENDATORY        26 O.S. 2011, Section 3-105.1, is  
17 amended to read as follows:

18        Section 3-105.1. A. When any county, municipality, school  
19 district or other governmental entity authorizes an election to be  
20 conducted by the county election board, the secretary of the county  
21 election board shall, not less than thirty-five (35) days prior to  
22 the election, submit to the governmental entity for whom the  
23 election is authorized:

1        1. An itemized estimate of the number of precinct ~~inspectors,~~  
2 ~~judges, clerks,~~ officials and absentee voting board members  
3 necessary for the election; and

4        2. An estimate of the compensation and employer's share of any  
5 benefits to be provided to each precinct ~~inspector, judge, clerk,~~  
6 official and absentee voting board member.

7        B. Not less than fifteen (15) days prior to the election, the  
8 county, municipality, school district or other governmental entity  
9 authorizing the election shall submit to the secretary of the county  
10 election board an amount of funds equal to the estimate of  
11 compensation and benefits for precinct ~~inspectors, judges, clerks,~~  
12 officials and absentee voting board members as provided in  
13 subsection A of this section. If such amount is not submitted ten  
14 (10) days prior to the election, the secretary of the county  
15 election board shall not be required to hold the election. Upon  
16 receipt of the funds, the secretary of the county election board  
17 shall deposit the funds in the County Election Board Special  
18 Depository Account.

19        C. The secretary of the county election board shall issue  
20 vouchers for the compensation and benefits of precinct ~~inspectors,~~  
21 ~~judges, clerks,~~ officials and absentee voting board members from the  
22 County Election Board Special Depository Account, pursuant to  
23 Section 681 et seq. of Title 19 of the Oklahoma Statutes. The  
24 secretary of the county election board shall provide the vouchers to

1 the precinct inspector, except the voucher for the inspector and  
2 absentee voting board members, at the time the inspector receives  
3 supplies and ballots for the election. The vouchers shall be  
4 distributed to the appropriate precinct ~~judges and clerks~~ officials  
5 upon closing of the polls on the day of the election and to absentee  
6 voting board members upon completion of their prescribed duties,  
7 according to procedures to be prescribed by the Secretary of the  
8 State Election Board. Each precinct ~~inspector, judge or clerk~~  
9 official shall sign a form prescribed by the Secretary of the State  
10 Election Board acknowledging receipt of compensation and benefits.  
11 The inspector shall return the form, together with any unclaimed  
12 vouchers, to the county election board, together with the results of  
13 the election and other supplies and materials. At such time, the  
14 secretary of the county election board shall provide a voucher for  
15 payment to the inspector. The secretary of the county election  
16 board shall return any unclaimed vouchers to the county treasurer  
17 within seven (7) days after the election. If any additional  
18 vouchers for compensation and benefits are required, the secretary  
19 of the county election board shall issue such vouchers not less than  
20 seven (7) days after the election. In no event shall compensation  
21 be made until after services have been rendered.

22 D. As soon as practicable after conducting an election for a  
23 municipality, school district, or other governmental entity, except  
24 the state or county, the secretary of the county election board

1 shall submit a claim to the governing body of the entity for whom  
2 the election was conducted. The claim shall itemize all expenses  
3 associated with the election, and shall deduct any amount paid by  
4 the municipality, school district or other governmental entity for  
5 the compensation and employer's share of any benefits provided to  
6 precinct ~~inspectors, judges, clerks,~~ officials and absentee voting  
7 board members pursuant to the provisions of subsection B of this  
8 section. Upon receipt of such itemized claim, the governing body  
9 shall make payment to the county election board within thirty (30)  
10 days. Upon receipt of the payment, the secretary of the county  
11 election board shall deposit the payment in the County Election  
12 Board Special Depository Account. The secretary shall disburse  
13 payments for the expenses incurred in the election, pursuant to  
14 Section 681 et seq. of Title 19 of the Oklahoma Statutes.

