

An Act

ENROLLED SENATE
BILL NO. 360

By: Holt of the Senate

and

Murphey of the House

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

SUBJECT: Electronic voter registration

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

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

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

1. Has a current and valid Oklahoma driver license or identification card issued by the Department of Public Safety pursuant to the provisions of Section 6-101 et seq. of Title 47 of the Oklahoma Statutes;
2. Is registering to vote at the address shown on the driver license or identification card; and

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

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

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

2. The applicant must consent to the comparison of the information entered into an electronic voter registration application to the information contained in his or her driver license or identification card record and also to the use of the signature included in the driver license or identification card record for voter registration purposes.

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

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

2. a. The Secretary shall submit the information entered into the electronic voter registration application by

the applicant to the Department of Public Safety for comparison to the record of the applicant's driver license or identification card.

- b. The Department of Public Safety shall respond to the submission and shall indicate if the information submitted matches the information in the applicant's driver license record.
 - c. If the information matches, the electronic voter registration application may proceed and the Department of Public Safety shall provide the State Election Board with the digital image of the signature included in the applicant's driver license or identification card record. If the information does not match, the application shall not proceed, and the applicant shall be notified of the failed match and may be provided information and instruction for updating the driver license or identification card record with the Department of Public Safety.
3. a. Following a match of records by the Department of Public Safety described in subparagraph b of paragraph 2 of this subsection, and if the Secretary finds that the electronic voter registration application is in compliance with this section and all applicable laws relating to voter registration, the digital image of the signature from the applicant's driver license or identification card record shall be included on the application and the application shall be submitted and processed as provided by law. Provided, the Secretary of the State Election Board is authorized to designate an alternative method of obtaining the signature of the applicant, if necessary.
- b. If the Secretary does not find that the electronic voter registration application is in compliance with this section and all applicable laws relating to voter registration, the applicant shall be notified that the electronic voter registration application cannot be submitted and the reasons it cannot be submitted, and

shall provide information about other methods to submit a voter registration application.

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

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

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

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

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

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

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

Passed the Senate the 14th day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2017.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____