

CHAPTER 10. THE COUNTY ELECTION BOARD
SUBCHAPTER 7. GENERAL ADMINISTRATION OF THE COUNTY ELECTION BOARD

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 7. General Administration of the County Election Board [AMENDED]
Part 7. Public Records [AMENDED]

SUMMARY:

The Secretary of the State Election Board proposes an amendment in Subchapter 7, Part 7 of Chapter 10 to reflect a recent change of policy regarding the filling of requests for voter registration data. In 2014, the Secretary of the State Election Board was advised by counsel in the Oklahoma Attorney General's office to change the agency policy on requests for voter registration data. Based on the advice of counsel, the Secretary immediately ceased the collection of fees for data.

AUTHORITY:

Title 26 O.S. Supp. 2014, Section 2-107. Secretary of the State Election Board.

COMMENT PERIOD:

Written comments will be accepted until the conclusion of the public hearing on Friday, March 20, 2015. Written comments may be delivered to the State Election Board office or may be mailed or e-mailed. Comments also may be presented orally during the hearing. Mailing Address: State Election Board, P.O. Box 53156, Oklahoma City, OK 73152. Physical Address: Room B6, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City. E-mail Address: info@elections.ok.gov or suzanne.cox@elections.ok.gov.

PUBLIC HEARING:

A public hearing will be held Friday, March 20, 2015, at 10 a.m. in the office of the State Election Board, Room B6, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room B6, State Capitol Building, Oklahoma City, and on the State Election Board website: www.elections.ok.gov/AboutUs/AdministrativeRules

RULE IMPACT STATEMENT:

A rule impact statement will be prepared and will be available in the State Election Board office on and after March 4, 2015.

CONTACT PERSON:

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ADDITIONAL INFORMATION:

n/a

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PART 7. PUBLIC RECORDS

230:10-7-66.1. Voter registration records available on electronic media from State Election Board

~~(a) **Records available.** Certain voter registration records are available on in an electronic media format from the State Election Board. Information about the available records and instructions for obtaining them are available by contacting or visiting the State Election Board office and on the State Election Board website: www.elections.ok.gov. The following records are available:~~

- ~~———— (1) **Voter registration records.** Voter registration records include the following information: the voter's precinct number, the voter's name, the voter's ID number, political affiliation, status, registration address, date of birth, date of registration and mailing address if it differs from the registration address.~~
- ~~———— (2) **Voter history records.** Voter history records include the following information: the voter's ID number, the date of the election and the voting method (in person at polling place or absentee ballot).~~
- ~~———— (3) **Precinct/District information.** Precinct/District information includes the precinct number, Congressional District number, State Senate District number, State House District number, County Commissioner District number and the name of the polling place.~~

~~(b) **Format and media type.** All records described in (a) of this Section are written in ASCII format on compact disks (cds).~~

~~(c) **Fees for records.** Fees for all three types of records are charged according to the following schedule.~~

- ~~———— (1) **Statewide.** All voter registration records in the state shall be available at a cost of \$150.~~
- ~~———— (2) **United States Congressional District.** All voter registration records in a United States Congressional District shall be available at a cost of \$50.~~
- ~~———— (3) **State Senate District.** All voter registration records in a State Senate District shall be available at a cost of \$35.~~
- ~~———— (4) **State Representative District.** All voter registration records in a State Representative District shall be available at a cost of \$20.~~
- ~~———— (5) **County.** All voter registration records in a county shall be available at the cost indicated in the following schedule:
 - ~~(A) Voter registration records for the following counties shall be available at a cost of \$75: Oklahoma and Tulsa.~~
 - ~~(B) Voter registration records for the following counties shall be available at a cost of \$50: Cleveland, Comanche, Payne.~~
 - ~~(C) Voter registration records for the following counties shall be available at a cost of \$35: Bryan, Caddo, Canadian, Carter, Cherokee, Creek, Custer, Delaware, Garfield, Garvin, Grady, Kay, LeFlore, Lincoln, Logan, McCurtain, Mayes, Muskogee, Okmulgee, Osage, Pittsburg, Pontotoc, Pottawatomie, Rogers,~~~~

~~Sequoyah, Stephens, Wagoner, Washington.~~

~~(D) Voter registration records for the following counties shall be available at a cost of \$20: Adair, Alfalfa, Atoka, Beaver, Beckham, Blaine, Choctaw, Cimarron, Coal, Cotton, Craig, Dewey, Ellis, Grant, Greer, Harmon, Harper, Haskell, Hughes, Jackson, Jefferson, Johnston, Kingfisher, Kiowa, Latimer, Love, McClain, McIntosh, Major, Marshall, Murray, Noble, Nowata, Okfuskee, Ottawa, Pawnee, Pushmataha, Roger Mills, Seminole, Texas, Tillman, Washita, Woods, Woodward.~~

~~(6) **Precinct.** Voter registration records for a single precinct shall be available at a cost of \$10.~~

~~(7) **School District.** Voter registration records for a single school district shall be available at a cost of \$35.~~

~~(8) **Municipality.** Voter registration records for a single municipality shall be available at a cost of \$35.~~

~~(d) **Method of payment.** Cashier's checks and certified checks will be accepted. Personal checks will be accepted but must clear before data will be released.~~

~~(e) **Time for filling orders.** Orders for voter registration data will be filled as soon as possible. However, orders received within 20 days of a statewide election may not be filled until after the election.~~

~~(f) **Limitations of data.** Information contained in individual voter records may include a registration address and/or a mailing address or no address. Some addresses may not be sufficient for mailing. Some information may be incomplete or missing. The data provided on electronic media must be manipulated by user's software before it can be sorted by ZIP Code, name or household. Lists and/or labels cannot be produced directly from these media.~~

~~(g) **Printouts.** Computer printouts are available only from County Election Boards as outlined in 230:10-7-66.~~