

TITLE 230. STATE ELECTION BOARD
CHAPTER 15. VOTER REGISTRATION
SUBCHAPTER 5. APPLICATION FOR VOTER REGISTRATION
PART 23. VOTER REGISTRATION APPLICATION SERVICES
IN MOTOR LICENSE AGENCIES

230:15-5-100. Voter registration application services required in motor license agency

(a) **Voter registration application services required.** ~~Motor~~ Both federal and state law require motor license agency personnel shall be required to offer the opportunity to apply for voter registration to each person who applies for or renews an Oklahoma ~~driver's driver~~ license or a state identification card. Motor license agency personnel also shall be required to offer the opportunity to apply for voter registration change of address to each person who appears in person at the agency to change ~~his or her~~ the address on an Oklahoma driver license or state identification card.

(b) **Active voter registration application services required.** Motor license agency personnel shall be required to provide active voter registration application services to the persons identified in (a) of this Section. ~~Active voter registration application services are authorized only as outlined in (a).~~ Active voter registration application services shall be provided according to the procedure established in 230:15-5-102. Active voter registration application services shall not be required in motor license agencies that do not issue or renew driver licenses or state identification cards.

(c) **Passive voter registration application services available.** Passive voter registration application services shall be available to persons who conduct any business transactions other than those listed in (a) of this Section at the in any motor license agency other than those identified in (a) of this Section. Passive voter registration application services also shall be available to persons who transact no motor license agency business but who request voter registration application services. Passive voter registration application services shall be available in motor license agencies that do not issue or renew driver licenses or state identification cards. See 230:15-5-103.

230:15-5-101. Training for motor license agency personnel

All motor license agency personnel shall receive training prior to offering active voter registration application services. The training shall be prescribed by the Secretary of the State Election Board. It shall be the responsibility of each motor license agent to ensure that all employees are trained to provide voter registration application services as required by law.

230:15-5-102. Procedure for active voter registration application services in motor license agency

(a) **Procedure for active voter registration application services in motor license agency.** Motor license agency personnel shall use the following procedure to offer the opportunity to apply to register to vote or to change voter registration to each person who ~~applies~~ appears in person to apply for or ~~renews~~ renew an Oklahoma driver license or state identification card ~~or~~

and to each person who changes his or her address in person to change the address on an Oklahoma driver license or state identification card by appearing in person.

- ~~(1) Ask the applicant to read the Voter Registration Statement. Tell the applicant that if he or she is already registered, it is not necessary to re-register except to change name, address or political affiliation.~~
 - ~~(2) Ask the applicant to print his or her the applicant's name on at the top of the Voter Registration Statement and to write today's date. Ask the applicant to check either "yes" or "no" and to sign the statement.~~
 - ~~(3) If the applicant checks "yes", keep the Voter Registration Statement and proceed to step 4. If the applicant checks "no", keep the Voter Registration Statement and proceed with the agency's business.~~
 - ~~(4) Give the applicant an Oklahoma Voter Registration Application form.~~
 - ~~(5) Tell the applicant to read the Oath on the form to determine whether he or she is eligible to register to vote in Oklahoma.~~
 - ~~(6) Tell the applicant to read the instructions and to fill out the form.~~
 - ~~(7) Tell the applicant to read "Important Information" on the back of the form.~~
 - ~~(8) Tell the applicant to return the completed application to you.~~
 - ~~(9) Look at the application when the applicant returns it to see that it is completely filled out. If there seems to be an omission, show it to the applicant. Only the applicant may decide to change the application.~~
 - ~~(10) Keep the completed Oklahoma Voter Registration Application and proceed with the agency's business.~~
- (3) Ask the applicant to check YES or NO and to sign and date the statement.
 - (A) If the applicant checks YES, keep the Voter Registration Statement and proceed to step (4) of this subsection.
 - (B) If the applicant checks NO, keep the Voter Registration Statement and file it as directed. Proceed with the motor license agency's business.
 - (C) If the applicant either leaves the Voter Registration Statement blank or refuses to fill it out, give the applicant an Oklahoma Voter Registration Application to take home. If the applicant refuses the application form, note the refusal on the Voter Registration Statement. Print the applicant's name and the date on the Voter Registration Statement form and file it as directed. Proceed with the motor license agency's business.
 - (4) Give the applicant an Oklahoma Voter Registration Application form and tell the applicant to read the Oath to determine whether the applicant is eligible to register to vote.
 - (5) Tell the applicant to read the Important Information and the Instructions pages of the form.
 - (6) If the applicant asks for help to fill out the form, help the applicant in the same way you would help any applicant fill out a motor license agency form.
 - (7) Take the executed form back from the applicant.
 - (8) Verify that the applicant signed the form and wrote today's date. Verify that the applicant provided either the applicant's Oklahoma driver license number or the last four digits of the applicant's Social Security number in the appropriate space on the form.
 - (9) If it appears that any information is omitted, show the omission to the applicant. Tell

the applicant that omitting the information may cause the application to be rejected. Only the applicant may add to or change the form.

(10) File the completed and signed Voter Registration Statement as directed.

(11) Secure the completed voter registration application form in the appropriate location and proceed with the motor license agency's business.

