

An Act

ENROLLED SENATE
BILL NO. 58

By: Pemberton of the Senate

and

Frix of the House

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

SUBJECT: Election voting procedures

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:

Section 7-101. A. Every corporation, firm, association or individual, hereinafter referred to as "employer", who, ~~on election day,~~ has a registered voter employed or in his service, shall grant 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. Such time to vote shall be allowed on the day of the election or on a day on which in-person absentee voting is allowed by law;

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

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

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

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

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

Passed the Senate the 30th day of April, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2019.

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: _____