Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

**HB1849**

By: Lepak of the House and Jech of the Senate

Title: Elections; compensation of precinct officials; modifying compensation amounts; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,
HB1849 CCR (A)

**HOUSE CONFEREES**

Baker, Rhonda

Echols, Jon

Ford, Ross

Hilbert, Kyle

Lawson, Mark

Martinez, Ryan

McEntire, Marcus

Munson, Cyndi

Nichols, Monroe

Ortega, Charles

Pfeiffer, John

Russ, Todd

Taylor, Zack

Walke, Collin

West, Josh

Worthen, Rande

Bennett, Forrest

Fetgatter, Scott

Goodwin, Regina

Kannady, Chris

Lepak, Mark

McBride, Mark

Meredith, Matt

Newton, Carl

O'Donnell, Terry

Osburn, Mike

Roberts, Dustin

Sanders, Mike

Virgin, Emily

Wallace, Kevin

West, Kevin

Worthen, Rande
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House Action ___________ Date ___________ Senate Action ___________ Date ___________
STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED HOUSE BILL NO. 1849 By: Lepak of the House

and

Jech of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to elections; amending 26 O.S. 2011, Sections 2-129, as amended by Section 1, Chapter 202, O.S.L. 2013 and 3-105.1 (26 O.S. Supp. 2018, Section 2-129), which relate to election officials; modifying compensation of precinct officials during certain time periods; providing for mileage reimbursement; specifying source of payment of certain compensation and mileage reimbursement; modifying references to certain precinct officials; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 2-129, as amended by Section 1, Chapter 202, O.S.L. 2013 (26 O.S. Supp. 2018, Section 2-129), is amended to read as follows:

Section 2-129. The inspector shall be paid Ninety-five Dollars ($95.00) for each election and shall be allowed mileage

Req. No. 8923
reimbursement at the rate provided by the State Travel Reimbursement Act for mileage incurred to receive or return ballots and materials for the election. Judges, clerks and counters shall be paid Eighty-five Dollars ($85.00) for each election. A. 1. For any election held on or after July 1, 2020, and prior to July 1, 2024, the inspector shall be paid One Hundred Ten Dollars ($110.00).

2. For any election held on or after July 1, 2024, and prior to July 1, 2028, the inspector shall be paid One Hundred Twenty-five Dollars ($125.00).

3. For any election held on or after July 1, 2028, the inspector shall be paid One Hundred Fifty Dollars ($150.00).

B. 1. For any election held on or after July 1, 2020, and prior to July 1, 2024, judges and clerks shall be paid One Hundred Dollars ($100.00).

2. For any election held on or after July 1, 2024, and prior to July 1, 2028, judges and clerks shall be paid One Hundred Fifteen Dollars ($115.00).

3. For any election held on or after July 1, 2028, judges and clerks shall be paid One Hundred Thirty Dollars ($130.00).

C. Precinct officials assigned to work a polling place ten (10) miles or more from their home, shall be allowed mileage reimbursement at the rate provided by the State Travel Reimbursement Act for mileage incurred from their home to and from their assigned polling place. An additional Two Dollars ($2.00) per election shall
be paid to each inspector, judge, clerk and counter of a precinct from the funds of the county. In addition, inspectors shall be allowed mileage reimbursement at the rate provided by the State Travel Reimbursement Act for mileage incurred to receive or return ballots and materials for the election.

D. Compensation and mileage reimbursement provided herein shall be paid for any state, county, municipal or school district election, provided, however, that compensation for elections conducted concurrently shall not exceed in total the amount herein prescribed. Said conducted by a county election board.

E. 1. Five Dollars ($5.00) of the compensation described in subsections A, B and C of this section shall be paid by the county election board from county funds and the remainder shall be paid by the State Election Board for all regular Primary, Runoff Primary and General Elections, for state and federal offices, for the Presidential Preferential Primary Election, and for all statewide special elections and all special elections for United States Representatives or United States Senators and State Senators or State Representatives.

2. Except for elections described in paragraph 1 of this subsection, for all other elections conducted by a county election board, the entity for which the election is being conducted shall pay the compensation and mileage reimbursement described in subsections A, B and C of this section; provided, if an election for
more than one entity is conducted in the same precinct, the entities shall equally share the cost of precinct official compensation and mileage reimbursement for that precinct. Provided,

F. The secretary of the county election board may appoint volunteer inspectors, judges, clerks and counters precinct officials who shall not receive the compensation provided herein.

