

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 523

By: Paxton and Bullard of the
Senate

3
4 and

Lepak of the House
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8 An Act relating to elections; amending 26 O.S. 2011,
9 Section 2-106, which relates to duties of the State
10 Election Board; prohibiting certain entities from
11 entering into certain legal agreements or
12 settlements; prohibiting alteration or amendment of
13 election procedures by certain officers; and
14 providing an effective date.

13 AUTHOR: Add the following House Coauthor: Roberts (Sean)

14 AUTHOR: Add the following Senate Coauthors: Bergstrom, Jett,
15 and Jech

16 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
17 and insert:

18 "An Act relating to elections; amending 26 O.S. 2021,
19 Section 2-106, which relates to duties of the State
20 Election Board; prohibiting certain entities from
21 entering into certain legal agreements or
22 settlements; prohibiting alteration or amendment of
23 election procedures by certain officers; authorizing
24 intervention in civil proceedings; and declaring an
emergency.

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

1 SECTION 1. AMENDATORY 26 O.S. 2021, Section 2-106, is
2 amended to read as follows:

3 Section 2-106. A. The State Election Board shall perform such
4 duties as may be prescribed by law.

5 B. 1. No agency, board, or commission or other entity of state
6 government, or officer of this state, or state employee, or a county
7 election board, shall enter into a legal agreement, consent decree,
8 or settlement of any kind which would alter or amend election
9 procedures prescribed by the Legislature in statute. Any such
10 agreement, consent decree or settlement entered into in violation of
11 this subsection shall be void and unenforceable.

12 2. Neither the Governor nor any officer of the state nor any
13 political subdivision of the state, nor any court created by the
14 Oklahoma Constitution or by statute, shall amend or alter the
15 election procedures prescribed by the Legislature in statute, except
16 where specifically authorized by statute.

17 C. Either chamber of the Legislature, acting by the Speaker of
18 the Oklahoma House of Representatives or the President Pro Tempore
19 of the Oklahoma State Senate or both such persons jointly, may
20 intervene in any action, suit, or proceeding that challenges or
21 attempts to modify election procedures prescribed by statute.

22 SECTION 2. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval."

3 Passed the House of Representatives the 27th day of April, 2022.

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6 Presiding Officer of the House of
7 Representatives

8 Passed the Senate the ____ day of _____, 2022.

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11 Presiding Officer of the Senate

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1 ENGROSSED SENATE
2 BILL NO. 523

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7 An Act relating to elections; amending 26 O.S. 2011,
8 Section 2-106, which relates to duties of the State
9 Election Board; prohibiting certain entities from
10 entering into certain legal agreements or
11 settlements; prohibiting alteration or amendment of
12 election procedures by certain officers; and
13 providing an effective date.

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

15 SECTION 3. AMENDATORY 26 O.S. 2011, Section 2-106, is
16 amended to read as follows:

17 Section 2-106. A. The State Election Board shall perform such
18 duties as may be prescribed by law.

19 B. 1. No political subdivision, agency or officer of this
20 state including but not limited to the Governor, the Attorney
21 General, the State Election Board, a district attorney or a county
22 election board, shall enter into a legal agreement or court
23 settlement that prescribes election procedures that conflict with
24 procedures prescribed by the Legislature in statute.

1 2. Neither the Governor nor any officer of the executive
2 branch, by executive order or other executive action, shall alter or
3 amend procedures duly enacted by the Legislature except where
4 specifically authorized in this title.

5 SECTION 4. This act shall become effective November 1, 2021.

6 Passed the Senate the 3rd day of March, 2021.

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Presiding Officer of the Senate

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10 Passed the House of Representatives the ____ day of _____,

11 2021.

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Presiding Officer of the House
of Representatives

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