

**CHAPTER 10. THE COUNTY ELECTION BOARD**  
**SUBCHAPTER 1. GENERAL PROVISIONS**

**230:10-1-1. Purpose**

The rules in this Chapter describe the ~~appointment and organization of the County Election Board~~; the employment of County Election Board staff and Precinct Officials; training programs available for County Election Board members and staff and for Precinct Officials; and the organization and maintenance of the County Election Board office.

**SUBCHAPTER 3. ELECTION PERSONNEL**  
**PART 1. COUNTY ELECTION BOARD MEMBERS AND EMPLOYEES**

**230:10-3-1. Membership [REVOKED]**

The County Election Board is composed of three members — a Chairman, Vice Chairman and Secretary. Each will receive a Certificate of Appointment from the State Election Board. Each is required to file an Oath of Office and a Loyalty Oath with the County Clerk.

**230:10-3-2. Appointment of Secretary [REVOKED]**

The Secretary of the County Election Board is appointed by the State Election Board *for a term of two years beginning May 1, 1983, and every two years thereafter.* [26:2-111.1]

**230:10-3-3. Appointment of County Election Board members and alternate members [REVOKED]**

(a) No later than April 15, 1999, and every four years thereafter, the county central committee of the two recognized political parties with the largest number of registered voters in the state each shall submit to the State Election Board the name of a nominee for County Election Board member and the name of a nominee for alternate member. [26:2-111] The State Election Board provides forms to the county central committee chairmen to use to submit the nominations. The nomination form must be signed by at least two members of the county central committee. [26:2-111] The State Election Board is limited to these nominees to appoint one County Election Board member and one alternate member from each party. [26:2-111] The County Election Board members and alternate members serve four-year terms, beginning May 1. If a County Election Board member is unable to attend a meeting, the alternate member of the same party shall serve on the County Election Board at that meeting. [26:2-111]

(b) *If the county central committee for a party in a county fails to submit a nominee or if there is no county central committee for a party in a county, the state central committee for the party may submit to the State Election Board a nominee for membership on the County Election Board and a nominee to serve as the alternate member.* [26:2-111]

(c) If the county or state central committee fails to submit nominees by April 15 as outlined in (a) and (b) of this Section, the State Election Board shall appoint a member and an alternate member to the County Election Board from the ranks of that party within the county. [26:2-111]

#### **230:10-3-4. Organization [REVOKED]**

~~On the first Monday in June, 1983, and every four years thereafter, the Secretary shall call a meeting of the County Election Board, at which time the Board will elect a Chairman and Vice Chairman. [26:2-111.2]~~

#### **230:10-3-5. Eligibility [REVOKED]**

~~To be eligible to serve on the County Election Board, one must be a registered voter of the county and must demonstrate competence to perform his duties. [26:2-131] A member of the County Election Board may hold no other office under the laws of the State of Oklahoma. [51:6] The latter qualification includes not only such offices as State Representative or County Sheriff, but also such offices as member of the Board of Education or City Council.~~

#### **230:10-3-5.1. Disqualification of County Election Board member or Secretary [REVOKED]**

~~(a) No person shall serve on a County Election Board at any election in which he or she is a candidate for office, or is a deputy or regular employee of a candidate for office. [26:2-132] Any person so disqualified shall resign from the County Election Board no later than ten days after the close of the filing period at which such candidacy was filed. The resignation must be submitted in writing to the Secretary of the State Election Board.~~

~~(b) The Chairman or Vice Chairman of the County Election Board shall not participate in or carry out any duties or functions associated with the office during the conduct of a contest of candidacy or a recount if related within the third degree by either consanguinity or affinity to a candidate who is the petitioner or contestee in the contest of candidacy or who is a candidate in an election being recounted. [26:2-132] In the event of such contest or recount, the alternate member for the Chairman or the Vice Chairman shall carry out the duties of the office during the contest of candidacy hearing or during the recount. [26:2-132] The Chairman or Vice Chairman may resume all the duties of the office when the contest of candidacy or the recount is completed.~~

