

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 316

By: Hamilton

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5  
6 AS INTRODUCED

7 An Act relating to conduct of elections; amending 26  
8 O.S. 2021, Section 7-114, which relates to procedure  
9 for determining eligibility; requiring proof of  
10 identity for certain purposes to include a  
11 photograph; requiring development of certain voter  
12 registration card; requiring certain card to be  
13 provided free of charge; limiting use of certain  
14 card; updating statutory reference; and providing an  
15 effective date.

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

17 SECTION 1. AMENDATORY 26 O.S. 2021, Section 7-114, is  
18 amended to read as follows:

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

25 1. The document shows the name of the person to whom the  
26 document was issued, and the name substantially conforms to the name  
27 in the precinct registry;

1           2. The document shows a photograph of the person to whom the  
2 document was issued;

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

- 6           a. an identification card that is valid indefinitely, or
- 7           b. an identification card issued by a branch of the armed  
8           services of the United States to a person who is a  
9           member of such branch or is retired therefrom; and

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

13          Provided, if the person presents a voter identification card  
14 issued by the appropriate county election board, such card may serve  
15 as proof of identity without meeting the requirements of paragraphs  
16 2 and 3 of this subsection. Provided, however, beginning January 1,  
17 2026, each person appearing to vote shall present proof of identity  
18 that meets all the requirements of paragraphs 1 through 4 of this  
19 subsection. Service Oklahoma, in consultation with the Secretary of  
20 the State Election Board, shall develop a voter identification card  
21 that includes a photograph of the person to whom the card is issued  
22 and is in compliance with the requirements of this subsection. The  
23 voter identification card shall be provided free of charge and may  
24 only be used for voting purposes.

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

8 2. A provisional ballot cast by a voter who declines or is  
9 unable to produce proof of identity shall only be considered  
10 verified and approved for counting if:

- 11 a. the voter's name on the affidavit substantially  
12 conforms to the voter's name in the voter registration  
13 database, except as provided in paragraph 3 of this  
14 subsection,
- 15 b. the voter's residence address on the affidavit  
16 substantially conforms to the voter's residence  
17 address in the voter registration database, except as  
18 provided in paragraph 4 of this subsection,
- 19 c. the voter's date of birth matches the information in  
20 the voter registration database,
- 21 d. the voter's Oklahoma driver license number or the last  
22 four digits of the voter's Social Security number on  
23 the affidavit matches the information in the voter  
24 registration database. The provisions of this

1           subparagraph shall not apply if the voter was not  
2           required to provide a driver license number or the  
3           last four digits of the voter's Social Security number  
4           at the time of registration, and

5           e.    the provisional ballot meets the eligibility  
6           requirements set forth in Section 7-116.1 of this  
7           title.

8           3.    A voter casting a provisional ballot as provided in this  
9           section who has legally changed his or her name, but has not updated  
10          the name on the voter registry, may note this fact on the affidavit  
11          and submit a form prescribed by the Secretary of the State Election  
12          Board to update his or her name. In such a case, and where the  
13          requirements of Section 4-117 of this title are satisfied, the  
14          provisional ballot shall be deemed to meet the requirements of  
15          subparagraph a of paragraph 2 of this subsection.

16          4.    A voter casting a provisional ballot as provided in this  
17          section who has changed his or her address of residence, but has not  
18          updated the address on the voter registry, may note this fact on the  
19          affidavit and submit a form to update the address prescribed by the  
20          Secretary of the State Election Board. In such a case, and where  
21          the requirements of Section 4-117 of this title are satisfied, the  
22          provisional ballot shall be deemed to meet the requirements of  
23          subparagraph a b of paragraph 2 of this subsection.

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5. 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, 2025.

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