

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB1849

By: Lepak of the House and Jech of the Senate

Title: Elections; compensation of precinct officials; modifying compensation amounts; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES: GCCA (must be signed out at a Senate GCCA meeting)

Bice _____
Brooks _____
Daniels _____
Dossett _____
Dugger _____
Floyd _____
Hall _____
Ikley-Freeman _____
Jech _____
Kidd _____
Matthews _____

Montgomery _____
Pemberton _____
Pugh _____
Rader _____
Rosino _____
Scott _____
Shaw _____
Simpson _____
Stanislowski _____
Thompson _____

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1849

By: Lepak of the House
and
Jech of the Senate

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10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to elections; amending 26 O.S. 2011,
12 Sections 2-129, as amended by Section 1, Chapter 202,
13 O.S.L. 2013 and 3-105.1 (26 O.S. Supp. 2018, Section
14 2-129), which relate to election officials; modifying
15 compensation of precinct officials during certain
16 time periods; providing for mileage reimbursement;
17 specifying source of payment of certain compensation
18 and mileage reimbursement; modifying references to
19 certain precinct officials; and providing an
20 effective date.

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

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

Section 2-129. ~~The inspector shall be paid Ninety-five Dollars~~
~~(\$95.00) for each election and shall be allowed mileage~~

1 ~~reimbursement at the rate provided by the State Travel Reimbursement~~
2 ~~Act for mileage incurred to receive or return ballots and materials~~
3 ~~for the election. Judges, clerks and counters shall be paid Eighty~~
4 ~~five Dollars (\$85.00) for each election~~ A. 1. For any election
5 held on or after July 1, 2020, and prior to July 1, 2024, the
6 inspector shall be paid One Hundred Ten Dollars (\$110.00).
7 2. For any election held on or after July 1, 2024, and prior to
8 July 1, 2028, the inspector shall be paid One Hundred Twenty-five
9 Dollars (\$125.00).
10 3. For any election held on or after July 1, 2028, the
11 inspector shall be paid One Hundred Fifty Dollars (\$150.00).
12 B. 1. For any election held on or after July 1, 2020, and
13 prior to July 1, 2024, judges and clerks shall be paid One Hundred
14 Dollars (\$100.00).
15 2. 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 3. 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 the
16 Presidential Preferential Primary Election, and for all statewide
17 special elections and all special elections for United States
18 Representatives or United States Senators and State Senators or
19 State Representatives.

20 2. Except for elections described in paragraph 1 of this
21 subsection, for all other elections conducted by a county election
22 board, the entity for which the election is being conducted shall
23 pay the compensation and mileage reimbursement described in
24 subsections A, B and C of this section; provided, if an election for

1 more than one entity is conducted in the same precinct, the entities
2 shall equally share the cost of precinct official compensation and
3 mileage reimbursement for that precinct. ~~Provided,~~

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

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

9 Section 3-105.1 A. When any county, municipality, school
10 district or other governmental entity authorizes an election to be
11 conducted by the county election board, the secretary of the county
12 election board shall, not less than thirty-five (35) days prior to
13 the election, submit to the governmental entity for whom the
14 election is authorized:

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

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

21 B. Not less than fifteen (15) days prior to the election, the
22 county, municipality, school district or other governmental entity
23 authorizing the election shall submit to the secretary of the county
24 election board an amount of funds equal to the estimate of

1 compensation and benefits for precinct ~~inspectors, judges, clerks,~~
2 officials and absentee voting board members as provided in
3 subsection A of this section. If such amount is not submitted ten
4 (10) days prior to the election, the secretary of the county
5 election board shall not be required to hold the election. Upon
6 receipt of the funds, the secretary of the county election board
7 shall deposit the funds in the County Election Board Special
8 Depository Account.

9 C. The secretary of the county election board shall issue
10 vouchers for the compensation and benefits of precinct ~~inspectors,~~
11 ~~judges, clerks,~~ officials and absentee voting board members from the
12 County Election Board Special Depository Account, pursuant to
13 Section 681 et seq. of Title 19 of the Oklahoma Statutes. The
14 secretary of the county election board shall provide the vouchers to
15 the precinct inspector, except the voucher for the inspector and
16 absentee voting board members, at the time the inspector receives
17 supplies and ballots for the election. The vouchers shall be
18 distributed to the appropriate precinct ~~judges and clerks~~ officials
19 upon closing of the polls on the day of the election and to absentee
20 voting board members upon completion of their prescribed duties,
21 according to procedures to be prescribed by the Secretary of the
22 State Election Board. Each precinct ~~inspector, judge or clerk~~
23 official shall sign a form prescribed by the Secretary of the State
24 Election Board acknowledging receipt of compensation and benefits.

1 The inspector shall return the form, together with any unclaimed
2 vouchers, to the county election board, together with the results of
3 the election and other supplies and materials. At such time, the
4 secretary of the county election board shall provide a voucher for
5 payment to the inspector. The secretary of the county election
6 board shall return any unclaimed vouchers to the county treasurer
7 within seven (7) days after the election. If any additional
8 vouchers for compensation and benefits are required, the secretary
9 of the county election board shall issue such vouchers not less than
10 seven (7) days after the election. In no event shall compensation
11 be made until after services have been rendered.

12 D. As soon as practicable after conducting an election for a
13 municipality, school district, or other governmental entity, except
14 the state or county, the secretary of the county election board
15 shall submit a claim to the governing body of the entity for whom
16 the election was conducted. The claim shall itemize all expenses
17 associated with the election, and shall deduct any amount paid by
18 the municipality, school district or other governmental entity for
19 the compensation and employer's share of any benefits provided to
20 precinct ~~inspectors, judges, clerks,~~ officials and absentee voting
21 board members pursuant to the provisions of subsection B of this
22 section. Upon receipt of such itemized claim, the governing body
23 shall make payment to the county election board within thirty (30)
24 days. Upon receipt of the payment, the secretary of the county

1 election board shall deposit the payment in the County Election
2 Board Special Depository Account. The secretary shall disburse
3 payments for the expenses incurred in the election, pursuant to
4 Section 681 et seq. of Title 19 of the Oklahoma Statutes.

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

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

57-1-8923 LRB 05/09/19