

1 **SENATE FLOOR VERSION**

2 February 21, 2023

3 SENATE BILL NO. 124

By: Kirt of the Senate

4 and

5 Pae of the House

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7  
8 An Act relating to absentee ballots; amending 26 O.S.  
9 2021, Section 14-113.2, which relates to marking and  
10 return of ballot; modifying procedures for marking  
and return of ballots for certain persons; and  
providing an effective date.

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

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

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

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

1        3. The voter shall fill out completely and sign the affidavit  
2 or direct a person chosen by the voter to fill out completely and  
3 sign the affidavit, ~~such~~ whose name and address of residence shall  
4 be printed on the affidavit;

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

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

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

22        SECTION 2. This act shall become effective November 1, 2023.

23        COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
24        February 21, 2023 - DO PASS