~~(b) **Assistance to Applicants.** If the applicant indicates that he or she desires assistance to complete the Oklahoma Voter Registration Application form, motor license agency personnel shall provide the same degree of assistance provided to complete the agency's own forms. A motor license agency employee who assists an applicant to complete the Oklahoma Voter Registration Application form shall write his or her own name and the address of the motor license agency in the shaded area marked "Office Use Only" on the instructions portion of the application form. In the event that the applicant is unable personally to sign or make a mark on the application form, the procedure outlined in 230:15-5-36(c) shall be observed.~~

~~(e) **Confidential Information.** Information related to a declination to register to vote or to the identity of the agency at which any person applied to register to vote shall not be used for any purpose other than voter registration. The identity and location of the motor license agency at which a person registered or declined to register to vote shall not be disclosed to the public. Motor license agency personnel shall not write or stamp any information that could identify the agency outside the shaded area labeled "VRA/MLA Office Use Only" at the top of the form. Agency personnel shall record the motor license agent's Oklahoma Tax Commission identification number in the space provided for it on each voter registration application received through active or passive registration services. Completed voter registration applications shall be kept confidential while in the possession of motor license agency personnel.~~

230:15-5-103. Passive voter registration application services in motor license agency

(a) Motor license agency personnel shall provide an Oklahoma Voter Registration Application form to any person who requests one while conducting any ~~other type of~~ business transaction in the agency ~~other~~ than those described in 230:15-5-100. Motor license agency personnel also shall provide an Oklahoma Voter Registration Application form to any person who requests one even if the person does not conduct ~~any a~~ business transaction with the motor license agency.

(b) Motor license agency personnel shall accept application forms completed in the agency as a result of passive voter registration application services for transmittal to the State Election Board. The Voter Registration Statement form shall not be ~~used~~ required in connection with passive voter registration application services.

(c) Motor license agency personnel shall not be authorized to provide any group or individual with ~~quantities of~~ voter registration application forms for ~~use or distribution outside the agency voter registration drives or other activities.~~ Motor license agency personnel shall refer all persons who request ~~quantities of~~ forms for voter registration drives or other activities to the local County Election Board office or to the State Election Board. Motor license agency personnel shall ~~not~~ be authorized but shall not be required to accept completed voter registration application forms that originated outside the motor license agency for transmittal to the State Election Board. If such forms are accepted, however, agency personnel shall ensure that the forms are stamped with a received date and sent to the State Election Board as outlined in 230:15-5-107 and 230:15-5-108. However, the agency ID number shall not be entered on such

forms and the motor license agent shall not be eligible to receive compensation as outlined in 230:15-5-110. Motor license agency personnel shall refer may direct persons with quantities of completed voter registration application forms to the local County Election Board office or to the State Election Board for appropriate instructions.

(d) Motor license agencies have no authority to accept absentee ballots from voters or to transmit absentee ballots to the State Election Board in a pre-addressed, postage-paid business reply envelope provided to the agency for voter registration applications.

230:15-5-104. Motor license agency personnel responding to questions and/or requests for information about voter registration or election conduct

Motor license agency personnel shall not answer questions or provide information concerning voter registration or election conduct unless the answer or information is contained in the written materials supplied by the State Election Board. Applicants who have questions that cannot be answered by motor license agency personnel shall be referred to the office of the local County Election Board, to the State Election Board, or to the State Election Board's website: www.elections.ok.gov. Motor license agency personnel shall not attempt to explain or to amplify the information contained in the written materials supplied by the State Election Board.

230:15-5-106. Responsibility for Voter Registration Statements received in motor license agency

(a) **Retention of Voter Registration Statements.** Completed Voter Registration Statements shall be retained by the motor license agency for 24 months from the date of application. [26:4-109.3] Procedures for retention and disposal of Voter Registration Statements shall be established by each motor license agent. However, each motor license agent shall ensure that Voter Registration Statements are filed and retained so that an individual applicant's statement can be located and provided to state or county election officials in a timely manner if the statement is needed to determine an individual's eligibility to vote in an election.

(b) **Custody of Voter Registration Statements when motor license agent changes or agency ceases to exist.** In the event of a change in motor license agent or in the event that a motor license agency ceases to exist, completed Voter Registration Statements shall be transferred to the designated representative of the Oklahoma Department of Public Safety who shall be responsible for retaining the statements in accordance with state and federal law and for making such statements available to state or county election officials in a timely manner if they are needed to determine an individual's eligibility to vote in an election.

230:15-5-107. Source coding and dating completed applications received by motor license agency

The motor license agent shall ensure that ~~both the motor license agency's source code and the date a voter registration application date~~ are stamped or written in the space marked "(For Office Use Only) Agency Stamp" on each completed Oklahoma Voter Registration Application ~~received as a part of~~ is received through either active voter registration application services

described in ~~230:15-5-100~~ 230:15-5-102 or through passive voter registration application services described in 230:15-5-103 is written or stamped in the shaded area labeled "VRA/MLA Office Use Only" at the top of the form. The identification number assigned to the motor license agency—source code shall be the motor license agency number assigned by the Oklahoma Tax Commission also shall be written or stamped on each form in the space provided.—The application date shall be the date the applicant completed and submitted the application. The source code and application date shall be recorded on each completed voter registration application form by motor license agency personnel prior to transmittal of the application to the State Election Board. The source code shall not be recorded on the registration card portion of the application form. Agency personnel shall ensure that no information that could identify the agency is written or stamped outside the shaded area provided at the top of the form.

