

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 SENATE BILL NO. 536

By: Howard

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5
6 An Act relating to county election boards; amending
7 26 O.S. 2021, Section 2-117, which relates to
8 secretary's duties and assistant secretary; requiring
9 certain notice from county election board to
10 Secretary of the State Election Board; providing for
11 execution of duties under certain circumstances;
12 authorizing certain actions by assistant secretary
13 under specified circumstances; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 26 O.S. 2021, Section 2-117, is
17 amended to read as follows:

18 Section 2-117. A. The secretary of the county election board
19 shall be the administrative officer of the county election board and
20 shall have general supervisory authority over all precinct officials
21 and absentee voting board members within the county.

22 B. The secretary shall employ an assistant secretary and such
23 other employees as are necessary to perform the duties of the county
24 election board. In the event a vacancy exists in the office of the
secretary of the county election board, the Secretary of the State
Election Board shall have the authority to stand in the place of the

1 secretary of the county election board for the purpose of employing
2 necessary county election board personnel.

3 C. The secretary of the county election board shall be charged
4 with the operational responsibilities of the board, including, but
5 not limited to:

6 1. The supervision, defining job positions and
7 responsibilities, and discharge of the employees of the county
8 election board;

9 2. The preparation of the annual budget;

10 3. The preparation and filing of all reports; and

11 4. The implementation of policy, findings, and actions required
12 by law or lawfully prescribed or determined by the county election
13 board.

14 D. The minimum salary of the assistant secretary shall be equal
15 to ninety percent (90%) of the scheduled salary of the secretary in
16 the same county, but shall not exceed the salary of the highest
17 salaried first or chief deputy or assistant to any county officer,
18 excluding the under sheriff, in the same county. Provided, the
19 minimum salary may be prorated if a county election board office is
20 open to the public for fewer hours per day than the average of the
21 regular public office hours of other county offices. The salary
22 limitation contained in this section shall not operate to reduce the
23 salary of any person employed as an assistant secretary or chief
24 clerk on October 31, 2019.

1 E. Salaries of additional personnel, including personnel
2 employed temporarily, shall not exceed the salary of the assistant
3 secretary and shall be comparable to salaries paid for the same
4 positions in other offices within the county.

5 F. The salaries of the assistant secretary and other personnel
6 shall be paid from county funds on a monthly basis. In the event
7 that the secretary, assistant secretary or any other essential
8 county election board employee must be away from work for a period
9 of time due to personal illness, family illness, or family
10 emergency, the county shall be required to fund compensation of
11 appropriate temporary personnel during the employee's absence.

12 G. 1. The secretary of the county election board shall notify
13 the Secretary of the State Election Board of the person employed
14 pursuant to subsection B of this section as the assistant secretary
15 of the county election board. The assistant secretary shall be
16 subject to the direction of the secretary of the county election
17 board.

18 2. The assistant secretary shall execute the duties of the
19 secretary during the absence of the secretary due to illness,
20 disqualification, recusal, or any other reason approved in writing
21 by the Secretary of the State Election Board.

22 3. In the event of a vacancy in the office of the secretary of
23 the county election board due to the death, removal, or resignation
24 of the secretary, the assistant secretary shall execute the duties

1 of the secretary until a successor is appointed as prescribed by
2 law.

3 4. In the event of an absence or vacancy described in this
4 subsection, the assistant secretary may stand in the place of the
5 secretary of the county election board as a voting member of the
6 county election board at public meetings of the board with the
7 written authority of the Secretary of the State Election Board.

8 SECTION 2. This act shall become effective November 1, 2025.

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
10 February 11, 2025 - DO PASS

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