

1 **SENATE FLOOR VERSION**

2 February 14, 2023

3 SENATE BILL NO. 376

By: Howard of the Senate

4 and

5 Newton of the House

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8 An Act relating to absentee voting; amending 26 O.S.
9 2021, Section 14-113.2, which relates to marking and
10 return of ballot; clarifying signature requirement
for certain affidavit; updating statutory language;
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 voter shall be responsible for
17 marking:

18 1. Marking the ballots or directing a person chosen by the
19 voter to mark the ballots in accordance with the provisions of
20 Section 7-123.3 of this title and as prescribed by the Secretary of
21 the State Election Board; ~~seal~~

22 2. Sealing the ballots in the plain opaque envelope; ~~fill~~

23 3. Filling out completely and ~~sign~~ signing the affidavit or
24 ~~direct~~ directing a person chosen by the voter to sign the voter's

1 name on the affidavit; such signature ~~to~~ shall be witnessed by two
2 persons, who did not sign the affidavit, whose signature and address
3 shall appear on the affidavit; ~~seal~~ and

4 4. Sealing the plain opaque envelope inside the envelope
5 bearing the affidavit and ~~return~~ returning both envelopes, sealed
6 inside the return envelope, by United States mail or by a private
7 mail service, provided such service has delivery documentation, to
8 the county election board.

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
18 February 14, 2023 - DO PASS
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