~~(c) The Secretary of the County Election Board shall not be required to resign in the event that a person related to the Secretary within the third degree by either consanguinity or affinity becomes a candidate in an election being conducted by the County Election Board. The Secretary of the County Election Board immediately shall notify the Secretary of the State Election Board, in writing, in the event that such a candidacy is filed. The following restrictions shall be placed upon the Secretary of the County Election Board for the duration of the relative's candidacy.~~

~~—(1) The Secretary shall not participate in or carry out any of the duties or responsibilities of the office of Secretary during a contest of candidacy in the race in which the relative is a candidate.~~

~~—(2) The Secretary shall not participate in or carry out any of the duties or responsibilities of the office of Secretary during a recount of the race in which the relative is a candidate.~~

~~(d) The Secretary of the State Election Board shall designate a person to carry out the duties and responsibilities of the office of County Election Board Secretary listed in (c) of this Section in the event that a person related to the County Election Board Secretary within the third degree by either consanguinity or affinity becomes a candidate in any election conducted by the County Election Board. The person designated by the Secretary of the State Election Board shall be authorized to vote as a member of the County Election Board during a contest of candidacy or during a recount involving the County Election Board Secretary's relative.~~

### **230:10-3-6. Creation of vacancies [REVOKED]**

Vacancies on the County Election Board may be created in the following ways:

- ~~— (1) **Resignation.** A member of the County Election Board who desires to resign must submit a written resignation to the Secretary of the State Election Board. The resignation letter need not be long. However, an oral resignation is not acceptable. If at all possible, a one-month notice should be given. If a Board member plans to resign, he should consider that it takes time to acquaint his successor with his duties, so such a resignation should not be submitted only a few weeks prior to a major election.~~
- ~~— (2) **Death.** If a member of the County Election Board dies, the other two members of the Board shall notify the Secretary of the State Election Board, in writing, as soon as possible. The notice shall simply set forth the fact that the member has died.~~
- ~~— (3) **Attendance.** If a member of the County Election Board fails to attend five consecutive meetings, a vacancy occurs. [26:2-111] In that event, the other two members shall notify the Secretary of the State Election Board, in writing, at the conclusion of the fifth meeting. The notice shall set forth the fact that the member has missed attending five consecutive meetings, setting out the dates of the meetings.~~
- ~~— (4) **Change of political affiliation.** If a County Election Board member or alternate member changes his or her political affiliation, a vacancy occurs. [26:2-111] In that event, the other two members shall notify the Secretary of the State Election Board, in writing, as soon as possible. The notice shall set forth the fact that the member has changed political affiliation.~~
- ~~— (5) **Removal.** The State Election Board may remove a member of the County Election Board. [26:2-114]~~

### **230:10-3-7. Filling vacancies [REVOKED]**

~~Vacancies for Chairman and Vice Chairman are filled in the same manner as the appointments were made originally. The county central committee has 30 days to submit a nominee after the vacancy occurs, and the State Election Board has 60 days after the vacancy occurs to appoint a new member. [26:2-111] If the central committee fails to submit a nominee within the required 30 days, the State Election Board fills the vacancy from the ranks of the party within the county. [26:2-111]~~

### **230:10-3-8. Salary of the Secretary [REVOKED]**

~~(a) The Secretary is paid on a monthly basis from county funds. Each month the State Election Board shall reimburse the county for the salary and fringe benefits paid to the Secretary, not to exceed 135 percent of the salaries specified. [26:2-118] The Secretary's salary is set by law and is based on the number of active registered voters in the county on January 1 of each odd-numbered year. [26:2-118]~~

~~(b) The Secretary of the State Election Board shall determine the appropriate salary level for each County Election Board Secretary, and shall notify the County Clerk in each county in January of each odd-numbered year. Any salary change shall take effect at the beginning of the County Election Board Secretary's term on May 1 of each odd-numbered year and shall remain in effect throughout the two-year term.~~

~~(c) In the event that a County Election Board is under administrative supervision of the State Election Board, as outlined in 230:10-3-9.1, at the time a salary increase becomes effective, the~~