SECTION 2. AMENDATORY 26 O.S. 2011, Section 3-105.1, is amended to read as follows:

Section 3-105.1 A. When any county, municipality, school district or other governmental entity authorizes an election to be conducted by the county election board, the secretary of the county election board shall, not less than thirty-five (35) days prior to the election, submit to the governmental entity for whom the election is authorized:

1. An itemized estimate of the number of precinct inspectors, judges, clerks, officials and absentee voting board members necessary for the election; and

2. An estimate of the compensation and employer's share of any benefits to be provided to each precinct inspector, judge, clerk, official and absentee voting board member.

B. Not less than fifteen (15) days prior to the election, the county, municipality, school district or other governmental entity authorizing the election shall submit to the secretary of the county election board an amount of funds equal to the estimate of
compensation and benefits for precinct inspectors, judges, clerks, officials and absentee voting board members as provided in subsection A of this section. If such amount is not submitted ten (10) days prior to the election, the secretary of the county election board shall not be required to hold the election. Upon receipt of the funds, the secretary of the county election board shall deposit the funds in the County Election Board Special Depository Account.

C. The secretary of the county election board shall issue vouchers for the compensation and benefits of precinct inspectors, judges, clerks, officials and absentee voting board members from the County Election Board Special Depository Account, pursuant to Section 681 et seq. of Title 19 of the Oklahoma Statutes. The secretary of the county election board shall provide the vouchers to the precinct inspector, except the voucher for the inspector and absentee voting board members, at the time the inspector receives supplies and ballots for the election. The vouchers shall be distributed to the appropriate precinct judges and clerks officials upon closing of the polls on the day of the election and to absentee voting board members upon completion of their prescribed duties, according to procedures to be prescribed by the Secretary of the State Election Board. Each precinct inspector, judge or clerk official shall sign a form prescribed by the Secretary of the State Election Board acknowledging receipt of compensation and benefits.
The inspector shall return the form, together with any unclaimed vouchers, to the county election board, together with the results of the election and other supplies and materials. At such time, the secretary of the county election board shall provide a voucher for payment to the inspector. The secretary of the county election board shall return any unclaimed vouchers to the county treasurer within seven (7) days after the election. If any additional vouchers for compensation and benefits are required, the secretary of the county election board shall issue such vouchers not less than seven (7) days after the election. In no event shall compensation be made until after services have been rendered.

D. As soon as practicable after conducting an election for a municipality, school district, or other governmental entity, except the state or county, the secretary of the county election board shall submit a claim to the governing body of the entity for whom the election was conducted. The claim shall itemize all expenses associated with the election, and shall deduct any amount paid by the municipality, school district or other governmental entity for the compensation and employer's share of any benefits provided to precinct inspectors, judges, clerks, officials and absentee voting board members pursuant to the provisions of subsection B of this section. Upon receipt of such itemized claim, the governing body shall make payment to the county election board within thirty (30) days. Upon receipt of the payment, the secretary of the county
election board shall deposit the payment in the County Election Board Special Depository Account. The secretary shall disburse payments for the expenses incurred in the election, pursuant to Section 681 et seq. of Title 19 of the Oklahoma Statutes.

E. The State Election Board shall provide the compensation and employer's share of benefits for precinct inspectors, judges, clerks, officials and absentee voting board members in the payment made to the respective counties for elections for which said the precinct inspectors, judges, clerks, officials and absentee voting board members are paid by the State Election Board, in the same manner as provided in subsections A and B of this section. For the foregoing elections, the county shall place in the County Election Board Special Depository Account an amount of funds equal to Two Dollars ($2.00) the county election board's share for each inspector, judge, and clerk precinct official at each election in the same manner as provided in subsections A and B of this section. The Secretary of the State Election Board shall prescribe a procedure by which the State Election Board or the county shall be reimbursed for any overpayment made to a county election board for compensation and employer's share of benefits paid to precinct inspectors, judges, clerks, officials and absentee voting board members.
SECTION 3. This act shall become effective July 1, 2020.

57-1-8923 LRB 05/09/19