

1 ENGROSSED HOUSE
2 BILL NO. 1005

By: Olsen and Manger of the
House

3 and

4 Bullard of the Senate

5
6
7 [elections - proof of identity - requirements -
8 photo identification - Secretary of the State
9 Election Board - rules - effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

15 Section 7-114. A. Each person appearing to vote shall announce
16 that person's name to the judge of the precinct and shall provide
17 proof of identity, whereupon the judge shall determine whether the
18 person's name is in the precinct registry. As used in this section,
19 "proof of identity" shall mean a document that satisfies all of the
20 following requirements:

21 1. The document shows the name of the person to whom the
22 document was issued, and the name substantially conforms to the name
23 in the precinct registry;
24

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

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

6 a. an identification card that is valid indefinitely, or

7 b. an identification card issued by a branch of the armed
8 services of the United States to a person who is a
9 member of such branch or is retired therefrom; ~~and~~

10 4. The document was issued by the United States, the State of
11 Oklahoma or the government of a federally recognized Indian tribe or
12 nation~~;~~;

13 5. Provided, for any election conducted prior to January 1,
14 2027, if the person presents a voter identification card issued by
15 the appropriate county election board, such card may serve as proof
16 of identity without meeting the requirements of paragraphs 2 and 3
17 of this subsection; and

18 6. Provided, for any election conducted after January 1, 2027,
19 each person appearing to vote as described in this subsection shall
20 present proof of identity that meets the requirements of paragraphs
21 1 through 4 of this subsection.

22 B. 1. No later than January 1, 2027, Service Oklahoma shall
23 develop and make available a photo identification card that meets
24

1 the requirements of subsection A of this section to serve as a proof
2 of identity for voters;

3 2. The photo identification card described in this subsection
4 shall be provided free of charge by Service Oklahoma to any
5 registered voter who presents a voter registration card described in
6 Section 4-113 of this title or another document showing proof of
7 voter registration. The voter shall affirm that he or she is a
8 registered voter and does not possess a document that meets the
9 requirements of paragraphs 1 through 4 of subsection A of this
10 section;

11 3. The Chief Executive Officer of Service Oklahoma shall
12 consult with the Secretary of the State Election Board to develop
13 and design the photo identification card;

14 4. Photo identification cards issued under this subsection
15 shall be valid for a period of ten (10) years;

16 5. Registered voters must apply for a new identification card
17 upon a change of name or residential address; and

18 6. Photo identification cards shall only be available at state-
19 run Service Oklahoma locations.

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

23 ~~B.~~ D. 1. If a person declines to or is unable to produce proof
24 of identity, the person may sign a statement under oath, in a form

1 approved by the Secretary of the State Election Board, swearing or
2 affirming that the person is the person identified on the precinct
3 registry, and shall be allowed to cast a provisional ballot in a
4 manner consistent with the provisions of Section 7-116.1 of this
5 title.

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

- 9 a. the voter's name on the affidavit substantially
10 conforms to the voter's name in the voter registration
11 database, except as provided in paragraph 3 of this
12 subsection,
- 13 b. the voter's residence address on the affidavit
14 substantially conforms to the voter's residence
15 address in the voter registration database, except as
16 provided in paragraph 4 of this subsection,
- 17 c. the voter's date of birth matches the information in
18 the voter registration database,
- 19 d. the voter's Oklahoma driver license number or the last
20 four digits of the voter's Social Security number on
21 the affidavit matches the information in the voter
22 registration database. The provisions of this
23 subparagraph shall not apply if the voter was not
24 required to provide a driver license number or the

1 last four digits of the voter's Social Security number
2 at the time of registration, and

3 e. the provisional ballot meets the eligibility
4 requirements set forth in Section 7-116.1 of this
5 title.

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

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

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

