

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2052

6 By: Roberts, Wolfley, Hilbert,
7 Lawson, and Olsen of the
8 House

9 and

10 Bergstrom, Hamilton, Jett,
11 and Bullard of the Senate

12 [elections - multistate voter list maintenance
13 organizations - penalties - litigation - annual
14 publishing of information - effective date]

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

16 SECTION 1. AMENDATORY 26 O.S. 2021, Section 4-121, as
17 amended by Section 20, Chapter 282, O.S.L. 2022 (26 O.S. Supp. 2022,
18 Section 4-121), is amended to read as follows:

19 Section 4-121 A. The Secretary of the State Election Board may
20 join the State of Oklahoma as a member in one or more multistate
21 voter list maintenance organizations ~~including, but not limited to,~~
22 ~~the Electronic Registration Information Center (ERIC) or its~~
23 ~~successor.~~ The Secretary is authorized to expend funds as available
24 for membership fees, dues and other expenses related to such
membership. Prior to the State of Oklahoma joining a multistate

1 voter list maintenance organization, the organization shall certify
2 in writing to the Secretary of the State Election Board that
3 membership in the organization meets the requirements of this
4 section.

5 B. Upon membership in an organization as provided in subsection
6 A of this section, the Secretary of the State Election Board may
7 provide voter registration data to the organization and Service
8 Oklahoma may provide motor vehicle license data to the organization
9 if such data is required to be provided as a condition of
10 membership. The voter registration data and motor vehicle license
11 data described in this subsection may include a person's name,
12 address, date of birth, driver license or state identification
13 number, last four digits of a Social Security number or any other
14 data required by the organization. Motor vehicle license data shall
15 not be provided for persons who are identified as not being citizens
16 of the United States. The transmission and storage of such data
17 shall be done in a secure manner.

18 C. ~~If a~~ The Secretary of the State Election Board shall not
19 join a multistate voter list maintenance organization ~~of which this~~
20 ~~state is a member identifies Oklahoma residents who are citizens of~~
21 ~~the United States eligible to vote but not yet registered, the~~
22 ~~Secretary of the State Election Board may notify such citizens about~~
23 ~~the procedure for becoming a registered voter in this state. The~~
24 ~~Secretary may delegate the contacting of such citizens to the~~

1 ~~secretary of the appropriate county election board~~ if any of the
2 following requirements are a condition of membership in the
3 organization:

4 1. A notification is required to be sent to persons who are
5 eligible to vote but not yet registered to vote;

6 2. Membership in the organization includes any person or entity
7 other than a state or territory of the United States;

8 3. The governing board of the organization includes any member
9 or ex officio member who is not a representative of a state or
10 territory of the United States; or

11 4. The organization provides or releases voter registration
12 data or motor vehicle license data received from this state to any
13 party other than a state or territory of the United States that is a
14 member of the organization.

15 D. 1. If a multistate voter list maintenance organization of
16 which this state is a member provides United States Postal Service
17 National Change of Address data regarding registered voters who have
18 changed their address of residence within the state, the Secretary
19 of the State Election Board may use the data pursuant to the
20 provisions of Section 4-118.1, 4-120.2 or 7-115.1 of ~~Title 26 of the~~
21 ~~Oklahoma Statutes~~ this title or the federal National Voter
22 Registration Act of 1993.

23 2. If a multistate voter list maintenance organization of which
24 this state is a member provides Social Security Administration death

1 records matching data regarding voters who are deceased, the
2 Secretary of the State Election Board may use the data as authorized
3 pursuant to Section 4-120.3 of this title.

4 E. If a multistate voter list maintenance organization of which
5 this state is a member provides or releases any voter registration
6 data or motor vehicle license data received from this state to any
7 party other than a state or territory that is a member of the
8 organization, or if the data from this state is used by any member
9 of the organization for a purpose other than voter list maintenance,
10 the State of Oklahoma shall immediately withdraw as a member of the
11 organization.

12 F. The Oklahoma Attorney General shall have the authority to
13 bring a civil action against the multistate voter list maintenance
14 organization in a district court of this state for damages caused by
15 the sharing of the data of this state as described in paragraph 4 of
16 subsection C of this section. If the Attorney General declines to
17 pursue action, the Secretary of the State Election Board, or the
18 President Pro Tempore of the Senate and the Speaker of the House of
19 Representatives jointly, may bring such civil action.

20 G. 1. The Secretary of the State Election Board shall cause to
21 be published annually on the website of the State Election Board the
22 following costs associated with membership in a multistate voter
23 list maintenance organization:

24 a. annual membership dues, if any, and

1 b. any other costs directly attributable to the state's
2 membership in the organization.

3 2. The Secretary of the State Election Board shall cause to be
4 published annually on the website of the State Election Board the
5 following statistical information:

6 a. the number of voter registrations by county that are
7 canceled on the basis of information received from the
8 multistate voter list maintenance organization, and
9 the reason for the cancellation, and

10 b. such other statistical information deemed appropriate
11 by the Secretary of the State Election Board.

12 SECTION 2. AMENDATORY 26 O.S. 2021, Section 7-103.2, as
13 amended by Section 6, Chapter 293, O.S.L. 2022 (26 O.S. Supp. 2022,
14 Section 7-103.2), is amended to read as follows:

15 Section 7-103.2 A. 1. County election boards shall maintain a
16 current list of all registered voters in each precinct, which will
17 reflect the address and party affiliation of each voter. The list
18 shall be public information; ~~provided, the~~ .

19 2. The list shall only be shared with a court system if that
20 court system agrees to regularly provide the names of persons
21 convicted of a felony in that court system to the Secretary of the
22 State Election Board and the appropriate secretary of a county
23 election board, or if the court system is required by state law to
24 provide such information.

1 3. The ~~publicly available voter~~ list shall note any voter for
2 whom a first-class mailing from the county election board or the
3 State Election Board was returned undeliverable.

4 B. The Secretary of the State Election Board shall ensure that
5 an electronic copy of the voter registration list described in
6 subsection A of this section is made available to the public free of
7 charge.

8 SECTION 3. This act shall become effective November 1, 2023.

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
10 April 11, 2023 - DO PASS AS AMENDED BY CS

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