

1 ENGROSSED HOUSE
2 BILL NO. 3365

By: Roberts (Eric) and McDugle
of the House

3 and

4 Haste of the Senate

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6
7
8 [elections - voter registration - effective dates]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-113, is
13 amended to read as follows:

14 Section 4-113. A. The Secretary of the State Election Board
15 shall devise a voter identification card which shall be issued to
16 every person who becomes a registered voter in Oklahoma. The voter
17 identification card shall contain such information as is necessary
18 to determine a registered voter's eligibility.

19 B. When a person registers to vote or changes his or her
20 registration in any manner to require a new voter identification
21 card, or upon the eighteenth birthday of a person who has submitted
22 a voter registration application pursuant to the provisions of
23 subsection B of Section 4-103 of this title, the county election
24 board secretary in the county of the voter's residence shall

1 transmit the new voter identification card as acknowledgment of the
2 transaction which may be the notice required in Section 4-103.1 of
3 this title. New voter identification cards shall be mailed to the
4 physical address of the voter if such address is valid to receive
5 mail delivery. A valid address is one that follows the correct
6 standards and formatting of the United States Postal Service. A
7 valid address shall have a street name, street number, city, state,
8 and ZIP code. An invalid address is one that has a directional
9 address or unknown structure under standards of the United States
10 Postal Service. If the applicant's address of residence is not a
11 valid address for mail delivery, then the voter identification card
12 shall be transmitted to the mailing address provided by the
13 applicant on his or her voter registration application.

14 SECTION 2. AMENDATORY 26 O.S. 2021, Section 4-118, is
15 amended to read as follows:

16 Section 4-118. Any registered voter who changes his or her
17 residence to another county may apply for registration as an initial
18 registrant in such other county. Such person shall indicate his or
19 her prior registration information, including name, residence
20 address and county and political affiliation, as appropriate, on the
21 voter registration application. The secretary of the election board
22 of the second county shall immediately notify the Secretary of the
23 State Election Board of such transaction. Any change in political
24 affiliation shall be subject to Section 4-119 of this title.

1 SECTION 3. AMENDATORY 26 O.S. 2021, Section 4-120, is
2 amended to read as follows:

3 Section 4-120. A. The registration of any registered voter ~~may~~
4 shall be canceled only for one of the following reasons:

5 1. Written notice from the voter pursuant to Section 4-120.1 of
6 this title; death; conviction

7 2. Death;

8 3. Conviction of a felony; ~~judicial~~

9 4. Judicial determination of mental incapacitation under Title
10 30 of the Oklahoma Statutes; ~~registration~~

11 5. Registration in another county or state; ~~or failure~~

12 6. Failure to respond to a confirmation of address mailing and
13 failure to vote as prescribed in Section ~~21~~ 4-120.2 of this ~~act~~
14 title; or

15 7. The surrendering of the voter's Oklahoma driver license to
16 the Department of Public Safety upon being issued a driver license
17 in another state.

18 B. For purposes of this section, paragraphs 5 and 7 of
19 subsection A of this section shall constitute written notice by the
20 voter to cancel the voter registration.

21 C. A list of voter registrations that were canceled during the
22 previous twenty-four (24) months, and the reason for the
23 cancellation, shall be made available to the public.

24

1 SECTION 4. AMENDATORY 26 O.S. 2021, Section 4-120.2, is
2 amended to read as follows:

3 Section 4-120.2 A. No later than June 1 of each odd-numbered
4 year, any voter identified within the previous twenty-four (24)
5 months as subject to the provisions of this subsection shall be sent
6 an address confirmation mailing prescribed by the Secretary of the
7 State Election Board and paid for by the state. The following shall
8 be subject to the provisions of this subsection:

9 1. Any voter for whom a first-class mailing from the county
10 election board or the State Election Board was returned;

11 2. Any voter identified by the Secretary of the State Election
12 Board as a potential duplicate voter in another county in this state
13 or in another state;

14 3. ~~Any voter who has surrendered his or her Oklahoma driver~~
15 ~~license to the Department of Public Safety upon being issued a~~
16 ~~driver license in another state;~~

17 4. Any voter identified in subsection C of Section 4-118.1 of
18 this title who has not updated his or her voter registration;

19 ~~5.~~ 4. Any registered voter identified in subsection F of
20 Section 4-120.3 of this title whose voter registration has not been
21 canceled;

22 ~~6.~~ 5. Any active registered voter who did not vote in the
23 second previous general election or any election conducted by a
24

1 county election board since the second previous general election and
2 who has initiated no voter registration change; ~~and~~

3 ~~7.~~ 6. Any registered voter who was sent a notice and
4 application to update a voter registration address as required by
5 subsection B of Section 4-109.3 of this title, but whose voter
6 registration address has not been updated or canceled; and

7 7. Any voter who is registered to vote and has the same address
8 of residence as five or more other registered voters. "Same address
9 of residence" means the same street name, same street direction,
10 same street type, same street post direction, same street number,
11 same building or apartment number, and same ZIP code.

