

Senate Judiciary Committee Interim Study 25-010 (Early Voting)



**Paul Ziriaux, Secretary
Oklahoma State Election Board**



Oklahoma Constitution

Article 3, Section 4

“The **Legislature shall prescribe** the time and manner of holding and conducting all elections, and enact such laws as may be necessary to detect and punish fraud in such elections.”



26 O.S. § 14-115.4 In-Person Absentee Voting (aka “Early Voting”)

Available 2 to 4 days, depending on type of election.

- All elections: Thursday and Friday immediately preceding Election Day (8am-6pm)
- Regular State Primaries and Runoffs: Saturday immediately preceding Election Day (8am-2pm)
- Regular General Elections: Wednesday immediately preceding Election Day (8am-6pm)



26 O.S. § 14-115.4 In-Person Absentee Voting (aka “Early Voting”)

Each county is required to have one site

- Counties with 25,000+ voters and/or an area of 1,500+ square miles may have more than one site
 - Subject to approval by Secretary of the State Election Board

Site(s) selected by Secretary of the County Election Board



26 O.S. § 14-115.4 In-Person Absentee Voting (aka “Early Voting”)

Each site must have at least one Absentee Voting Board

- Must consist of one Republican and one Democrat
 - Paid \$200/day + mileage
- State elections: daily pay and mileage funded by State Election Board
- Local elections: daily pay and mileage funded by local entity



26 O.S. § 14-115.4 In-Person Absentee Voting (aka “Early Voting”)

- No excuse necessary
- Voter completes in-person absentee ballot application
- Voter will swear/affirm they have not voted by mail absentee and will not vote on Election Day
- Appropriate ballot(s) issued by Absentee Voting Board

Application for In-Person Absentee Ballots

IT IS A FELONY TO KNOWINGLY EXECUTE A FALSE OR FRAUDULENT APPLICATION FOR ABSENTEE BALLOTS. 26 O.S. § 16-102.2

TITLE 26 OF THE OKLAHOMA STATUTES provides that any person shall be deemed guilty of a felony who:

- knowingly executes a false application for an absentee ballot.
- votes more than once at any election or who, knowing that he is not eligible to vote at an election, willfully votes at said election.

Any person deemed guilty of a felony under the provisions of TITLE 26 shall, upon conviction, be confined to the State Penitentiary for not more than five (5) years, or fined not more than Fifty Thousand Dollars (\$50,000) or both.

INSTRUCTIONS

BOX 1 – ADDRESS OF REGISTRATION
Provide the address of your residence where you are registered to vote in box 1.

- If you have a street address or a 911 address, this is your residence address.
- A rural route or a post office box is NOT an address of residence.
- If you do not have a street address or a 911 address, you may write directions to your home or provide the legal description (section, township, range) of your home.

BOX 2 – INDEPENDENT (NO PARTY) VOTERS
Some, but not all, political parties in Oklahoma allow Independent voters to vote in Primary and Runoff Primary Elections. Ask the Absentee Voting Board which parties allow participation by Independents in primaries.

Voter's Name, Date of Birth, and Address of Registration
Print or Type Name as registered to vote Date of Birth (Month/Day/Year)

1 Address of Registration is (see instructions) City County

Registered Independent (No Party) Voters ONLY (See instructions above):

2 ☐ Some political parties in Oklahoma may allow Independent voters to vote in Party Primary and Runoff Primary Elections. Ask the Absentee Voting Board which parties allow participation by Independents in primaries. Write the name of the party for which you want to receive Primary or Runoff Primary ballots in this space:

Voter's Oath and Signature
I hereby request an absentee ballot for the following election date:

FOR ABSENTEE VOTING BOARD USE

I swear or affirm that I have not voted a regular mail absentee ballot, and I will not vote at my regular polling place in this election.

Voter ID: _____

Date received: _____

Precinct: _____

Political affiliation: _____

☐ Provisional ballot issued

Reason: _____

3 Voter's Signature

If voter is unable to write, he shall make his mark below, and same shall be witnessed by two persons who shall sign their names in the space provided.

Witness _____

Witness _____

MARK OF VOTER _____

Absentee Voting Board (signature) _____

Absentee Voting Board (signature) _____

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26 O.S. § 14-115.4

In-Person Absentee Voting (aka “Early Voting”)

- Voter signs “absentee voting record” to confirm receipt of ballot(s)
- Voting process “same as if the voter were casting a vote in person at a precinct”
- Voter privately marks ballot(s) “in the presence of the absentee voting board”
- Voter deposits ballot(s) “in a voting device designated for in-person absentee voting”

ABSENTEE VOTING BOARD RECORD FOR IN-PERSON ABSENTEE BALLOTS							
County _____				Date of Voting _____			
Election _____				Election Date _____			
SIGNATURE	BALLOT ISSUED	PCT.	PARTY	SIGNATURE	BALLOT ISSUED	PCT.	PARTY
1. _____				21. _____			
2. _____				22. _____			
3. _____				23. _____			
4. _____				24. _____			
5. _____				25. _____			
6. _____				26. _____			
7. _____				27. _____			
8. _____				28. _____			
9. _____				29. _____			
10. _____				30. _____			
11. _____				31. _____			
12. _____				32. _____			
13. _____				33. _____			
14. _____				34. _____			
15. _____				35. _____			
16. _____				36. _____			
17. _____				37. _____			
18. _____				38. _____			
19. _____				39. _____			
20. _____				40. _____			

We, the members of the Absentee Voting Board for in-person absentee ballots, do hereby certify that the voters listed above voted in the _____ Election. Date _____

Signature of Member of Absentee Voting Board _____

Signature of Member of Absentee Voting Board _____

Signature of Secretary _____

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26 O.S. § 14-115.4 In-Person Absentee Voting (aka “Early Voting”)

- Printout of results are prohibited (voting device cannot print Early Voting results)
- Storage media removed from voting device and sealed
- Ballots sealed in transfer case
- Ballots and storage media secured by Sheriff each day
- Storage media returned next day, if necessary



Cost of In-Person Absentee Voting for State and Federal Elections

- State Election Board costs are approximately \$100k per day, per election
- State Election Board pays for AVB, state/federal absentee ballots and election materials
- County election board costs include staff overtime, facility rental, equipment/ballot security, onsite security (e.g., Sheriff), computers, voting booths, etc.
 - County Costs are funded by the county



In-person Absentee Vote Totals 2024

November 5, 2024 General Election

- For President and Vice President
 - Total Votes Cast: 293,206

June 18, 2024 Primary Election

- For Corporation Commissioner (Rep)
 - Total Votes Cast: 19,415
- No statewide Democratic or Libertarian primary



In-Person Absentee Vote Totals

November 8, 2022 General Election **November 3, 2020 General Election**

- Governor
 - Total Votes Cast: 132,242
- President and Vice President
 - Total Votes Cast: 167,185

June 28, 2022 Primary Election

- Governor (Rep)
 - Total Votes Cast: 20,258
- Governor (Dem)
 - Total Votes Cast: 8,561
- No statewide Libertarian primary

June 30, 2020 Primary Election

- State Question 802
 - Total Votes Cast: 34,504



In-Person Absentee Vote Totals

November 6, 2018 General Election **November 8, 2016 General Election**

- Governor
 - Total Votes Cast: 107,003
- President and Vice President
 - Total Votes Cast: 152,126

June 26, 2018 Primary Election

- State Question 788
 - Total Votes Cast: 47,429

June 28, 2016 Primary Election

- United States Senator (Lib)
 - Total Votes Cast: 79
- No statewide Republican or Democratic Primary



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