

# An Act

ENROLLED SENATE  
BILL NO. 752

By: Ivester of the Senate

and

Banz of the House

An Act relating to elections; amending 26 O.S. 2011, Section 7-114, which relates to determination of voting eligibility; providing exemption for identification card issued to certain persons; and providing an effective date.

SUBJECT: Voter identification

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-114, is amended to read as follows:

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

1. The document shows the name of the person to whom the document was issued, and the name substantially conforms to the name in the precinct registry;
2. The document shows a photograph of the person to whom the document was issued;

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

- a. an identification card issued to a person sixty-five (65) years of age or older which is valid indefinitely, as provided in Section 6-105.3 of Title 47 of the Oklahoma Statutes, or
- b. an identification card issued by a branch of the armed services of the United States to a person who is a member of such branch or is retired therefrom; and

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

Provided, if the person presents a voter identification card issued by the appropriate county election board, such card may serve as proof of identity without meeting the requirements of paragraphs 2 and 3 of this subsection.

B. 1. If a person declines to or is unable to produce proof of identity, the person may sign a statement under oath, in a form approved by the Secretary of the State Election Board, swearing or affirming that the person is the person identified on the precinct registry, and shall be allowed to cast a provisional ballot as provided in Section 7-116.1 of this title.

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

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

Passed the Senate the 11th day of March, 2013.

A. Bryan Burdick  
Presiding Officer of the Senate

Passed the House of Representatives the 4th day of April, 2013.

Don Acmer  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 8th

day of April, 20 13, at 3:01 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 12th

day of April, 20 13, at 11:05 o'clock A M.

Mary Fallin  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 12th

day of April, 20 13, at 1:39 o'clock P. M.

By: Mary Fallin