

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 1849, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Jech

Jech-CD-FS-Req#2230
4/22/2019 3:03 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 1849

By: Lepak of the House

and

Jech of the Senate

6
7
8
9 FLOOR SUBSTITUTE

10 [elections - election officials - compensation of
11 precinct officials - effective date]
12

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

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

17 Section 2-129. ~~The A. 1. For any election held prior to July~~
18 1, 2020, the inspector shall be paid Ninety-five Dollars (\$95.00)
19 ~~for each election and shall be allowed mileage reimbursement at the~~
20 ~~rate provided by the State Travel Reimbursement Act for mileage~~
21 ~~incurred to receive or return ballots and materials for the~~
22 ~~election. Judges,~~

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

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

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

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

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

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

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

20 C. Precinct officials assigned to work a polling place ten (10)
21 miles or more from their home, shall be allowed mileage
22 reimbursement at the rate provided by the State Travel Reimbursement
23 Act for mileage incurred from their home to and from their assigned
24 polling place. An additional Two Dollars (\$2.00) per election shall

1 ~~be paid to each inspector, judge, clerk and counter of a precinct~~
2 ~~from the funds of the county.~~ In addition, inspectors shall be
3 allowed mileage reimbursement at the rate provided by the State
4 Travel Reimbursement Act for mileage incurred to receive or return
5 ballots and materials for the election.

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

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

22 2. Except for elections described in paragraph 1 of this
23 subsection, for any election involving a county office or county
24 question the entire amount of the compensation and mileage

1 reimbursement described in subsections A, B and C of this section
2 shall be paid from county funds.

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

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

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

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

21 1. An itemized estimate of the number of precinct ~~inspectors,~~
22 ~~judges, clerks,~~ officials and absentee voting board members
23 necessary for the election; and
24

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

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

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

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

19 D. As soon as practicable after conducting an election for a
20 municipality, school district, or other governmental entity, except
21 the state or county, the secretary of the county election board
22 shall submit a claim to the governing body of the entity for whom
23 the election was conducted. The claim shall itemize all expenses
24 associated with the election, and shall deduct any amount paid by

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

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

1 State Election Board or the county shall be reimbursed for any
2 overpayment made to a county election board for compensation and
3 employer's share of benefits paid to precinct ~~inspectors, judges,~~
4 ~~clerks,~~ officials and absentee voting board members.

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

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7 57-1-2230 CD 4/22/2019 3:03:29 PM

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