230:15-5-108. Transmitting completed Oklahoma Voter Registration Application forms from motor license agency to the State Election Board

- (a) **Transmittal deadline.** All completed Oklahoma Voter Registration Application forms received at a motor license agency as a result of active or passive voter registration application services shall be transmitted to the State Election Board at the close of business each week.
- (b) **Procedure for transmitting completed Oklahoma Voter Registration Applications.** The following procedure shall be observed by motor license agency personnel to transmit all completed Oklahoma Voter Registration Application forms to the State Election Board.
- (1) For each completed application received, make certain that the motor license agency source code and the date of application appear in the space provided on each form. ~~[See 230:15-5-107.]~~ Verify that the motor license agency identification number and the received date are stamped or written in the shaded area at the top of each form. If the source code—agency identification number or received and date do not appear on these forms, stamp or write the source code number and the current date in the space provided on the form.
 - (2) Place ~~the all~~ all completed Oklahoma Voter Registration Application forms ~~into the in a~~ in a postage-paid, pre-addressed ~~envelopes~~ business reply envelope provided by the State Election Board.
 - (3) Mail ~~all envelopes~~ the envelope containing completed Oklahoma Voter Registration Application forms to the State Election Board at the close of business each week.
- (c) **Transmitting applications received through passive voter registration application services.** Motor license agency personnel shall receive for transmittal to the State Election Board receiving voter registration applications completed in the agency as a result of passive voter registration application services, shall code and date them as outlined in 230:15-5-107, and shall transmit them to the State Election Board as outlined in (a) and (b) of this Section.

230:15-5-109. Forms and supplies for voter registration application services in motor license agency

- (a) All forms and supplies required to provide active and passive voter registration application services in a motor license agency shall be prescribed by the Secretary of the State Election Board.

(b) The Secretary of the State Election Board shall prepare and distribute to each motor license agent the forms and supplies necessary to provide active and passive voter registration application services in a motor license agency. Motor license agents shall be responsible for ordering additional forms and supplies from the State Election Board as needed. Motor license agency personnel shall not be authorized to obtain voter registration application forms and supplies from the local County Election Board ~~after receiving their initial training except in the case of an emergency.~~

(c) The following materials shall be required to provide active voter registration application services in a motor license agency.

(1) Oklahoma Voter Registration Application forms, pre-coded to indicate the form originated with a motor license agency.

(2) Voter Registration Statement forms.

(3) Pre-addressed, postage-paid business reply envelopes for transmitting completed voter registration applications to the State Election Board.

(4) Procedure for Voter Registration cards.

(5) Voter Registration Application Checklist cards.

(6) Register While You Are Here Today signs.

~~(d) Only the Oklahoma Voter Registration Application form shall be required to provide passive voter registration application services.~~ On any occasion that only passive voter registration services are provided to an applicant in a motor license agency, use of the Voter Registration Statement form and the Procedure for Voter Registration card shall not be required.

230:15-5-110. Payment of motor license agents

(a) **Payment for valid transactions only.** Motor license agents shall be paid fifty cents by the State Election Board for each valid voter registration application completed in the motor license agency. A valid voter registration application shall be one that results either in a new voter registration or in a change to an existing voter registration. However, payment can be made only if the identification code assigned to the motor license agency by the Oklahoma Tax Commission is stamped or written in the shaded area provided for that purpose at the top of the form.

(b) **Schedule for payment.** Motor license agents shall be paid on a schedule to be determined by the Secretary of the State Election Board. However, motor license agents shall be paid at least four times each year. Motor license agent payroll records shall be cleared on March 31, June 30, September 30 and December 31 of each year.

PART 25. VOTER REGISTRATION APPLICATION SERVICES IN VOTER REGISTRATION AGENCIES

230:15-5-121. Types of voter registration application services provided in voter registration agencies

(a) **Active voter registration application services.** Active voter registration application services shall be provided by all mandatory and discretionary voter registration agencies. Active voter registration application services shall be provided only in connection with the programs and

services identified in 230:15-5-122.

(b) **Passive voter registration application services.** Passive voter registration application services shall be available in all mandatory and in all discretionary voter registration agencies. Passive voter registration application services shall be provided to any person who requests them as outlined in 230:15-5-124.

230:15-5-122. Mandatory voter registration agencies identified

(a) **Public assistance agencies.** Public assistance agencies shall include offices in the state that provide public assistance, and specifically those locations at which the application, renewal, re-certification and change of address processes for the following programs are administered.

(1) The food stamp program, also known as the Supplemental Nutrition Assistance Program (SNAP).

(2) The Medicaid program.

(3) The Special Supplemental ~~Food~~ Nutrition Program for Women, Infants and Children (WIC).

(4) The Temporary ~~Aid~~ Assistance to Needy Families (TANF) program.

(5) The State Children's Health Insurance Program (SCHIP).

(b) **Agencies serving the disabled.** Agencies serving the disabled shall include those agencies offering state-funded programs primarily engaged in providing services to the disabled.

Locations at which the application, renewal, re-certification and change of address processes for covered services offered by the Oklahoma Department of Rehabilitation Services, by the Oklahoma Department of Mental Health and Substance Abuse, and by disability services offices on the campuses of public colleges and universities shall be mandatory voter registration agencies. Covered services for agencies serving the disabled shall be determined by the administrator of each affected agency in consultation with the Secretary of the State Election Board. Agencies serving the disabled that offer covered services in the ~~applicant's~~ client's home also shall provide voter registration application services in the ~~applicant's~~ client's home. All administrative rules of the State Election Board shall apply and the procedure established in 230:15-5-125 shall be observed when offering voter registration application services in ~~an applicant's~~ a client's home.

