

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2024

By: Wolfley

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2021,
8 Section 14-108.1, which relates to notary public
9 restrictions; modifying exception; requiring
10 submission of log of notarized absentee ballot
11 affidavits; requiring log to be public record;
12 providing for penalties; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-108.1, is
16 amended to read as follows:

17 Section 14-108.1 A. Neither a notary public nor an agent
18 working on behalf of a notary public shall be authorized to:

19 1. Request absentee ballots on behalf of a voter other than
20 himself or herself;

21 2. Assist a voter in requesting absentee ballots, other than
22 for himself or herself or a member of his or her household;

23 3. Receive by mail an absentee ballot on behalf of a voter,
24 other than for himself or herself or a member of his or her
household; or

1 4. Submit a completed absentee ballot on behalf of a voter
2 other than for himself or herself.

3 B. 1. A notary public shall maintain a log of all absentee
4 ballot affidavits that he or she notarizes for a period of at least
5 two (2) years after the date of the election. The log shall include
6 the name and address of the voter and the date, time, and location
7 of the notarization.

8 2. a. A notary public who is authorized to notarize more
9 than twenty absentee ballot affidavits at a single
10 election, as provided in paragraph 2 of subsection C
11 of this section, shall submit a copy of the log to the
12 secretary of the county election board who granted the
13 written permission. The copy of the log must be
14 received by the secretary of the county election board
15 no later than the close of business on the first
16 business day following the date of the election.

17 b. The log shall be a public record and shall be
18 maintained by the secretary of the county election
19 board pursuant to Section 3-126 of this title.

20 c. A notary public who fails to submit the log as
21 required by this section, or who notarizes more than
22 twenty absentee ballots without authorization, shall
23 have his or her notary public appointment revoked for
24 eight (8) years by the Secretary of State. If the

1 notary public willfully and intentionally violates the
2 provisions of this section, then that notary public
3 shall be guilty of a misdemeanor and subject to a fine
4 of up to Five Hundred Dollars (\$500.00).

5 C. 1. A notary public shall be authorized to notarize a
6 maximum of twenty absentee ballot affidavits for a single election,
7 except as provided in paragraphs 2 and 3 of this subsection.

8 2. A notary public may be authorized to notarize more than
9 twenty absentee ballot affidavits at a single election with the
10 written approval of the secretary of the county election board.
11 Such approval shall apply for affidavits notarized within the county
12 served by the county election board secretary.

13 3. The limitation required by this subsection shall not apply
14 to the notarizing of absentee ballot affidavits at the place of
15 business of a notary public that is open to the general public
16 during the normal business hours of the notary public.

17 D. 1. If more than ten absentee ballots for a single election
18 are requested to be mailed to a single mailing address, the
19 secretary of the county election board shall immediately notify the
20 district attorney for that county and the Secretary of the State
21 Election Board.

22 2. Upon receipt of such notification, the district attorney, or
23 a member of law enforcement designated by the district attorney,
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1 shall investigate any possible criminal violation of the law related
2 to the absentee ballot requests.

3 3. Provided, this notification requirement shall not apply to
4 requests for absentee ballots to be sent to the addresses of nursing
5 homes, veterans centers, medical facilities, multiunit housing,
6 installations of the Armed Forces of the United States where
7 uniformed or overseas voters, as defined by the Uniformed and
8 Overseas Citizens Absentee Voting Act, are stationed or other
9 locations authorized in writing by the Secretary of the State
10 Election Board.

11 E. The provisions of this section shall only apply to an
12 election conducted by a county election board, the State Election
13 Board or a political subdivision of this state.

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

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