

1 ENGROSSED SENATE
2 BILL NO. 376

By: Howard of the Senate
and
Newton of the House

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6 An Act relating to absentee voting; amending 26 O.S.
7 2021, Section 14-113.2, which relates to marking and
8 return of ballot; modifying procedures for marking
9 and return of ballot for certain persons; clarifying
10 signature requirement for certain affidavit; updating
11 statutory language; and providing an effective date.

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

13 SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-113.2, is
14 amended to read as follows:

15 Section 14-113.2. A. The 1. A voter who receives an absentee
16 ballot pursuant to Section 14-110.1 of this title shall be
17 responsible for marking the ~~ballots~~ ballot or directing a person
18 chosen by the voter to mark the ~~ballots~~ ballot in accordance with
19 the provisions of Section 7-123.3 of this title and as prescribed by
20 the Secretary of the State Election Board;

21 2. The voter or person chosen by the voter shall seal the
~~ballots~~ ballot in the plain opaque envelope;

22 3. The voter shall fill out completely and sign the affidavit
23 or direct a person chosen by the voter to fill out completely and
24 sign the voter's name on the affidavit, such. The name and address

1 of residence of the person chosen by the voter shall be printed on
2 the affidavit;

3 4. The signature ~~to~~ of the voter or person chosen by the voter
4 shall be witnessed by two persons, who did not sign the affidavit on
5 behalf of the voter, whose ~~signature~~ printed names, signatures, and
6 address addresses of residence shall appear on the affidavit; and

7 5. The voter or person chosen by the voter shall seal the plain
8 opaque envelope inside the envelope bearing the affidavit and return
9 both envelopes, sealed inside the return envelope, ~~by United States~~
10 ~~mail or by a private mail service, provided such service has~~
11 ~~delivery documentation, to the county election board in the same~~
12 manner described in Section 14-108 of this title.

13 B. No person, except members of absentee voting boards, shall
14 witness the signature of more than five affidavits of persons who
15 swear they are physically incapacitated and unable to vote in person
16 at their precinct on election day. No person who is a candidate for
17 an office on the ballot or who is related within the third degree of
18 consanguinity or affinity to a candidate on the ballot may witness
19 any absentee ballot affidavit.

20 SECTION 2. This act shall become effective November 1, 2023.
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1 Passed the Senate the 23rd day of March, 2023.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

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9 Presiding Officer of the House
10 of Representatives