

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3717

			Of the printed Bill
Page <u>1</u>	Section <u>1</u>	Lines	<u>16</u>
			Of the Engrossed Bill

By deleting Section 1 in its entirety and inserting in lieu thereof the following:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Terry ODonnell

Reading Clerk

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

3 Section 7-114. A. Each person appearing to vote shall announce
4 that person's name to the judge of the precinct and shall provide
5 proof of identity, whereupon the judge shall determine whether the
6 person's name is in the precinct registry. As used in this section,
7 "proof of identity" shall mean a document that satisfies ~~all of~~ the
8 following requirements:

9 1. The document shows the name of the person to whom the
10 document was issued, and the name substantially conforms to the name
11 in the precinct registry;

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

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

- 17 a. an identification card that is valid indefinitely, or
18 b. an identification card issued by a branch of the armed
19 services of the United States to a person who is a
20 member of such branch or is retired therefrom; and

21 4. The document was issued by the United States, the State of
22 Oklahoma or the government of a federally recognized Indian tribe or
23 nation.

24

1 5. Provided, for any election conducted prior to January 1,
2 2026, if the person presents a voter identification card issued by
3 the appropriate county election board, such card may serve as proof
4 of identity without meeting the requirements of paragraphs 2 and 3
5 of this subsection.

6 6. Provided, for any election conducted after January 1, 2026,
7 each person appearing to vote as described in this subsection shall
8 present proof of identity that meets the requirements of paragraphs
9 1 through 4 of this subsection.

10 B. 1. No later than January 1, 2026, Service Oklahoma shall
11 develop and make available a photo identification card that meets
12 the requirements of subsection A of this section to serve as a proof
13 of identity for voters.

14 2. The photo identification card described in this subsection
15 shall be provided free of charge by Service Oklahoma to any
16 registered voter who presents a voter registration card described in
17 Section 4-113 or another document showing proof of voter
18 registration. The voter shall affirm that he or she is a registered
19 voter and does not possess a document that meets the requirements of
20 paragraphs 1 through 4 of subsection A of this section.

21 3. The Chief Executive Officer of Service Oklahoma shall
22 consult with the Secretary of the State Election Board to develop
23 the photo identification card.

24

1 C. The requirements for proof of identity described in
2 subsection A of this section shall apply to each voter appearing to
3 vote at an in-person absentee voting site.

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

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

14 a. the voter's name on the affidavit substantially
15 conforms to the voter's name in the voter registration
16 database, except as provided in paragraph 3 of this
17 subsection,

18 b. the voter's residence address on the affidavit
19 substantially conforms to the voter's residence
20 address in the voter registration database, except as
21 provided in paragraph 4 of this subsection,

22 c. the voter's date of birth matches the information in
23 the voter registration database,
24

- 1 d. the voter's Oklahoma driver license number or the last
2 four digits of the voter's Social Security number on
3 the affidavit matches the information in the voter
4 registration database. The provisions of this
5 subparagraph shall not apply if the voter was not
6 required to provide a driver license number or the
7 last four digits of the voter's Social Security number
8 at the time of registration, and
- 9 e. the provisional ballot meets the eligibility
10 requirements set forth in Section 7-116.1 of this
11 title.

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

20 4. A voter casting a provisional ballot as provided in this
21 section who has changed his or her address of residence, but has not
22 updated the address on the voter registry, may note this fact on the
23 affidavit and submit a form to update the address prescribed by the
24 Secretary of the State Election Board. In such a case, and where

1 the requirements of Section 4-117 of this title are satisfied, the
2 provisional ballot shall be deemed to meet the requirements of
3 subparagraph a of paragraph 2 of this subsection.

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

7 E. The Secretary of the State Election Board may promulgate
8 rules or procedures to implement the requirements of this section."

9

10 59-2-10478 LRB 02/26/24

11

12

13

14

15

16

17

18

19

20

21

22

23

24