An Act

ENROLLED SENATE
BILL NO. 376

By: Howard and Kirt of the Senate

and

Newton of the House

An Act relating to absentee voting; amending 26 O.S. 2021, Section 14-113.2, which relates to marking and return of ballot; modifying procedures for marking and return of ballot for certain persons; clarifying signature requirement for certain affidavit; updating statutory language; and providing an effective date.

SUBJECT: Absentee voting

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 14-113.2, is amended to read as follows:

Section 14-113.2. A. ~~The~~ 1. A voter who receives an absentee ballot pursuant to Section 14-110.1 of this title shall be responsible for marking the ~~ballots~~ ballot or directing a person chosen by the voter to mark the ~~ballots~~ ballot in accordance with the provisions of Section 7-123.3 of this title and as prescribed by the Secretary of the State Election Board;

2. The voter or person chosen by the voter shall seal the ~~ballots~~ ballot in the plain opaque envelope;

3. The voter shall fill out completely and sign the affidavit or direct a person chosen by the voter to fill out completely and sign the voter's name on the affidavit~~, such~~. The name and address

of residence of the person chosen by the voter shall be printed on the affidavit;

4. The signature ~~to~~ of the voter or person chosen by the voter shall be witnessed by two persons, who did not sign the affidavit on behalf of the voter, whose ~~signature~~ printed names, signatures, and ~~address~~ addresses of residence shall appear on the affidavit; and

5. The voter or person chosen by the voter shall seal the plain opaque envelope inside the envelope bearing the affidavit and return both envelopes, sealed inside the return envelope, ~~by United States mail or by a private mail service, provided such service has delivery documentation, to the county election board~~ in the same manner described in Section 14-108 of this title.

B. No person, except members of absentee voting boards, shall witness the signature of more than five affidavits of persons who swear they are physically incapacitated and unable to vote in person at their precinct on election day. No person who is a candidate for an office on the ballot or who is related within the third degree of consanguinity or affinity to a candidate on the ballot may witness any absentee ballot affidavit.

SECTION 2. This act shall become effective November 1, 2023.

Passed the Senate the 25th day of May, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of May, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 26th

day of May, 20 23, at 10:25 o'clock a. M.

By: June Curry

Approved by the Governor of the State of Oklahoma this 7th

day of June, 20 23, at 3:55 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 7th

day of June, 20 23, at 5:15 o'clock P. M.

By: Brian Bingman