(c) **Armed Forces Recruitment Offices.** Recruitment offices of the Armed Forces of the United States shall offer voter registration application services to each prospective enlistee.

230:15-5-124. Passive voter registration application services in voter registration agency

(a) Voter registration agency personnel shall provide an Oklahoma Voter Registration Application form to any person who requests one while conducting business with the agency in connection with any program other than those listed in 230:15-5-122. Voter registration agency personnel shall provide an Oklahoma Voter Registration Application form to any person who requests one even if the person does not conduct any business with the agency.

(b) Voter registration agency personnel shall be authorized but shall not be required to accept application forms completed as a result of passive voter registration application services for transmittal to the State Election Board. If accepted, however, voter registration agency personnel shall ensure that such forms are stamped with a received date and sent to the State Election Board

as outlined in 230:15-5-130 and 230:15-5-131. Voter registration agency personnel shall be authorized to instruct persons who receive voter registration applications as a result of passive voter registration application services to mail their own completed application to the State Election Board. The Voter Registration Statement ~~shall not be used~~ is not required in connection with passive voter registration application services.

230:15-5-125. Active voter registration application services in voter registration agency

(a) Procedure for active voter registration application services in voter registration agencies. Voter registration agency personnel shall use the following procedure to offer the opportunity to apply for voter registration to each person who applies for or who renews or re-certifies for service or assistance from a covered program and to each person who changes address in connection with service or assistance from a covered program. However, when voter registration application services are offered in the office of a County Election Board, a Voter Registration Statement shall not be ~~used~~ required and the procedure shall begin with (4) of this subsection.

(1) Ask the applicant client to read the Voter Registration Statement. ~~Tell the applicant that if he or she already is registered, it is not necessary to re-register except to change name, address or political affiliation.~~

(2) Ask the applicant client to print his or her name ~~on~~ at the top of the Voter Registration Statement ~~and to write today's date. Ask the applicant to check either "yes" or "no" and to sign the statement.~~

(3) Ask the client to check YES or NO and to sign and date the statement.

(A) If the applicant client checks "yes," YES, keep the Voter Registration Statement and proceed to step 4.

(B) If the applicant client checks "no," NO, keep the Voter Registration Statement and proceed with the agency's business.

(C) If the client either leaves the Voter Registration Statement blank or refuses to fill it out, give the client an Oklahoma Voter Registration Application form to take home. If the client refuses the application form, note the refusal on the Voter Registration Statement. Print the client's name and the date on the form and file as directed. Proceed with the agency's business.

(4) Give the applicant client an Oklahoma Voter Registration Application form and tell the client to read the Oath to determine whether the client is eligible to register to vote.

~~(5) Tell the applicant to read the Oath to determine whether he or she is eligible to register to vote in Oklahoma.~~

~~(6) Tell the applicant to read the instructions and to fill out the form.~~

~~(7) Tell the applicant to read "Important Information" on the back of the form.~~

~~(8) Tell the applicant to return the completed application to you.~~

~~(9) Look at the application when the applicant returns it to see that it is completely filled out. If there seems to be an omission, show it to the applicant. Only the applicant may decide to change the application.~~

~~(10) Keep the completed Oklahoma Voter Registration Application and proceed with the agency's business.~~

(5) Tell the client to read the Important Information and the Instructions pages of the

form.

(6) If the client asks for help to fill out the form, help the client in the same way you would help any client fill out the agency's forms.

(7) Take the filled out and signed application form back from the client.

(8) Verify that the client signed the form and wrote today's date. Verify that the client provided either an Oklahoma driver license number or the last four digits of his/her Social Security number in the appropriate space on the form.

(9) If it appears that any information is omitted, show the omission to the client. Tell the client that omitting the information may cause the application to be rejected. Only the client may add to or change the form.

(10) File the completed and signed Voter Registration Statement as directed. Put the completed voter registration application in a secure place and proceed with the agency's business.

(b) **Assistance to ~~applicants~~ clients.** If the ~~applicant~~ client indicates that ~~he or she~~ the client desires assistance to complete the Oklahoma Voter Registration Application form, agency personnel shall provide the same degree of assistance provided to complete the agency's own forms. ~~A voter registration agency employee who assists an applicant to complete the Oklahoma Voter Registration Application form shall write his or her own name and the address of the voter registration agency in the shaded area marked "Office Use Only" on the instruction portion of the application form. County Election Board personnel shall offer whatever assistance is requested by the applicant provided that the request is not in conflict with the laws of the United States or the State of Oklahoma or with adopted rules and procedures of the State Election Board. In the event that the applicant is unable to personally sign or make a mark on the application form, the procedure outlined in 230:15-5-36(c) shall be observed. Agencies providing state-funded programs and services to persons with disabilities, and that sometimes provide services at a person's home, also shall provide voter registration services at the person's home.~~

(c) **Confidential information.** Information related to a declination to register to vote shall not be used for any purpose other than voter registration. The identity of the voter registration agency through which any particular voter is registered shall not be disclosed to the public. Completed voter registration applications shall be kept confidential while in possession of voter registration agency personnel. Agency personnel shall not stamp or write any information that could identify the agency outside the shaded "VRA/MLA Office Use Only" box at the top of the form.

230:15-5-126. Voter registration agency personnel responding to questions and/or requests for information about voter registration or election conduct

(a) Mandatory and discretionary voter registration agency personnel, except County Election Board personnel, shall not answer questions or provide information concerning voter registration or election conduct unless the answer or information is contained in the written materials provided by the State Election Board. ~~Applicants~~ Clients who have questions about voter registration or elections that cannot be answered by voter registration agency personnel shall be referred to the office of the local County Election Board, ~~or to the State Election Board, or to the State Election Board's website: www.elections.ok.gov.~~ Voter registration agency personnel shall not attempt to explain or amplify the written materials.