~~Secretary of that County Election Board shall not receive the salary increase. [26:2-118] The Secretary shall be entitled to receive the salary increase at the time that the administrative supervision ends. The salary increase shall not be retroactive to the time the salary increase generally became effective.~~

~~(d) The salary of a County Election Board Secretary shall not fall below the level of the salary paid in the county on April 30, 2003, regardless of the number of active registered voters in the county. [26:2-118] The salary of a County Election Board Secretary who is reappointed to a new two-year term as Secretary shall not fall below the salary received in the immediately preceding term. [26:2-118] A County Election Board Secretary serving on April 30, 2004, shall not receive a salary increase if said Secretary is paid an amount greater than the amount of the scheduled salary for the county as provided by law. [26:2-118]~~

~~(e) A county may provide additional compensation to the Secretary of the County Election Board. [26:2-118] Such additional compensation shall be paid from county funds; shall not be considered part of the Secretary's salary as established by law; and shall not be reimbursed to the county by the State Election Board. [26:2-118]~~

### **230:10-3-9.2. Employment and supervision of County Election Board personnel when office of Secretary is vacant [REVOKED]**

~~In the event of a vacancy in the office of Secretary of the County Election Board, the Secretary of the State Election Board is authorized by law to stand in the place of the County Election Board Secretary to employ and to supervise the personnel necessary to perform the duties of the County Election Board until a new Secretary is appointed. [26:2-107 and 26:2-117]~~

### **230:10-3-10. Compensation of the Chairman and Vice Chairman**

~~(a) The Chairman and Vice Chairman each are paid \$35 for each meeting of the County Election Board. [26:2-115] In addition, the Chairman and Vice Chairman are paid a mileage reimbursement at the rate currently allowed by the Internal Revenue Service for a business expense deduction to and from their home to the county seat. [26:2-115] If a member lives in the county seat, no mileage reimbursement is allowed. A member can receive no more than \$35 and mileage for any single meeting of the Board, and only one such meeting may be held on any calendar day.~~

~~(b) The compensation is paid directly to the Board member by the State Election Board. The payment for each meeting will consist of two checks — one for mileage reimbursement and one for meeting compensation, from which appropriate taxes have been withheld. The State Election Board shall be required to pay reimbursement to County Election Board members for no more than 40 meetings per year. [26:2-115]~~

~~(c)(a) Claims for compensation owed by the State Election Board must be filed on the County Board Member Claim forms provided by the State Election Board. Such claims shall be prepared by the County Election Board Secretary and filed promptly.~~

~~(d)(b) In the event a meeting is held specifically to transact business for another governmental entity, such as a school district or a municipality, the entire cost of the meeting shall be paid by that entity. If more than one entity is involved in a meeting, the cost of the meeting shall be prorated among the entities that benefit from the meeting. For example, if five school districts are involved, the \$35 paid to each Board member is prorated among the districts so that each will pay \$7 plus one-fifth of the mileage reimbursement. The entity's share of the Board meeting will be included~~

in the Record of Expense submitted to the entity following the election.

~~(e)~~(c) When a school district election is held on the same day as a county election, the county pays all the cost of the County Election Board meeting to certify the election. However, if another entity such as a municipality also holds an election on the same day as the county and school district elections, the cost of the County Election Board meeting is divided equally between the county and the other entity and the school district pays nothing.

### **230:10-3-11. Employment of the Assistant Secretary [REVOKED]**

~~In counties that have 17,500 or more registered voters, the Secretary is entitled to employ an Assistant Secretary of the County Election Board. [26:2-117] The Assistant Secretary is employed by, and may be terminated by, the Secretary. [26:2-117]~~

### **230:10-3-12. Compensation of the Assistant Secretary**

~~(a) The minimum salary of the Assistant Secretary shall be equal to ninety percent (90%) of the scheduled salary of the secretary in the same county but shall not exceed the salary of the highest salaried first or chief deputy or assistant to any county officer, excluding the under sheriff, in the same county. [26:2-117]~~

~~(b) The Assistant Secretary's salary is paid totally by the county on a monthly basis. [26:2-117]~~

~~(e)~~The Assistant Secretary of the County Election Board shall be compensated at the appropriate rate for all hours worked in excess of his or her regular work hours in compliance with the requirements of the federal Fair Labor Standards Act. Compensation and any related benefits for such overtime hours shall be paid by the county. See 230:10-7-125 through 230:10-7-133.

