

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 2663, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator David

David-TEK-FS-Req#2120
4/21/2021 4:43 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 2663

By: Echols, Virgin, Dollens and
Davis of the House

6 and

7 David of the Senate

8
9 FLOOR SUBSTITUTE

10 [elections - absentee ballots - effective date]

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12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 26 O.S. 2011, Section 14-103, as
15 amended by Section 2, Chapter 151, O.S.L. 2020 (26 O.S. Supp. 2020,
16 Section 14-103), is amended to read as follows:

17 Section 14-103. ~~Absentee~~ Requests for absentee ballots must be
18 ~~requested~~ received by the appropriate election officials no later
19 than 5:00 p.m. on ~~Tuesday~~ the third Monday preceding an election.

20 SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-115.4, as
21 last amended by Section 1, Chapter 130, O.S.L. 2017 (26 O.S. Supp.
22 2020, Section 14-115.4), is amended to read as follows:

1 Section 14-115.4. A. 1. A registered voter may apply for an
2 in-person absentee ballot at a location designated by the secretary
3 of the county election board from:

4 a. 8 a.m. to 6 p.m. on the Thursday and Friday
5 immediately preceding any election ~~and from 9 a.m.~~
6 conducted by a county election board,

7 b. 8 a.m. to 2 p.m. on the Saturday immediately preceding
8 ~~a state or federal election~~ General Election, Primary
9 Election, Runoff Primary Election or Presidential
10 Preferential Primary Election as described in Sections
11 1-101, 1-102, 1-103 and 20-101 of this title, and

12 c. 8 a.m. to 6 p.m. on the Wednesday immediately
13 preceding a General Election as described in Section
14 1-101 of this title.

15 2. As part of the application for an in-person absentee ballot
16 such registered voter shall swear or affirm that the voter has not
17 voted a regular mail absentee ballot and that the voter will not
18 vote at the regular polling place in the election for which the in-
19 person absentee ballot is requested.

20 ~~2.~~ 3. The secretary of the county election board in counties
21 with twenty-five thousand (25,000) or more registered voters, or
22 with an area in excess of one thousand five hundred (1,500) square
23 miles, may designate more than one location as an in-person absentee
24 polling place for an election, subject to the approval of and

1 pursuant to the ~~rules~~ and procedures prescribed by the Secretary of
2 the State Election Board.

3 B. 1. The voter also shall provide proof of identity as
4 defined in Section 7-114 of this title. If the voter declines to or
5 is unable to produce proof of identity, the voter may sign a
6 statement under oath, in a form approved by the Secretary of the
7 State Election Board, swearing or affirming that the person is the
8 person identified on the precinct registry, and shall be allowed to
9 cast a provisional ballot as provided in Section 7-116.1 of this
10 title.

11 2. False swearing or affirming under oath shall be punishable
12 as a felony as provided in Section 16-103 of this title, and the
13 penalty shall be distinctly set forth on the face of the statement.

14 C. One or more absentee voting boards shall be on duty at the
15 in-person absentee polling place on the days and during the hours
16 set forth in subsection A of this section. If the secretary of a
17 county election board receives an application from a registered
18 voter requesting to vote by in-person absentee ballot the secretary
19 shall cause to be implemented the following procedures:

20 1. An absentee voting board shall provide to each registered
21 voter who applies for an in-person absentee ballot appropriate
22 ballots and materials as may be necessary to vote;

23 2. The voter must sign an in-person absentee voter record, and
24 the signature of the voter on such record must be certified by both

1 members of the absentee voting board, except that the secretary of
2 the county election board and one other member of the absentee
3 voting board may certify the signature of another member of the
4 absentee voting board;

5 3. The voter must mark the ballots of the voter in the manner
6 provided by law in the presence of the absentee voting board, but in
7 such a manner as to make it impossible for any person other than the
8 voter to ascertain how such ballots are marked. Insofar as is
9 possible, the voting procedure shall be the same as if the voter
10 were casting a vote in person at a precinct;

11 4. The voter shall then deposit the ballot in a voting device
12 designated for in-person absentee voting by the secretary of the
13 county election board;

14 5. When the in-person polling place is closed on each day of
15 in-person absentee voting the in-person absentee voting board shall,
16 without obtaining a printout of results, remove the electronic
17 results storage media from the voting device and seal ballots
18 counted that day in a transfer case which shall be secured by the
19 sheriff of the county in the same manner as provided in Section 8-
20 110 of this title. The electronic results storage media shall be
21 sealed in a container prescribed by the Secretary of the State
22 Election Board. The sheriff shall secure the sealed electronic
23 results storage media container and return it to the in-person
24 absentee voting board no later than 7:45 a.m. on the next day of in-

1 person absentee voting or to the secretary of the county election
2 board at the time of the county election board meeting to count
3 absentee ballots on election day; and

4 6. If there is a malfunction in such a way that the electronic
5 results storage media used for in-person absentee voting will not
6 function, the sheriff is authorized to return the transfer cases
7 containing in-person absentee ballots to the county election board
8 to be recounted as provided in Section 7-134.1 of this title.

9 SECTION 3. This act shall become effective January 1, 2022.

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11 58-1-2120 TEK 4/21/2021 4:43:33 PM

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