(b) County Election Board personnel shall be authorized to answer questions and provide information beyond the scope of the written materials provided to other voter registration agency personnel, especially concerning the activation of an application for voter registration, ~~an applicant's~~ a client's eligibility to vote in particular elections ~~and/or~~ or the location of an applicant's polling place.

230:15-5-127. Hours for voter registration application services in voter registration agency

Voter registration application services shall be offered during the regular business hours of each mandatory and discretionary voter registration agency unless otherwise provided by law or by the administrative rules of the Secretary of the State Election Board.

230:15-5-128. Prohibitions

Voter registration agency personnel providing voter registration application services shall not:

- (1) Seek to influence ~~an applicant's~~ a client's political affiliation or party registration.
- (2) Display any political preference or party allegiance.
- (3) Make any statement to ~~an applicant~~ a client or take any action the purpose or effect of which is to discourage the ~~applicant~~ client from registering to vote.
- (4) Make any statement to ~~an applicant~~ a client or take any action the purpose or effect of which is to lead the ~~applicant~~ client to believe that a decision to register or not to register has any bearing on the availability of services or benefits.

230:15-5-129. Responsibility for Voter Registration Statements received by voter registration agency

Completed Voter Registration Statements shall be retained by the voter registration agency for 24 months from the date of application. Procedures for retention and disposal of Voter Registration Statements shall be prescribed by the administrator of each affected agency. However, the Voter Registration Statements shall be filed and retained in a way that an individual client's Voter Registration Statement can be located and provided to election officials, upon request, to aid in determining an individual client's eligibility to vote in an election.

230:15-5-130. ~~Source coding and dating~~ Dating completed applications received by voter registration agency

Mandatory and discretionary voter registration agency personnel shall stamp or write the agency name, ~~which shall be called the source code, and the date the application was made received in the space marked "(Office Use Only) Agency Stamp And Date Received"~~ "VRA/MLA Office Use Only" on each completed Oklahoma Voter Registration Application form received from ~~an applicant~~ a client as a result of either passive or active voter registration application services described in 230:15-5-125. Agency personnel shall not write or stamp any information that identifies the agency outside the shaded "VRA/MLA Office Use Only" box at the top of the application form.

230:15-5-131. Transmitting completed Oklahoma Voter Registration Application forms from voter registration agency to the State Election Board

(a) **Transmittal deadline.** Completed Oklahoma Voter Registration Application forms received by a voter registration agency as a result of either active or passive voter registration application services shall be transmitted to the State Election Board at the close of business each week.

(b) **Procedure for transmitting completed Oklahoma Voter Registration Applications.** The following procedure shall be observed by agency personnel to transmit to the State Election Board all completed Oklahoma ~~Voters~~ Voter Registration Application forms received as a result of either active or passive voter registration application services described in 230:15-5-125. The State Election Board shall provide pre-addressed, postage-paid business reply envelopes for the purpose of transmitting completed voter registration application forms.

(1) Make certain that the ~~agency source code and the date of that the application was received at the agency~~ appear appears in the space provided on each completed Oklahoma Voter Registration Application form. If the ~~source code and date do~~ received date does not appear on a completed application, stamp or write the ~~source code and~~ current date in the space provided.

(2) Place all the completed Oklahoma Voter Registration Application ~~form into the forms in~~ a postage-paid, pre-addressed business reply envelope provided by the State Election Board.

(3) Mail ~~all envelopes~~ the envelope containing completed Oklahoma Voter Registration Application forms to the State Election Board at the close of business each week.

(c) **Transmitting applications received through passive voter registration application services.** Voter registration agency personnel shall ~~be authorized but shall not be required to also~~ receive for transmittal to the State Election Board applications completed as a result of passive voter registration application services described in 230:15-5-124. ~~If the~~ All voter registration agency ~~chooses to accept~~ applications completed received by the agency as a result of passive voter registration application services, ~~the applications shall be stamped with the received date as outlined in (b) of this Section and shall be transmitted along with applications received through active voter registration application services as outlined in (a) and (b) of this Section.~~

(d) **Transmitting applications received at the County Election Board.** Voter registration applications may be received at the County Election Board as outlined in 230:15-9-11(b). Applications received at the County Election Board from persons who reside in the county shall not be transmitted to the State Election Board. Applications received at the County Election Board from persons who reside in another county shall be transmitted either to the appropriate County Election Board or to the State Election Board as outlined in (b) of this Section, except that the County Election Board shall provide its own envelope and shall pay the necessary postage.

230:15-5-132. Forms and supplies for voter registration application services in voter registration agency

(a) All forms and supplies required to provide active and passive voter registration application services in a voter registration agency shall be prescribed by the Secretary of the State Election Board.

(b) The Secretary of the State Election Board shall prepare and distribute the forms and supplies necessary to provide active and passive voter registration application services in both mandatory and discretionary voter registration agencies. The Secretary of the State Election Board shall work with designated personnel from each affected agency to ensure orderly and timely distribution of forms and supplies to a central location for each agency. Voter registration supplies shall subsequently be distributed from that central location by each voter registration agency to the appropriate sites and offices within the agency where either active or passive voter registration services are provided. Voter registration agency personnel shall not be authorized to obtain voter registration supplies from the office of a County Election Board ~~except in the case of an emergency.~~ A voter registration agency may be authorized by the Secretary of the State Election Board to print Oklahoma Voter Registration Application forms and Voter Registration Statements. A voter registration agency authorized to print Oklahoma Voter Registration Application forms and Voter Registration Statement forms shall ensure that these items are printed to the specifications established by the Secretary of the State Election Board.

