

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1259

By: Hilbert

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5
6 AS INTRODUCED

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; and providing an effective date.

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

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

14 Section 7-109. No person shall, within the election enclosure,
15 verbally disclose to any other person how he or she voted; nor shall
16 any person expose his or her ballot to any other person within the
17 election enclosure. A voter may take a digital image or photograph
18 of his or her marked ballot and distribute or share the image via
19 social media or by any other means if performed voluntarily and in
20 compliance with state and federal law. Testimony as to how any
21 individual cast his or her ballot, whether or not said ballot was
22 lawfully cast, shall not be admissible as evidence in any court of
23 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. This act shall become effective November 1, 2019.

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24 57-1-5580 LRB 12/05/18