### **230:10-3-13. Employment of the Chief Clerk [REVOKED]**

~~In counties that have 17,499 or fewer registered voters, the Secretary is required to employ a Chief Clerk of the County Election Board. [26:2-117] The Chief Clerk is employed by, and may be terminated by, the Secretary. [26:2-117]~~

### **230:10-3-14. Compensation of the Chief Clerk**

~~(a) The minimum salary of the Chief Clerk of the County Election Board shall be either equal to the hourly rate of the salary paid to the highest salaried first or chief deputy or assistant to any elected county officer in the same county, excluding the undersheriff, or equal to 90% of the salary of the County Election Board Secretary in the same county, whichever is lower. [26:2-117] There is no maximum salary for the Chief Clerk.~~

~~(b) The Chief Clerk's salary is paid totally by the county on a monthly basis. [26:2-117]~~

~~(e)~~The Chief Clerk of the County Election Board shall be compensated at the appropriate rate for all hours worked in excess of his or her regular work hours in compliance with the requirements of the federal Fair Labor Standards Act. Compensation and any related benefits for such overtime hours shall be paid by the county. See 230:10-7-125 through 230:10-7-133.

~~(d)~~(b) The salary of the highest paid first or chief deputy in the county, excluding the undersheriff, shall be converted to an hourly rate for the purpose of determining the salary of the Chief Clerk. The following formula shall be used to determine the hourly rate.

(1) **Determining hourly rate paid to the highest salaried first deputy.**

(A) Multiply the number of hours in the highest paid deputy's regular work week by 52 to determine the maximum number of work hours per year.

(B) Divide the maximum number of work hours per year by 12 to determine the maximum regular work hours per month.

(C) Divide the gross monthly salary paid to the deputy by the number of hours per month determined in step B. This is the deputy's hourly rate.

(2) **Determining the Chief Clerk's minimum salary.**

(A) Multiply the number of hours in the Chief Clerk's regular work week by 52 to determine the maximum number of work hours per year.

(B) Divide the number of work hours per year by 12 to determine the maximum regular work hours per month.

(C) Multiply the maximum regular work hours per month by the hourly rate determined in (1)(C) of this subsection to determine the monthly salary for the Chief Clerk based on the hourly rate paid to the highest salaried first deputy.

(D) Multiply the scheduled salary for the Secretary of the County Election Board by 0.9 (90%).

(E) Divide the amount determined in (D) by 12. This is the amount of the monthly salary for the Chief Clerk based on 90% of the Secretary's salary.

(F) The minimum salary of the County Election Board Chief Clerk is the lower amount of (C) or (E).

**230:10-3-15. Additional clerical personnel**

The Secretary of the County Election Board has the authority to employ additional clerks and other personnel ~~necessary to perform the duties of the County Election Board~~. [26:2-117] The Secretary may make such employment on a permanent basis or on a temporary basis. The Secretary has the authority to assign duties for all such personnel and may remove such personnel at any time.

**230:10-3-16. Compensation of additional personnel**

~~(a) Salaries of additional personnel, including personnel employed temporarily, cannot exceed the salary of the Assistant Secretary or Chief Clerk, whichever is applicable, but shall be comparable to salaries paid for the same or comparable positions in other offices in the courthouse. [26:2-117] Such salaries are paid totally by the county on a monthly basis. [26:2-117]~~

~~(b) Additional personnel employed by the Secretary of the County Election Board shall be compensated at the appropriate rate for all hours worked in excess of their regular work hours in compliance with the requirements of the federal Fair Labor Standards Act. Compensation and any related benefits for such overtime hours shall be paid by the county. See 230:10-7-125 through 230:10-7-133.~~

