

1 **SENATE FLOOR VERSION**

2 March 1, 2017

3 SENATE BILL NO. 360

By: Holt of the Senate

4 and

5 Murphey of the House

6
7
8 An Act relating to elections; amending Section 1,
Chapter 87, O.S.L. 2015, as amended by Section 4,
9 Chapter 326, O.S.L. 2016 (26 O.S. Supp. 2016, Section
4-109.4), which relates to voter registration;
10 authorizing Secretary of State Election Board to
establish system for electronically updating voter
11 registration information; specifying requirements and
procedures therefor; and providing an effective date.
12

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY Section 1, Chapter 87, O.S.L.
16 2015, as amended by Section 4, Chapter 326, O.S.L. 2016 (26 O.S.
17 Supp. 2016, Section 4-109.4), is amended to read as follows:

18 Section 4-109.4. A. A person may submit a voter registration
19 application electronically as provided in this section if such
20 person:

21 1. Has a current and valid Oklahoma driver license or
22 identification card issued by the Department of Public Safety
23 pursuant to the provisions of Section 6-101 et seq. of Title 47 of
24 the Oklahoma Statutes;

1 2. Is registering to vote at the address shown on the driver
2 license or identification card; and

3 3. Is a qualified elector and entitled to become a registered
4 voter as provided by law.

5 B. The Secretary of the State Election Board, subject to
6 available funding, shall establish a secure website to permit
7 persons described in subsection A of this section to submit voter
8 registration applications electronically. The website must permit
9 such persons to submit an application to register to vote or to
10 update an existing registration. The Secretary may employ security
11 measures he or she deems necessary to ensure the accuracy and
12 integrity of voter registration applications submitted
13 electronically and may establish an initial date on which voter
14 registration applications may be submitted electronically after
15 establishment of the website.

16 C. 1. The applicant must attest to the truth of the
17 information provided on the application by affirmatively accepting
18 the information as true and correct. Any person who submits false
19 information on an electronic voter registration application shall be
20 deemed guilty of a felony as described in Sections 16-103 and 16-
21 103.1 of this title.

22 2. The applicant must consent to the comparison of the
23 information entered into an electronic voter registration
24 application to the information contained in his or her driver

1 license or identification card record and also to the use of the
2 signature included in the driver license or identification card
3 record for voter registration purposes.

4 3. A voter registration application properly submitted
5 electronically shall be processed by the State Election Board and
6 the appropriate county election board in the same manner as a voter
7 registration application submitted on a paper form.

8 D. 1. When an applicant submits a voter registration
9 application electronically, the Secretary shall generate an
10 electronic confirmation on the website that the application has been
11 received, with instructions as to how the applicant may check the
12 status of the application thereafter.

13 2. a. The Secretary shall submit the information entered
14 into the electronic voter registration application by
15 the applicant to the Department of Public Safety for
16 comparison to the record of the applicant's driver
17 license or identification card.

18 b. The Department of Public Safety shall respond to the
19 submission and shall indicate if the information
20 submitted matches the information in the applicant's
21 driver license record.

22 c. If the information matches, the electronic voter
23 registration application may proceed and the
24 Department of Public Safety shall provide the State

1 Election Board with the digital image of the signature
2 included in the applicant's driver license or
3 identification card record. If the information does
4 not match, the application shall not proceed, and the
5 applicant shall be notified of the failed match and
6 may be provided information and instruction for
7 updating the driver license or identification card
8 record with the Department of Public Safety.

9 3. a. Following a match of records by the Department of
10 Public Safety described in subparagraph b of paragraph
11 2 of this subsection, and if the Secretary finds that
12 the electronic voter registration application is in
13 compliance with this section and all applicable laws
14 relating to voter registration, the digital image of
15 the signature from the applicant's driver license or
16 identification card record shall be included on the
17 application and the application shall be submitted and
18 processed as provided by law. Provided, the Secretary
19 of the State Election Board is authorized to designate
20 an alternative method of obtaining the signature of
21 the applicant, if necessary.

22 b. If the Secretary does not find that the electronic
23 voter registration application is in compliance with
24 this section and all applicable laws relating to voter

1 registration, the applicant shall be notified that the
2 electronic voter registration application cannot be
3 submitted and the reasons it cannot be submitted, and
4 shall provide information about other methods to
5 submit a voter registration application.

6 E. The provisions of Section 24A.5 of Title 51 of the Oklahoma
7 Statutes relating to confidentiality of personal information within
8 driver records as defined by the Driver's Privacy Protection Act, 18
9 United States Code, Sections 2721 through 2725, shall be applicable
10 to information obtained by the State Election Board from the
11 Department of Public Safety during the information matching
12 procedure described in this section. Provided, however, this
13 subsection shall not apply to information entered into the
14 electronic voter registration application by the voter registration
15 applicant nor to the digital image of the applicant's signature
16 provided to the Secretary of the State Election Board by the
17 Department of Public Safety, upon the consent of the applicant, for
18 use on the electronic voter registration application as provided in
19 this section.

20 F. The Secretary of the State Election Board may establish a
21 system whereby a registered voter may electronically submit a change
22 to his or her voter registration information, including a change of
23 name, political party affiliation or address of residence within the
24 county in which the voter is currently registered to vote. An

1 electronically submitted change in voter registration information
2 shall include:

3 1. Such information as the Secretary of the State Election
4 Board deems necessary to confirm the identity of the voter; and

5 2. An oath that the voter is eligible to register to vote in
6 Oklahoma.

7 Upon receipt of a valid electronically submitted change in voter
8 registration, the secretary of the appropriate county election board
9 shall update the voter's registration information in the voter
10 registration database and shall file a notation of such changes with
11 the voter's original voter registration application.

12 G. The Secretary shall promulgate rules as may be necessary to
13 implement the provisions of this section.

14 SECTION 2. This act shall become effective November 1, 2017.

15 COMMITTEE REPORT BY: COMMITTEE ON RULES
16 March 1, 2017 - DO PASS