

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 58

By: Pemberton of the Senate

and

6 Frix of the House

7  
8  
9 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

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

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

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

11  
12            57-1-8804            LRB            04/11/19  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24