

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3717

By: O'Donnell

6
7 COMMITTEE SUBSTITUTE

8 [elections - registration card - photo - effective
9 date]

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 26 O.S. 2021, Section 7-114, is
14 amended to read as follows:

15 Section 7-114. A. Each person appearing to vote shall announce
16 that person's name to the judge of the precinct and shall provide
17 proof of identity, whereupon the judge shall determine whether the
18 person's name is in the precinct registry. As used in this section,
19 "proof of identity" shall mean a document that satisfies all of the
20 following:

21 1. The document shows the name of the person to whom the
22 document was issued, and the name substantially conforms to the name
23 in the precinct registry;

1 2. The document shows a photograph of the person to whom the
2 document was issued;

3 3. The document includes an expiration date, which is after the
4 date of the election in which the person is appearing to vote. The
5 provisions of this paragraph shall not apply to:

- 6 a. an identification card that is valid indefinitely, or
- 7 b. an identification card issued by a branch of the armed
8 services of the United States to a person who is a
9 member of such branch or is retired therefrom; and

10 4. The document was issued by the United States, the State of
11 Oklahoma or the government of a federally recognized Indian tribe or
12 nation.

13 Provided, if the person presents a voter identification card
14 issued by the appropriate county election board, such card may serve
15 as proof of identity without meeting the requirements of paragraphs
16 2 and 3 of this subsection. Provided, however, beginning January 1,
17 2026, each person appearing to vote shall present proof of identity
18 that meets all the requirements of paragraphs 1 through 4 of this
19 subsection. Service Oklahoma, in consultation with the Secretary of
20 the State Election Board, shall develop a voter identification card
21 that includes a photograph of the person to whom the card is issued
22 and is in compliance with the requirements of this subsection. The
23 voter identification card shall be provided free of charge and may
24 only be used for voting purposes.

1 B. 1. If a person declines to or is unable to produce proof of
2 identity, the person may sign a statement under oath, in a form
3 approved by the Secretary of the State Election Board, swearing or
4 affirming that the person is the person identified on the precinct
5 registry, and shall be allowed to cast a provisional ballot in a
6 manner consistent with the provisions of Section 7-116.1 of this
7 title.

8 2. A provisional ballot cast by a voter who declines or is
9 unable to produce proof of identity shall only be considered
10 verified and approved for counting if:

- 11 a. the voter's name on the affidavit substantially
12 conforms to the voter's name in the voter registration
13 database, except as provided in paragraph 3 of this
14 subsection,
- 15 b. the voter's residence address on the affidavit
16 substantially conforms to the voter's residence
17 address in the voter registration database, except as
18 provided in paragraph 4 of this subsection,
- 19 c. the voter's date of birth matches the information in
20 the voter registration database,
- 21 d. the voter's Oklahoma driver license number or the last
22 four digits of the voter's Social Security number on
23 the affidavit matches the information in the voter
24 registration database. The provisions of this

1 subparagraph shall not apply if the voter was not
2 required to provide a driver license number or the
3 last four digits of the voter's Social Security number
4 at the time of registration, and

5 e. the provisional ballot meets the eligibility
6 requirements set forth in Section 7-116.1 of this
7 title.

8 3. A voter casting a provisional ballot as provided in this
9 section who has legally changed his or her name, but has not updated
10 the name on the voter registry, may note this fact on the affidavit
11 and submit a form prescribed by the Secretary of the State Election
12 Board to update his or her name. In such a case, and where the
13 requirements of Section 4-117 of this title are satisfied, the
14 provisional ballot shall be deemed to meet the requirements of
15 subparagraph a of paragraph 2 of this subsection.

16 4. A voter casting a provisional ballot as provided in this
17 section who has changed his or her address of residence, but has not
18 updated the address on the voter registry, may note this fact on the
19 affidavit and submit a form to update the address prescribed by the
20 Secretary of the State Election Board. In such a case, and where
21 the requirements of Section 4-117 of this title are satisfied, the
22 provisional ballot shall be deemed to meet the requirements of
23 subparagraph a of paragraph 2 of this subsection.

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

4 SECTION 2. This act shall become effective November 1, 2024.

5

6 59-2-10435 JM 02/26/24

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24