

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3364

 By: Roberts (Eric) of the House

5 and

6 **Haste** of the Senate

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8
9 AS INTRODUCED

10 An Act relating to elections; amending 26 O.S. 2021,
11 Section 14-105, which relates to absentee voting;
12 removing obsolete language; providing for application
13 for absentee ballot by means of electronic
 communication; providing for application for absentee
 ballot by paper application; defining term; providing
 an effective date; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-105, is
18 amended to read as follows:

19 Section 14-105. A. Any registered voter may apply for an
20 absentee ballot in person at the county election board, by United
21 States mail, ~~by telegraph,~~ by facsimile device as defined in Section
22 1862 of Title 21 of the Oklahoma Statutes or by a means of
23 electronic communication designated by the Secretary of the State
24 Election Board. The Secretary of the State Election Board shall

1 prescribe a form to be used for the application, although any
2 application setting forth substantially the same facts shall be
3 valid.

4 B. 1. A registered voter applying for an absentee ballot by
5 means of electronic communication shall provide his or her name,
6 birth date, and an identification number.

7 2. The identification number provided must match the
8 identification number on the voter registration in order to apply
9 for an absentee ballot pursuant to this subsection.

10 3. If the name, birth date, or identification number provided
11 does not match the voter registration, the voter shall be informed
12 that the county election board is unable to find the registration
13 with the provided information and that the voter should contact the
14 county election board to resolve the issue.

15 4. If the voter does not have a birth date or identification
16 number on his or her voter registration and wants to use electronic
17 communication to apply for an absentee ballot, the voter shall
18 complete a new voter registration to include such birth date and
19 identification number.

20 5. Identifying information such as birth date and
21 identification number shall not be modified online in an existing
22 voter registration, except as provided in Section 4-109.4 of this
23 title. A voter who does not have an identification number on his or
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1 her voter registration may apply for absentee ballots pursuant to
2 subsection C of this section.

3 6. A registered voter applying for an absentee ballot pursuant
4 to this subsection, that meets the criteria provided in Section 7-
5 115.1 of this title shall be required to confirm his or her address
6 prior to submitting the form electronically.

7 C. 1. A registered voter applying for an absentee ballot in
8 person, by United States mail, or by facsimile device shall provide
9 his or her name, birth date, and an identification number.

10 2. The identification number provided must match the
11 identification number on the voter registration.

12 3. If the voter registration did not include an identification
13 number, no identification number shall be required on the absentee
14 ballot application.

15 4. If the voter does not recall which identification number he
16 or she included on the voter registration, the voter may provide
17 multiple identification numbers, at least one of which must match
18 the identification number on the voter registration if the voter
19 registration included an identification number.

20 5. If the voter registration does not have an identification
21 number, then the absentee ballot application shall be accepted
22 without a match of an identification number.

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1 D. For purposes of this section, "identification number" means
2 a number submitted on the registration application pursuant to
3 paragraph 3 of subsection A of Section 4-112 of this title.

4 SECTION 2. This act shall become effective July 1, 2022.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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10 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
11 03/02/2022 - DO PASS, As Coauthored.