(c) The following materials shall be required to provide active voter registration application services in both mandatory and discretionary voter registration agencies (except the County Election Board).

- (1) Oklahoma Voter Registration Application forms, pre-coded for the agency.
- (2) Voter Registration Statement forms.
- (3) Pre-addressed, postage-paid envelopes for transmitting completed applications to the State Election Board.
- (4) Procedure for Voter Registration cards.
- (5) Voter Registration Application Checklist cards.
- (6) Register While You Are Here Today signs.

(d) Only the Oklahoma Voter Registration Application form shall be required to provide passive voter registration application services. Only the Oklahoma Voter Registration Application form shall be required to provide active voter registration application services in the County Election Board office.

SUBCHAPTER 11. VOTER REGISTRATION LIST MAINTENANCE

PART 1. CANCELLATION OF VOTER REGISTRATION

230:15-11-4. Processing cancellations of registration

(a) Upon receipt of proper notice, and upon positive identification of the voter, the Secretary of the County Election Board shall cancel a voter's registration. Cancellations shall be processed immediately after the receipt of proper notice. Proper notice shall include the following:

- (1) Potential Deletion Report. See 230:15-11-5.
- (2) ~~Cancellation of Request to Cancel Registration of Deceased Voter by Next of Kin form submitted by any person authorized by law to make such a request.~~ See ~~230:15-11-6(a)~~ 230:15-11-6 and 230:15-11-6.1.
- (3) ~~Request to Cancel Registration of Deceased Voter form.~~ See 230:15-11-6(b).
- ~~(4) Notification of County Resident's Death form. See 230:15-11-6.1.~~

- ~~(5)~~ Judgment of Incapacitation Report form. See 230:15-11-7.
- ~~(6)~~ (4) Potential Duplicate Registration Report. See 230:15-11-9.
- ~~(7)~~ (5) Notice of registration in another state.
- ~~(8)~~ (6) Notice of state or federal felony conviction. See 230:15-11-8.
- ~~(9)~~ (7) Written request from voter for cancellation of registration. Such a written request from a voter either shall be notarized or shall be witnessed by two persons who provide their names and addresses on the request. See 230:15-11-3.
- ~~(10)~~ (8) True Duplicates Deleted Report. See 230:15-11-10.
- ~~(11)~~ (9) Address confirmation return card returned by the voter indicating that the voter has moved out of the county. See 230:15-11-24.
- ~~(12)~~ (10) A certified copy of a death certificate.

(b) Cancellations of registration shall be processed according to the following procedure:

- (1) Delete the voter's registration information from MESA.
- (2) Remove the voter's registration form from the Central File, note the date and reason for cancelling the registration, and place the registration form in the Cancellation File. Also remove any documentation from the Additional Information File and attach it to the original registration form in the Cancellation File. Retain as outlined in 230:10-7-40.
- (3) Retain the notice document used to cancel a registration for 24 months after the cancellation.

[Source: Amended and renumbered from 230:15-5-63 at 12 Ok Reg 2197, eff 7-1-95; Amended at 13 Ok Reg 559, eff 11-22-95 (emergency); Amended at 13 Ok Reg 2475, eff 7-1-96; Amended at 15 Ok Reg 2547, eff 7-1-98; Amended at 16 Ok Reg 522, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2404, eff 7-1-99; Amended at 22 Ok Reg 1859, eff 7-1-05; Amended at 28 Ok Reg 256, eff 11-1-10 (emergency); Amended at 28 Ok Reg 1133, eff 7-1-11]

230:15-11-5. Potential Deletion Report

The State Election Board shall prepare and transmit to each county on a monthly basis a Potential Deletion Report. This report compiles information received by the State Election Board from the State Health Department, from the federal court system, the Social Security Administration, from other states, and from other counties in Oklahoma. This report lists persons who have died, persons who have been convicted of felonies in other counties or in federal court, and persons who have registered again in another state or in another county in Oklahoma. The voter registrations of persons listed on the Potential Deletion Report shall be cancelled upon positive identification of the voter's registration record.

[Source: Amended and renumbered from 230:15-5-64 at 12 Ok Reg 2197, eff 7-1-95; Amended at 23 Ok Reg 1279, eff 7-1-06; Amended at 27 Ok Reg 1124, eff 6-1-10]

230:15-11-6.1. Cancellation of registration of deceased voter upon notice of nursing home administrator

An administrator of a nursing home, an administrator of a veteran center, or a licensed funeral director may execute a ~~Notification of County Resident's Death~~ Request to Cancel

Registration of Deceased Voter form to notify the Secretary of the County Election Board of the death of a resident of the county who may have been a registered voter. [26:4-120.3] A nursing home or veteran center administrator's signature on the form either may be notarized or witnessed by two persons who provide their names and addresses on the form. The administrator's signature also may be witnessed by a member of the nursing home Absentee Voting Board when the Board delivers absentee ballots to residents of the nursing facility or veteran center prior to an election. A licensed funeral director's signature on the form either may be notarized or may be witnessed by two persons whose names and addresses are also provided on the form. Upon receipt of such a notification, and upon identification of the person named on the ~~Notice of County Resident's Death~~ form as a registered voter in the county, the Secretary shall cancel the voter registration of the deceased voter. See 230:15-11-4 (b). The Secretary shall provide copies of the Request to Cancel Registration of Deceased Voter form to nursing facility and veteran center administrators and to licensed funeral directors in the county along with instructions for use of the form. [26:4-120.3]

