

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 59th Legislature (2023)

4 HOUSE BILL 1415

                                  By: Crosswhite Hader

7                                   AS INTRODUCED

8                   An Act relating to elections; providing for  
9                   suspension of provisions implementing federal law;  
10                  providing for certain determination; creating  
11                  committee to oversee operations of elections;  
12                  providing for membership, co-chairs, quorum, and  
13                  powers and duties; providing for codification; and  
14                  providing an effective date.

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

15           SECTION 1.       NEW LAW       A new section of law to be codified  
16           in the Oklahoma Statutes as Section 22-117 of Title 26, unless there  
17           is created a duplication in numbering, reads as follows:

18           A.   In the event any federal law, regulation, order, or other  
19           official action that is enacted or adopted after the effective date  
20           of this act solely pursuant to authority under Article 1, Section 4,  
21           Clause 1 of the United States Constitution seeks to substantially  
22           modify or supersede any voter registration or election  
23           administration laws and procedures duly enacted by the Legislature,  
24           that federal law, regulation, order, or other official action shall

1 be applicable only to elections for federal office held in this  
2 state.

3 B. A determination pursuant to subsection A of this section  
4 that a federal law, regulation, order, or other official action  
5 would substantially modify or supersede the voter registration or  
6 election administration laws and procedures duly enacted by the  
7 Legislature shall be made by the Attorney General, with the  
8 concurrence of the Secretary of the State Election Board. The  
9 determination shall be made in writing and shall state the reasons  
10 for the determination.

11 C. 1. There is hereby created a committee to propose changes  
12 to the time, place, and manner of conducting elections for state,  
13 county, and other non-federal offices in the event of a  
14 determination made pursuant to subsection B of this section.

15 2. A report of proposed recommendations described in paragraph  
16 1 of this subsection shall be submitted to the President Pro Tempore  
17 of the Senate, the Speaker of the House of Representatives, and the  
18 Governor within sixty (60) days of a determination made pursuant to  
19 subsection B of this section. To become operative, such  
20 recommendations shall be enacted by the Legislature in the same  
21 manner as other legislation.

22 3. Provided, if the Legislature is not in session at the time  
23 of a determination made pursuant to subsection B of this section,  
24 then the committee may temporarily modify election dates and other

1 associated dates and deadlines provided in this title to ensure that  
2 no other election in this state is held on the same date as a  
3 special or regular election for federal office. Such modifications  
4 shall expire on January 1 of the year following the next regularly  
5 scheduled general election.

6 4. The committee shall consist of eleven (11) members, as  
7 follows:

8 a. four members of the Oklahoma State Senate, at least  
9 one of whom shall be a member of the minority party,  
10 to be appointed by the President Pro Tempore of the  
11 Senate,

12 b. four members of the Oklahoma House of Representatives,  
13 at least one of whom shall be a member of the minority  
14 party, to be appointed by the Speaker of the House of  
15 Representatives,

16 c. the Attorney General, or designee,

17 d. the chair of the District Attorneys Council, or  
18 designee, and

19 e. the Governor, or designee.

20 5. The Secretary of the State Election Board, or designee, and  
21 a secretary of a county election board designated by the Secretary  
22 of the State Election Board, shall attend committee meetings in an  
23 advisory capacity.

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1 D. The President Pro Tempore of the Senate and the Speaker of  
2 the House of Representatives shall each designate a co-chair of the  
3 committee from among the members from their respective houses.

4 E. A quorum of the committee shall consist of at least six  
5 members; the agenda for each meeting shall be set by the co-chairs  
6 and shall be made available to the public, by posting on the Senate  
7 and House websites, at least twenty-four (24) hours prior to the  
8 time of the meeting. Meetings of the committee shall be governed by  
9 joint rules of the Legislature.

10 F. The members and co-chairs of the oversight committee shall  
11 be appointed no later than two (2) weeks after a determination is  
12 made pursuant to subsection B of this section, and shall provide  
13 recommendations to the Legislature within two (2) months after the  
14 first meeting.

15 SECTION 2. This act shall become effective November 15, 2023.

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17 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated  
18 02/14/2023 - DO PASS.  
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