**230:10-3-16.1. Compensation for temporary personnel must be funded [REVOKED]**

~~In the event that the secretary, assistant secretary, chief clerk, or any other essential county election board employee must be away from work for a period of time due to personal illness, family illness, or family emergency, the county shall be required to fund compensation of appropriate~~

*temporary personnel during the employee's absence.* [26:2-117]

### **PART 3. THE PRECINCT ELECTION BOARD**

#### **230:10-3-23. Membership [REVOKED]**

Each precinct in the county has its own Precinct Election Board. A Precinct Election Board has three members — the Inspector, the Judge, and the Clerk. [26:2-123] The Precinct Election Board members — who are also called Precinct Officials — are appointed by the County Election Board.

#### **230:10-3-24. Appointment of Inspector [REVOKED]**

The County Election Board may appoint any registered voter it chooses as the Inspector. [26:2-125] Once appointed, an Inspector serves until he or she resigns or until removed by the County Election Board. [26:2-125]

#### **230:10-3-25. Appointment of Judge and Clerk [REVOKED]**

(a) State law requires the Judge and Clerk to be registered to vote in different political parties. The County Election Board appoints the Judge and Clerk from lists of nominees provided by the political parties, as outlined in (b) of this Section. [26:2-124] If a party does not give the County Election Board a list or if no one on the list can serve, the County Election Board then may appoint any registered voter in that party to the position. [26:2-124]

(b) The county central committees of the two recognized political parties with the largest number of registered voters in the state are required by law to submit to the County Election Board a list of three nominees for each Precinct Election Board in the county. [26:1-124] The list of nominees must be submitted no later than June 15, 1999, and every four years thereafter. [26:2-124] The County Election Board is limited to these party nominees when making appointments to the Precinct Election Boards in each precinct. [26:2-124] However, if a party fails to submit a list of nominees for a precinct at the appropriate time or if none of the nominees for a precinct is able to serve, the County Election Board shall appoint one member of the Precinct Election Board from the ranks of that party. [26:2-124] The County Election Board shall designate the Precinct Election Board member from one party as the Judge and the Precinct Election Board member from the other party as the Clerk. [26:2-124] Each Judge and Clerk serves a term of four years, beginning on July 1 in the odd-numbered year following the gubernatorial election. [26:2-124] The Judge and Clerk in each precinct shall be members of different political parties.

#### **230:10-3-27. Vacancies on the Precinct Election Board [REVOKED]**

When a vacancy occurs on a Precinct Election Board, the County Election Board fills the vacancy in the same way it made the original appointment. The Board may appoint any registered voter to fill a vacancy in the position of Inspector. The Board must fill a vacancy in the position of Judge or Clerk from the last list of nominees submitted by the appropriate political party. [26:2-124] If there is no list or if no one on the list can serve, the County Election Board may appoint any registered voter from that party to fill the vacancy. [26:2-124]

**230:10-3-29. Eligibility [REVOKED]**

~~A person must be a registered voter in the county and be able to perform a Precinct Official's duties to be eligible for appointment to a Precinct Election Board. [26:2-131] A Precinct Official may not hold any other office under the laws of the State of Oklahoma.~~

**230:10-3-30. Disqualification of Precinct Election Board member; "consanguinity," "affinity," "third degree" defined [REVOKED]**

~~(a) A Precinct Official may not serve at an election if he or she is a candidate for office; a deputy or regular employee of a candidate for office; or related within the third degree by consanguinity or affinity to a candidate for office. [26:2-132] ("Consanguinity" means "blood" relative. "Affinity" means relative "by marriage." "Third degree" includes only parents, children, brothers, sisters, grandparents, grandchildren, uncles, aunts, nieces, nephews, great-grandparents and great-grandchildren.)~~

~~(b) A Precinct Official who becomes a candidate for office must resign his or her position on the Precinct Election Board within 10 days following the close of the filing period during which the candidacy was filed.~~

~~(c) A Precinct Official who is employed by or related to a candidate for office must notify the Secretary of the County Election Board within 10 days following the close of the filing period at which the candidacy was filed. The Secretary shall appoint a suitable replacement for the Precinct Official for the election involving the official's employer or relative. [26:2-132]~~