[Source: Added at 22 Ok Reg 1859, eff 7-1-05; Amended at 27 Ok Reg 1124, eff 6-1-10; Amended at 28 Ok Reg 256, eff 11-1-10 (emergency); Amended at 28 Ok Reg 1133, eff 7-1-11]

230:15-11-10. Statewide cancellation of true duplicate registrations

(a) No later than June 1 of each odd-numbered year, the Secretary of the State Election Board shall initiate a process to identify voters with duplicate voter registrations in one or more counties in Oklahoma. [26:4-120.2(c)] The process in MESA shall examine and compare all voter registration records in the state to identify the true duplicate registrations. The true duplicates shall be identified by one of the following criteria.

- (1) There is a match of ~~last name~~, first name, middle name or initial, last name, and date of birth.
- (2) There is a match of driver license number, first name, and date of birth.
- (3) There is a match of last name, date of birth, and the last four digits of the Social Security number.
- (4) ~~There is a match of last name, date of birth, and driver license number.~~

(b) Following identification of true duplicates, the individual records in each set of duplicate records shall be examined to determine which of the duplicate registrations is the most recent. The date of original registration, voter history, and voter activity all shall be examined and considered. The most recent registration record in each set of duplicate registrations shall be retained and all other registration records shall be cancelled. [26:4-120.2(c)]

(c) MESA shall format for each county a report listing the names of voters in the county whose registration records have been cancelled. The Secretary of the County Election Board shall be required to print the True Duplicates Deleted Report immediately when it is formatted. County Election Board personnel shall use the True Duplicates Deleted Report to remove the registration forms for the cancelled true duplicate voters from the Central File. The date and reason for cancellation shall be noted on the voter registration form, and any documentation in the Additional Information file also shall be removed. The registration forms and any additional information shall be filed in the Cancellation File and shall be retained there for 24 months. The True Duplicates Deleted Report shall be retained for 24 months. [26:4-120.2(c)]

(d) Questions concerning the cancellation of a true duplicate registration must be resolved by the State Election Board staff because, in most cases, the matching duplicate voter registration records are located in different counties. County Election Board personnel shall relay concerns that a registration may have been cancelled incorrectly by the true duplicates identification process to the State Election Board staff for investigation and resolution.

(e) The State Election Board staff shall have the authority to restore the voter registration record of an individual voter cancelled as a true duplicate if, in fact, the match is in error. The restored voter also may be excluded from cancellation in future true duplicate processing if the erroneous match cannot be prevented from recurring.

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 16 Ok Reg 522, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2404, eff 7-1-99; Amended at 27 Ok Reg 1124, eff 6-1-10]

PART 3. VOTER REGISTRATION ADDRESS CONFIRMATION

230:15-11-19. Voter registration address confirmation mailing

(a) No later than June 1, 1997, and every two years thereafter, the Secretary of the State Election Board shall cause an address confirmation notice to be prepared and mailed to active registered voters who meet one or more of the following requirements:

(1) Voters listed on the Statewide Potential Duplicates Report.

(2) Voters for whom a first-class mailing from a County Election Board or from the State Election Board was returned undelivered by the post office during the previous 24 months. For the purpose of the address confirmation notice process, a first-class mailing shall include only voter identification cards generated by MESA and rejection notices for applications for change of voter registration.

(3) Voters who have neither voted in any election conducted by a County Election Board nor initiated any voter registration change since the second previous General Election.

(4) Voters who have surrendered their Oklahoma driver licenses to the Department of Public Safety after receiving a driver license in another state during the preceding 24 months.

(5) Voters identified by interstate voter registration data comparison as possibly being registered to vote both in Oklahoma and in one or more other states.

(6) Voters identified by National Change of Address (NCOA) data, as authorized by 26 O.S., Section 4-118.1, who may have changed residence address but not updated voter registration.

(7) Voters identified through official death records from the Social Security Administration whose registrations have not been cancelled.

~~(b) The address confirmation notice shall include a return card for the voter to provide his or her current address. The return cards shall be addressed to the State Election Board. The State Election Board shall receive the return cards and then shall forward them to the County Election Board to be processed.~~

~~(c) Address confirmation notices shall be sent by first-class, forwardable mail and shall include a pre-addressed, postage-paid return card. The address confirmation notice materials shall be~~

prepared and mailed under the supervision of the Secretary of the State Election Board. All costs associated with preparing and mailing confirmation notices and with receiving return cards and distributing them to the various County Election Boards shall be paid by the State Election Board.

~~(d)~~ (c) Address confirmation return cards ~~and undelivered address confirmation notices~~ shall be received by the State Election Board. Accumulated return cards ~~and undelivered confirmation notices~~ shall be sorted and distributed to the County Election Boards on a regular basis.

~~(e)~~ County Election Board personnel shall stamp the received date on each address confirmation return card when it is received from the State Election Board.