15 E. The State Election Board shall provide the compensation and  
16 employer's share of benefits for precinct ~~inspectors, judges,~~  
17 ~~clerks,~~ officials and absentee voting board members in the payment  
18 made to the respective counties for elections for which ~~said the~~  
19 precinct ~~inspectors, judges, clerks,~~ officials and absentee voting  
20 board members are paid by the State Election Board, in the same  
21 manner as provided in subsections A and B of this section. For the  
22 foregoing elections, the county shall place in the County Election  
23 Board Special Depository Account an amount of funds equal to ~~Two~~  
24 ~~Dollars (\$2.00)~~ Five Dollars (\$5.00) for each ~~inspector, judge, and~~

1 ~~clerk~~ precinct official at each election in the same manner as  
2 provided in subsections A and B of this section. The Secretary of  
3 the State Election Board shall prescribe a procedure by which the  
4 State Election Board or the county shall be reimbursed for any  
5 overpayment made to a county election board for compensation and  
6 employer's share of benefits paid to precinct ~~inspectors, judges,~~  
7 ~~clerks,~~ officials and absentee voting board members.

8 SECTION 3. This act shall become effective July 1, 2020."

9 and when the title is restored, amend the title to  
10 conform

11 Passed the Senate the 23rd day of April, 2019.

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13 \_\_\_\_\_  
14 Presiding Officer of the Senate

15 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
16 2019.

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18 \_\_\_\_\_  
19 Presiding Officer of the House  
20 of Representatives  
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1 ENGROSSED HOUSE  
2 BILL NO. 1849

By: Lepak of the House

3 and

4 Jech of the Senate

5  
6 [ elections - compensation of precinct officials -  
7 modifying compensation amounts - effective date ]  
8  
9

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

11 SECTION 4. AMENDATORY 26 O.S. 2011, Section 2-129, as  
12 amended by Section 1, Chapter 202, O.S.L. 2013 (26 O.S. Supp. 2018,  
13 Section 2-129), is amended to read as follows:

14 Section 2-129. The inspector shall be paid ~~Ninety-five Dollars~~  
15 ~~(\$95.00)~~ One Hundred Seventy-five Dollars (\$175.00) for each  
16 election and shall be allowed mileage reimbursement at the rate  
17 provided by the State Travel Reimbursement Act for mileage incurred  
18 to receive or return ballots and materials for the election.

19 Judges, and clerks ~~and counters~~ shall be paid ~~Eighty-five Dollars~~  
20 ~~(\$85.00)~~ One Hundred Forty Dollars (\$140.00) for each election.

21 Provided, if an inspector, judge or clerk does not perform his or  
22 her duties for the entire day of the election, the payment amounts  
23 set forth in this section, excluding mileage reimbursement, shall  
24 not exceed seventy-five percent (75%) of the original amount.

1 Precinct officials assigned to work a polling place ten (10) miles  
2 or more from their home, shall be allowed mileage reimbursement at  
3 the rate provided by the State Travel Reimbursement Act for mileage  
4 incurred from their home to and from their assigned polling place.  
5 An additional Two Dollars (\$2.00) per election shall be paid to each  
6 inspector, judge, and clerk ~~and counter~~ of a precinct from the funds  
7 of the county. Compensation provided herein shall be paid for any  
8 state, county, municipal or school district election; provided,  
9 however, that compensation for elections conducted concurrently  
10 shall not exceed in total the amount herein prescribed. Said  
11 compensation shall be paid by the State Election Board for all  
12 regular Primary, Runoff Primary and General Elections, all statewide  
13 special elections and all special elections for United States  
14 Representatives or United States Senators and State Senators or  
15 State Representatives. Provided, the county election board may  
16 appoint volunteer inspectors, judges, and clerks ~~and counters~~ who  
17 shall not receive the compensation provided herein.

18 SECTION 5. This act shall become effective November 1, 2019.  
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1 Passed the House of Representatives the 12th day of March, 2019.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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7  
8 Presiding Officer of the Senate