

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 58 By: Pemberton of the Senate  
3 and  
4 Frix of the House  
5  
6

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

15 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill  
16 and replace with:

17 "An Act relating to elections; amending 26 O.S. 2011,  
18 Section 7-101, which relates to voting time for  
19 employees; extending days upon which employees  
20 allowed time to vote to include days on which in-  
21 person absentee voting allowed; requiring certain  
22 notification; allowing employer to select days and  
23 hours for such time; clarifying language; and  
24 declaring an emergency.

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

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

1 Section 7-101. A. Every corporation, firm, association or  
2 individual, hereinafter referred to as "employer", who, ~~on election~~  
3 ~~day,~~ has a registered voter employed or in ~~his~~ service, shall grant  
4 the employee two (2) hours of time ~~during the period when the~~  
5 ~~election is open~~ in which to vote, and if subject to the following  
6 provisions:

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

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

14 3. No such employee shall be entitled to such time to vote  
15 unless the employee notifies orally or in writing an employer's  
16 representative of the employee's intention to be absent, ~~on the day~~  
17 at least three (3) days preceding the election day. ~~Upon proof of~~  
18 voting, such employee shall not be subject to any loss of  
19 compensation or other penalty for such absence of the election or  
20 the day of in-person absentee voting. Such employer ~~shall~~ may  
21 select the days and hours which such employees are to be allowed ~~in~~  
22 which to attend such elections, and ~~shall~~ may notify each of the  
23 employees which days and hours ~~they are to have~~ he or she has in  
24 which to vote. This section shall not apply to an employee whose

1 work day begins three (3) hours or more subsequent to the time of  
2 opening of the polls, or ends three (3) hours or more prior to the  
3 time of closing the polls. The employer may change the work hours  
4 to allow such three (3) hours before the beginning of work or after  
5 the work hours; and

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

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

12 SECTION 2. It being immediately necessary for the preservation  
13 of the public peace, health or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval."  
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1 Passed the House of Representatives the 23rd day of April, 2019.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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8  
9 Presiding Officer of the Senate

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2 BILL NO. 58

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6 An Act relating to elections; amending 26 O.S. 2011,  
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8 employees; extending days upon which employees  
9 allowed time to vote to include days on which in-  
10 person absentee voting allowed; requiring certain  
11 notification; allowing employer to select days and  
12 hours for such time; clarifying language; and  
13 declaring an emergency.

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

15 SECTION 3. AMENDATORY 26 O.S. 2011, Section 7-101, is  
16 amended to read as follows:

17 Section 7-101. A. Every corporation, firm, association or  
18 individual, hereinafter referred to as "employer", ~~who, on election~~  
19 ~~day,~~ has a registered voter employed or in his service, shall grant  
20 the employee two (2) hours of time ~~during the period when the~~  
21 ~~election is open~~ in which to vote, and if subject to the following  
22 provisions:

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

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

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

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

22        B. Any employer who fails to comply with this section shall be  
23 deemed guilty of a misdemeanor, and upon conviction shall be fined  
24

1 not less than Fifty Dollars (\$50.00) nor more than One Hundred  
2 Dollars (\$100.00).

3 SECTION 4. It being immediately necessary for the preservation  
4 of the public peace, health or safety, an emergency is hereby  
5 declared to exist, by reason whereof this act shall take effect and  
6 be in full force from and after its passage and approval.

7 Passed the Senate the 19th day of February, 2019.

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\_\_\_\_\_  
Presiding Officer of the Senate

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11 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
12 2019.

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Presiding Officer of the House  
of Representatives

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