(d) The Secretary of the State Election Board may authorize the mail service vendor selected to print, prepare, and mail the address confirmation notices to utilize National Change of Address (NCOA) data for mailing address correction and forwarding purposes. As a result of the address correction and forwarding services, the address to which an individual voter's confirmation notice is forwarded will be provided to the State Election Board by the mail service vendor or by the USPS by digital means. The forwarding address will be imported into MESA by the State Election Board. The County Election Board Secretary shall cause the Confirmation Notice Automated Forwards List report (vr2595) to be requested and retained for 24 months.

(E) The State Election Board may receive data from the USPS by electronic means for all address confirmation notice cards that are undeliverable as addressed. The cards themselves may be destroyed through postal service procedures. The returned data will be imported into MESA and into individual voter records by the State Election Board. The County Election Board Secretary shall cause the Confirmation Notice Automated Returns List report (vr2590) to be requested and retained for 24 months.

[Source: Added at 12 Ok Reg 2197, eff 7-1-95; Amended at 15 Ok Reg 2547, eff 7-1-98; Amended at 16 Ok Reg 522, eff 1-1-99 (emergency); Amended at 16 Ok Reg 2404, eff 7-1-99; Amended at 28 Ok Reg 256, eff 11-1-10 (emergency); Amended at 28 Ok Reg 1133, eff 7-1-11]

230:15-11-20. Processing address confirmation notices notice cards returned undelivered by Postal Service

(a) Address confirmation notices that cannot be delivered as addressed ~~shall~~ may be returned to the State Election Board by the postal service. ~~The~~ All returned, undelivered address confirmation notices received by the State Election Board shall be sorted by county and sent to the County Election Boards.

(b) When the County Election Boards ~~shall~~ receive from the State Election Board ~~an~~ address confirmation notices that were returned undelivered by the postal service. ~~Upon receiving the undelivered address confirmation notices,~~ County Election Board personnel shall process them according to the following procedure.

- (1) ~~Process~~ Enter the receipt of ~~the~~ each undelivered address confirmation notice in MESA.
- (2) Follow the procedure outlined in 230:15-11-25 if the postal service has provided another address for the voter.
- (3) File the undelivered notice in the Returned Confirmation Notice file and retain for 24 months.

~~(c) As an alternative to the process outlined in (a) and (b) of this Sections, the Secretary of the State Election Board may elect to receive information on undelivered address confirmation notices in an electronic format from the United States Postal Service and may process such electronic information directly into the voter registration database so that the notices need not be physically returned and processed. The State Election Board will provide each County Election Board with a report listing the voters whose address confirmation notices were reported undelivered by the United States Postal Service.~~

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 28 Ok Reg 1133, eff 7-1-11; Amended at 30 Ok Reg 1631, eff 7-15-13]

230:15-11-21. Processing address confirmation cards returned by voter with no change of address

Address confirmation return cards that are returned by the voter and indicate no change of address shall be processed according to the following procedure.

- (1) Process receipt of the return card in MESA.
- (2) Compare the information provided by the voter on the return card with the voter's registration information in MESA to confirm that the residence address is the same. If there is a change of residence address, process according to the instructions in 230:15-11-22.
- (3) File the return card in the Returned Confirmation Notice File.

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 28 Ok Reg 1133, eff 7-1-11; Amended at 30 Ok Reg 1631, eff 7-15-13]

230:15-11-22. Processing address confirmation return cards with change of address in the county

Address confirmation return cards that are returned by the voter and indicate a change of address in the county shall be processed according to the following procedure.

- (1) Process receipt of the return card in MESA.
- (2) Select In County (updated) to access the voter's registration information. Enter all residence or mailing address changes indicated by the voter on the return card.
- (3) Prepare and mail a request for additional information if necessary. See 230:15-9-32 and 230:15-9-33. Wait for the voter's response before proceeding to step 4.
- (4) Locate the voter's voter registration form in the Central File. Write the voter's new address on the form from the Central File and make a note to refer to the Additional Information Correspondence File.
- (5) File the address confirmation return card in the Additional Information Correspondence File.

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 28 Ok Reg 1133, eff 7-1-11; Amended at 30 Ok Reg 1631, eff 7-15-13]

230:15-11-23. Processing address confirmation return cards that indicate a name change

A voter may use the address confirmation return card to indicate that his or her name has changed. Information on the return card must clearly indicate that the voter has a new name. The return card may indicate either no change of address or indicate a new address in the county. County Election Board personnel shall process the name change and any change of address as outlined in 230:15-11-22.

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 30 Ok Reg 1631, eff 7-15-13]

230:15-11-26. Designation of inactive voters

(a) Sixty days after address confirmation notices are mailed by the State Election Board, the registrations of voters who do not respond to the address confirmation notice, of voters whose address confirmation notices were returned undelivered by the postal service, and voters whose return cards were returned by someone else all shall be designated inactive by a process in MESA. Inactive voters shall remain registered and entitled to vote through the second federal General Election following their designation as inactive voters. Following that second federal General Election, the registrations of all remaining inactive voters shall be cancelled.

(b) Sixty days after address confirmation notices are mailed by the State Election Board, County Election Board personnel shall ~~print request the Confirmation Notice Tracking report, the Confirmation Automated Returns List, and the Confirmation Automated Forwards List reports from MESA.~~ The Confirmation Notice Tracking report lists all voters in the county to whom address confirmation notices were mailed. The Confirmation Notice Tracking report These reports shall be retained for 24 months. The reports may be retained electronically and shall not necessarily be printed.

[Source: Added at 15 Ok Reg 2547, eff 7-1-98; Amended at 28 Ok Reg 1133, eff 7-1-11]