

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 410

By: Daniels

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2021, Sections 7-108, 7-108.3, and 16-111, which relate to electioneering; modifying prohibited activities at polling place or voting site; defining terms; modifying elements of certain misdemeanor offense; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 7-108, is amended to read as follows:

Section 7-108. A. No person shall be allowed to electioneer within three hundred (300) feet of ~~any ballot box~~ the entrance to a polling place or in-person absentee voting site or a person who is standing in line to vote outside the polling place or in-person absentee voting site while an election is in progress, ~~nor shall any.~~ No person or persons, except election officials, voters registered and voting at the polling place or in-person absentee voting site, a minor child or dependent accompanying such voters and other persons authorized by law, shall be allowed inside the election enclosure or within fifty (50) feet of any ballot box the

1 entrance to a polling place or in-person absentee voting site while
2 an election is in progress. No printed material other than that
3 provided by the election board shall be publicly placed or exposed
4 within three hundred (300) feet of ~~any ballot box,~~ the entrance to a
5 polling place or in-person absentee voting site while an election is
6 in progress.

7 B. For purposes of this title:

8 1. "Electioneering" means:

9 a. advocating directly for or against a candidate or
10 question that is or will be on the ballot at any
11 election, either verbally or with visual materials,
12 signs or clothing, audio recordings, electronic

13 communication, or any other type of communication, or

14 b. collecting signatures for a petition to place an issue
15 or question on a future ballot or soliciting contact
16 information or distributing information for any
17 candidate or issue that might be on a future ballot;

18 and

19 2. "Election enclosure" means the areas of a polling place
20 where voters sign the precinct registry and are issued ballots,
21 where voting booths are located, where a voting device or ballot box
22 is located, and any room, hallway or other space wherein such
23 activities take place.

1 SECTION 2. AMENDATORY 26 O.S. 2021, Section 7-108.3, is
2 amended to read as follows:

3 Section 7-108.3. The prohibition against electioneering
4 contained in Section 7--108 of this title shall apply to any
5 pollster. No pollster shall be permitted inside the election
6 enclosure or within fifty (50) feet of ~~any ballot box~~ the entrance
7 to a polling place or in-person absentee voting site while an
8 election is in progress. A pollster who violates the law prescribed
9 for pollsters shall be deemed guilty of a misdemeanor.

10 SECTION 3. AMENDATORY 26 O.S. 2021, Section 16-111, is
11 amended to read as follows:

12 Section 16-111. Any person who electioneers within three
13 hundred (300) feet of ~~any ballot box~~ the entrance to a polling place
14 or in-person absentee voting site or a person who is standing in
15 line to vote outside the polling place or in-person absentee voting
16 site while an election is in progress, and any person except
17 election officials, voters registered and voting at the polling
18 place or in-person absentee voting site, a minor child or dependent
19 accompanying such voters and other persons authorized by law who
20 remains within fifty (50) feet of ~~any ballot box~~ the entrance to a
21 polling place or in-person absentee voting site while an election is
22 in progress shall be deemed guilty of a misdemeanor.

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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