

# An Act

ENROLLED SENATE  
BILL NO. 173

By: Fry of the Senate

and

Banz and Perryman of the  
House

An Act relating to notaries public; amending Section 1, Chapter 26, O.S.L. 2012, as amended by Section 1, Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014, Section 14-108.1), which relates to absentee ballots and affidavits; providing an exception to the limitation on certain notarial acts; clarifying application of certain exception; and providing an effective date.

SUBJECT: Notaries public

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

SECTION 1. AMENDATORY Section 1, Chapter 26, O.S.L. 2012, as amended by Section 1, Chapter 347, O.S.L. 2014 (26 O.S. Supp. 2014, Section 14-108.1), is amended to read as follows:

Section 14-108.1 A. Neither a notary public nor an agent working on behalf of a notary public shall be authorized to:

1. Request absentee ballots on behalf of a voter other than himself or herself;

2. Assist a voter in requesting absentee ballots, other than for himself or herself or a member of his or her household;

3. Receive by mail an absentee ballot on behalf of a voter, other than for himself or herself or a member of his or her household; or

4. Submit a completed absentee ballot on behalf of a voter other than for himself or herself.

B. A notary public shall maintain a log of all absentee ballot affidavits that he or she notarizes for a period of at least two (2) years after the date of the election.

C. A notary public shall be authorized to notarize a maximum of twenty absentee ballot affidavits for a single election. ~~Provided,~~ a A notary public may be authorized to notarize more than twenty absentee ballot affidavits with the written approval of the secretary of the county election board. The limitation required by this subsection shall not apply to the notarizing of ballots at the place of business of a notary public during the normal business hours of the notary public; provided, however, such limitations shall apply to any agency or other entity that provides voter registration services as required by the National Voter Registration Act of 1993 or by Sections 4-109.2 and 4-109.3 of this title.

D. If more than ten absentee ballots for a single election are requested to be mailed to a single mailing address, the secretary of the county election board shall immediately notify the district attorney for that county and the Secretary of the State Election Board. Provided, this requirement shall not apply to requests for ballots to be sent to nursing homes, veterans centers, medical facilities, multiunit housing, addresses of uniformed or overseas voters as defined by the Uniformed and Overseas Citizens Absentee Voting Act, or other locations authorized in writing by the Secretary of the State Election Board.

E. The provisions of this section shall only apply to an election conducted by a county election board or the State Election Board.

SECTION 2. This act shall become effective November 1, 2015.

Passed the Senate the 15th day of May, 2015.

Anthony Sykes  
Presiding Officer of the Senate

Passed the House of Representatives the 18th day of May, 2015.

Lee R. Dingus  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 19<sup>th</sup>

day of May, 2015, at 10:30 o'clock A M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 20<sup>th</sup>

day of May, 2015, at 1:29 o'clock P 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 20<sup>th</sup>

day of May, 2015, at 2:46 o'clock P M.

By: C. Benze