

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 58

By: Pemberton of the Senate

and

Frix of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to elections; amending 26 O.S. 2011,
12 Section 7-101, which relates to voting time for
13 employees; extending days upon which employees
14 allowed time to vote to include days on which in-
15 person absentee voting allowed; requiring certain
16 notification; allowing employer to select days and
17 hours for such time; clarifying language; and
18 declaring an emergency.

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

20 SECTION 1. AMENDATORY 26 O.S. 2011, Section 7-101, is
21 amended to read as follows:

22 Section 7-101. A. Every corporation, firm, association or
23 individual, hereinafter referred to as "employer", who, ~~on election~~
24 ~~day~~, has a registered voter employed or in ~~his~~ service, shall grant
the employee two (2) hours of time ~~during the period when the~~

1 ~~election is open~~ in which to vote, and if subject to the following
2 provisions:

3 1. Such time to vote shall be allowed on the day of the
4 election or on a day on which in-person absentee voting is allowed
5 by law;

6 2. If such employee be in the county or is at such distance
7 from the voting place that more than two (2) hours are required in
8 which to attend such elections, then the employee shall be allowed a
9 sufficient time in which to cast a ballot.;

10 3. No such employee shall be entitled to such time to vote
11 unless the employee notifies orally or in writing an employer's
12 representative of the employee's intention to be absent, ~~on the day~~
13 at least three (3) days preceding the election day. Upon proof of
14 voting, such employee shall not be subject to any loss of
15 compensation or other penalty for such absence of the election or
16 the day of in-person absentee voting. Such employer shall may
17 select the days and hours which such employees are to be allowed in
18 ~~which~~ to attend such elections, and ~~shall~~ may notify each of the
19 employees which days and hours ~~they are to~~ he or she have in which
20 to vote. This section shall not apply to an employee whose work day
21 begins three (3) hours or more subsequent to the time of opening of
22 the polls, or ends three (3) hours or more prior to the time of
23 closing the polls. The employer may change the work hours to allow
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1 such three (3) hours before the beginning of work or after the work
2 hours; and

3 4. Upon proof of voting, such employee shall not be subject to
4 any loss of compensation or other penalty for such absence.

5 B. Any employer who fails to comply with this section shall be
6 ~~deemed guilty of a misdemeanor, and upon conviction shall be fined~~
7 subject to a civil penalty of not less than Fifty Dollars (\$50.00)
8 nor more than One Hundred Dollars (\$100.00).

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

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14 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/15/2019 - DO PASS,
15 As Amended.

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