12 Voters who do not respond to the confirmation mailing or whose
13 mailing is returned as nonforwardable or undeliverable as addressed
14 shall be designated as inactive sixty (60) days after the mailing.

15 B. An inactive voter's status shall be changed to active under
16 the following conditions:

- 17 1. With any registration change initiated by the voter; or
- 18 2. By voting in any election conducted by a county election
19 board.

20 An inactive voter who does not vote in any election conducted by
21 a county election board during the period beginning on the date of
22 the confirmation mailing and ending on the day after the date of the
23 second successive general election for federal office shall be
24 removed as a registered voter and all the information on that voter

1 shall be destroyed. Each county election board secretary shall
2 maintain a list of the names and addresses of all persons sent a
3 confirmation mailing as described in this section and information on
4 whether or not each such person has responded to the notice. The
5 list shall be maintained for twenty-four (24) months following the
6 date of the second successive federal general election after the
7 date of the confirmation mailing.

8 C. The secretary of each county election board shall cause all
9 inactive voters in a precinct to be identified on the precinct
10 registry.

11 D. No later than June 1 of each odd-numbered year, the
12 Secretary of the State Election Board shall identify duplicate voter
13 registrations in the state and shall direct appropriate county
14 election board secretaries to cancel the voter registration of all
15 but the latest registration of duplicate voter registrations. Each
16 county election board secretary shall maintain for twenty-four (24)
17 months a list of the names and addresses of all canceled duplicate
18 voter registrations. For the purposes of this subsection, duplicate
19 voter registrations are those registrations which contain the
20 following identical information on more than one registration:

- 21 1. First name, middle name or initial, last name, and date of
22 birth;
- 23 2. Driver license number and date of birth; or

24

1 3. Last name, date of birth, and the last four digits of the
2 Social Security number.

3 SECTION 5. AMENDATORY 26 O.S. 2021, Section 4-120.3, is
4 amended to read as follows:

5 Section 4-120.3 A. The State Department of Health shall each
6 month transmit to the Secretary of the State Election Board a
7 certified list of all deaths of residents that have occurred within
8 the state for the immediately preceding month to include only the
9 personal identifiers needed to link the files, including but not
10 limited to the decedent's name, date of death, and date of birth.

11 The list shall include the last four digits of the decedent's Social
12 Security number and driver license number or state identification
13 card number for each decedent if such information was present on the
14 death certificate. The State Election Board shall not release
15 information, data, or records received from the State Department of
16 Health for the purpose of identifying deceased voters in response to
17 an Oklahoma Open Records Act request and shall protect the integrity
18 of the vital records data to the extent required of the State
19 Department of Health by Section 1-323 of Title 63 of the Oklahoma
20 Statutes. The Secretary of the State Election Board shall transmit

21 such list to the secretary of the county election board who shall
22 then use the list to ascertain those voters who are deceased, and
23 shall remove such deceased person's name from the central registry
24 and voter registration database within thirty (30) days from the

1 date the list was received by the county election board. Such list
2 shall be used only for the purposes hereinbefore described.

3 B. The registration of a deceased voter ~~may~~ shall be canceled
4 by the secretary of a county election board upon the receipt of a
5 certified copy of a death certificate from any person or upon the
6 execution by the next of kin of such deceased voter of a form and
7 upon the nature of proof of the fact thereof as prescribed by the
8 Secretary of the State Election Board. Such form must be executed
9 in person by the deceased voter's next of kin at the county election
10 board office, in which case it shall be witnessed by the secretary
11 or other designated employees, at the deceased voter's precinct
12 polling place or at the next of kin's precinct polling place in the
13 same county on the day of any election, in which case it shall be
14 witnessed by the inspector of such precinct, or the form may be
15 personally signed by the next of kin, such signature to be notarized
16 by a notary public or witnessed by two persons whose signatures and
17 addresses shall appear on the form, and returned to the county
18 election board.

