An Act

ENROLLED SENATE
BILL NO. 745

By: Sykes of the Senate

and

Johnson of the House

An Act relating to election emergencies; amending 26 O.S. 2011, Section 22-101, which relates to election emergency procedures; requiring Secretary of State Election Board and Adjutant General to develop election emergency plan; providing for Secretary to request assistance of Oklahoma National Guard in certain circumstances; providing that assistance not deemed in violation of certain laws; and providing an effective date.

SUBJECT: Election emergencies

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 22-101, is amended to read as follows:

Section 22-101. A. The Secretary of the State Election Board is authorized to declare an election emergency for any area of the state if it becomes impossible to conduct one or more elections using voting devices or in the event that a national or local emergency, either natural or manmade, makes substantial compliance with state and federal election laws impossible or unreasonable. The declaration must be made in writing and must specify the county or counties, election or elections and dates covered by the emergency.

B. The Secretary of the State Election Board and the Adjutant General shall develop a contingency plan for a major election emergency. The plan shall be developed not later than January 1, 2014, and shall be updated thereafter as deemed necessary by the Secretary and the Adjutant General. The plan shall provide procedures for the Secretary to request the assistance of the Oklahoma National Guard in the conduct of an election during a declared election emergency, upon approval of the Governor. Such assistance shall not be deemed to be in violation of the provisions of Section 16-113 of this title or Section 4 of Article II or Section 5 of Article III of the Oklahoma Constitution.

C. The Secretary of the State Election Board is authorized to promulgate rules and procedures for elections conducted under a declaration consistent with purposes of state and federal election laws.

SECTION 2. This act shall become effective November 1, 2013.

Passed the Senate the 5th day of March, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2013.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 17th

day of April, 20 13, at 3:20 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 22nd

day of April, 20 13, at 3:27 o'clock p M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 22nd

day of April, 20 13, at 4:30 o'clock P. M.

By: