STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 1891

By: Cockroft

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Section 4-110.1, which relates to voter registration; requiring proof of citizenship to register to vote; providing for evidence of citizenship; amending 26 O.S. 2011, Section 14-106, which relates to absentee ballots; providing for verification of signature; requiring production of certain identification; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 4-110.1, is amended to read as follows:

Section 4-110.1 A. Voter registration applications may be submitted at any time. However, completed applications received by the State Election Board, any county election board, any agency designated to accept voter registration applications or any motor license agent as part of a driver’s license or identification card application twenty-four (24) days prior to an election; any mail application postmarked twenty-four (24) days or less prior to an election or any mail application received without a postmark
nineteen (19) days or less prior to an election shall not be approved for that election if the applicant’s residence is located within the geographical boundaries of the entity for which the election is being conducted.

B. No more than seven (7) days after any election, each county election board secretary for the county of the applicant’s residence shall mail a notice of disposition as required in Section 4-103.1 of this title to all persons whose voter registration applications were received twenty-four (24) days or less prior to the election.

C. The State Election Board or any county election board shall accept any completed voter registration application, but an applicant shall not be registered until the applicant has provided satisfactory evidence of United States citizenship. Evidence of United States citizenship shall be satisfied by presenting one of the documents listed in paragraphs 1 through 13 of this subsection in person at the time of filing the application for registration or by including a photocopy of one of the following documents with a mailed registration application. After a person has submitted satisfactory evidence of citizenship, the county election board shall indicate this information in the person’s permanent voter file. Evidence of United States citizenship shall be satisfied by providing one of the following, or a legible photocopy of one of the following documents:
1. The applicant’s driver license or state issued identification card issued by the Department of Public Safety or the equivalent governmental agency of another state within the United States if the agency indicates on the applicant’s driver license or state issued identification card that the person has provided satisfactory proof of United States citizenship;

2. The applicant’s birth certificate that verifies United States citizenship to the satisfaction of the county election officer or Secretary of State;

3. Pertinent pages of the applicant’s United States valid or expired passport identifying the applicant and the applicant’s passport number, or presentation to the county election board of the applicant’s United States passport;

4. The applicant’s United States naturalization documents or the number of the Certificate of Naturalization. If only the number of the Certificate of Naturalization is provided, the applicant shall not be included in the registration rolls until the number of the Certificate of Naturalization is verified with the United States Bureau of Citizenship and Immigration Services by the county election officer or the Secretary of State, pursuant to 8 U.S.C. § 1373(c);

5. Other documents or methods of proof of United States citizenship issued by the federal government pursuant to the Immigration and Nationality Act of 1952, and amendments thereto;
6. The applicant’s Bureau of Indian Affairs card number, tribal treaty card number or tribal enrollment number;

7. The applicant’s Consular Report of Birth Abroad of a citizen of the United States of America;

8. The applicant’s Certificate of Citizenship issued by the United States Bureau of Citizenship and Immigration Services;

9. The applicant’s Certification of Report of Birth issued by the United States Department of State;

10. The applicant’s Native American card, issued by the United States Department of Homeland Security;

11. The applicant’s final adoption decree showing the applicant’s name and place of birth in the United States;

12. The applicant’s official United States military record of service showing the applicant’s place of birth in the United States; or

13. An extract from a United States hospital record of birth created at the time of the applicant’s birth indicating the applicant’s place of birth in the United States.

D. Registration for voting purposes occurs when a completed voter registration application is approved by the county election board secretary for the county of the applicant’s residence and on the date that the information is entered into the voter registration database for the county of the applicant’s residence.
Registration for candidate filing or party affiliation purposes occurs at the earliest time the completed voter registration application is received at the State Election Board, any county election board, any agency designated to accept voter registration applications or any Motor License Agent as part of a driver’s license or identification card application provided that the application subsequently is approved by the secretary of the county election board for the county of the applicant’s residence; or, in the case of mail applications, registration for candidate filing or party affiliation purposes shall occur at the time when the completed voter registration application is postmarked provided that the application subsequently is approved by the secretary of the county election board for the county of the applicant’s residence; or in the case of a mail application received without a postmark, registration for candidate filing or party affiliation purposes shall occur at the earliest time when the completed application is received by the State Election Board or any county election board provided that the application is subsequently approved by the secretary of the county election board for the county of the applicant’s residence.

SECTION 2. AMENDATORY 26 O.S. 2011, Section 14-106, is amended to read as follows:

Section 14-106. A. When such application for an absentee ballot is received by the secretary of a county election board, it
shall be his the duty of the county election board to verify the registration of said the voter and to transmit, by United States mail, ballots which said the voter has requested and is entitled to receive.

B. No county election board shall provide an absentee ballot to a person who is requesting an absentee ballot be transmitted by mail unless:

1. The county election board verifies that the signature of the person matches that on file in the county voter registration records. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an absentee ballot does not match that on file, the county election board shall attempt to contact the person and shall offer the person another opportunity to provide such person’s signature for the purposes of verifying the person’s identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot; however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

2. The person provides a full Oklahoma driver license number or state issued identification card number issued by the Department of Public Safety, or submits such person’s application for an absentee ballot and a copy of the voter identification card provided by
Section 4-113 of this Title to the county election board for verification.

SECTION 3. This act shall become effective November 1, 2013.

54-1-5469     LRB     01/04/13