19 C. The administrator of a nursing facility, as defined in
20 Section 1-1902 of Title 63 of the Oklahoma Statutes, or the
21 administrator of a veterans center established pursuant to Title 72
22 of the Oklahoma Statutes, also may execute a form prescribed by the
23 Secretary of the State Election Board to notify the secretary of the
24 county election board of the death of a nursing facility resident

1 | who is a registered voter. The administrator's signature on such
2 | form shall be witnessed by a member of the nursing home absentee
3 | voting board, shall be notarized or shall be witnessed by two
4 | persons whose signatures and addresses shall appear on the form.

5 | D. A funeral director, as defined in Section 396.2 of Title 59
6 | of the Oklahoma Statutes, ~~may~~ shall execute a form prescribed by the
7 | Secretary of the State Election Board to notify the secretary of the
8 | county election board of the death of a resident of the county. The
9 | funeral director's signature on such form either shall be notarized
10 | or shall be witnessed by two persons whose signatures and addresses
11 | shall appear on the form. Upon receipt of such form or any notice
12 | setting forth substantially the same facts and witnessed or
13 | notarized as provided in this section, the secretary of the county
14 | election board shall be authorized to cancel the voter registration
15 | of such deceased person.

16 | E. The registration of a deceased voter who was a member of the
17 | Oklahoma National Guard or the Armed Forces of the United States and
18 | who died in the line of duty may be canceled by the secretary of a
19 | county election board upon the receipt of notification of the
20 | voter's death from the Oklahoma National Guard or the Armed Forces
21 | of the United States. The Secretary of the State Election Board may
22 | prescribe the forms of such notification to be accepted by the
23 | county election board in order to cause the registration of the
24 | voter to be canceled. The Secretary shall further request the

1 Oklahoma National Guard and the Armed Forces of the United States to
2 provide notifications to the county election board as provided for
3 in this section.

4 F. The Secretary of the State Election Board is authorized to
5 obtain official death records from the Social Security
6 Administration and from other states. The Secretary of the State
7 Election Board may compare such death records against the state's
8 voter registration database. Any possible match of a death record
9 to a registered voter shall be transmitted to the secretary of the
10 county election board in the county in which the voter is
11 registered. The secretary of the county election board shall
12 ascertain any voter who is deceased, and shall remove such deceased
13 person's name from the central registry and voter registration
14 database.

15 SECTION 6. AMENDATORY 26 O.S. 2021, Section 7-103.2, is
16 amended to read as follows:

17 Section 7-103.2 County election boards shall maintain a current
18 list of all registered voters in each precinct, which will reflect
19 the address and party affiliation of each voter. Said list shall be
20 public information. The publicly available voter list shall note
21 any voter for whom a first-class mailing from the county election
22 board or the State Election Board was returned undeliverable.

23 SECTION 7. AMENDATORY 26 O.S. 2021, Section 7-115.1, is
24 amended to read as follows:

1 Section 7-115.1 Before being issued a ballot, ~~an inactive voter~~
2 ~~or a voter identified by the Secretary of the State Election Board~~
3 ~~as possibly having changed his or her address of residence based on~~
4 ~~National Change of Address data, who appears to vote during in-~~
5 ~~person absentee voting or at the voter's precinct, shall be required~~
6 ~~to complete an address confirmation form prescribed by the Secretary~~
7 ~~of the State Election Board~~ during in-person absentee voting or at
8 the voter's precinct or when applying for an absentee ballot, the
9 following voters shall be required to complete an address
10 confirmation form prescribed by the Secretary of the State Election

11 Board:

12 1. An inactive voter;

13 2. A voter identified by the Secretary of the State Election
14 Board as possibly having changed his or her residence based on
15 National Change of Address data;

16 3. A voter with an incomplete or invalid address or who has had
17 a voter identification card returned to the county election board by
18 the United States Postal Service as undeliverable.

19 SECTION 8. Sections 1, 3, 4, 5, 6, and 7 of this act shall
20 become effective January 1, 2023.

21 SECTION 9. Section 2 of this act shall become effective July 1,
22 2023.

1 Passed the House of Representatives the 14th day of March, 2022.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2022.

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8 _____
9 Presiding Officer of the Senate