**230:10-3-33. Compensation of Inspector [REVOKED]**

~~(a) For any state election, the Inspector receives \$97, plus mileage for two round trips from his home to the County Election Board office to receive and return election supplies and materials. [26:2-129] Of the \$97, the State Election Board pays \$95 and the county pays \$2. [26:2-129] For strictly county, or for city or school elections, the entire \$97 is paid by the entity for which the election is held. Mileage is reimbursed at the rate currently allowed by the Internal Revenue Service for a business expense deduction.~~

~~(b) An Inspector assigned to a polling place located ten miles or more from his or her home shall be reimbursed for mileage for a one-way trip from home to the assigned polling place on election day in addition to the mileage reimbursement described in (a) of this Section. The Secretary of the County Election Board shall determine whether mileage shall be paid as outlined in 230:35-3-31.1.~~

**230:10-3-34. Compensation of Judges and Clerks [REVOKED]**

~~(a) For any state election, each Judge and Clerk receives \$87. Of the \$87, the State Election Board pays \$85 and the county pays \$2. [26:2-129] For strictly county, or for city or school elections, the entire \$87 is paid by the entity for which the election is held.~~

~~(b) A Judge or Clerk assigned to a polling place located ten miles or more from his or her home shall be reimbursed for mileage for a round trip from the Judge's or Clerk's home to the assigned polling place on election day. The Secretary of the County Election Board shall determine whether mileage shall be paid as outlined in 230:35-3-31.1.~~

**230:10-3-36. Removal of Inspectors, Judges and Clerks [REVOKED]**

The County Election Board may remove any Inspector, Judge, or Clerk at any time. [26:2-130]

**230:10-3-38. Record of appointment of Precinct Officials**

Immediately upon appointment of each Inspector, Judge or Clerk, the Secretary of the County Election Board shall enter the appropriate information in ~~OEMS~~ MESA. A record of the appointment also shall be entered in the minutes of the County Election Board meeting for that day.

**SUBCHAPTER 5. ELECTION TRAINING  
PART 1. THE COUNTY ELECTION BOARD**

**230:10-5-2. Reimbursement for workshops [REVOKED]**

~~(a) For attendance at statewide or regional workshops, the County Election Board Secretary and the Assistant Secretary or Chief Clerk are entitled to be reimbursed for expenses from state funds. [26:3-110] Mileage reimbursement is paid for a round trip from the individual's hometown to the location of the workshop at the rate currently allowed by the Internal Revenue Service for a business expense deduction.~~

~~(b) The amount of reimbursement for lodging and meal expenses shall not exceed the amount allowed in the Internal Revenue Code of 1986, as amended. [74:500.9] Expenses for overnight lodging will be reimbursed at a rate not to exceed \$70 per night. [74:500.9] Reimbursement for meal expenses will be made to persons in authorized overnight travel status at a rate not to exceed \$39 per day. [74:500.8] In Oklahoma County, however, reimbursement for lodging is \$81 per night and for meals is \$49 per day, and in Creek, Osage, Rogers, and Tulsa Counties, reimbursement for lodging is \$73 per night and for meals is \$44 per day.~~

**230:10-5-7. Inspections [REVOKED]**

~~From time to time, representatives of the State Election Board will visit the County Election Board office. The purpose of these visits is to inform and assist, in an effort to achieve uniformity in the administration of election laws. [26:3-109] The representative may be a member of the State Election Board staff or may be a Regional Coordinator. Regional Coordinators are County Election Board Secretaries, Assistant Secretaries or Chief Clerks under contract with the State Election Board to perform such services. Routinely, the visits will occur at least once during each quarter of a year.~~

**PART 3. THE PRECINCT ELECTION BOARD**

**230:10-5-12. Precinct Official training [REVOKED]**

~~The County Election Board Secretary conducts training for all Precinct Officials in the county before the regularly scheduled statewide elections in even-numbered years. [26:3-111] Each Inspector, Judge, and Clerk must attend training every two years before working in an election. The Secretary also schedules additional training sessions as needed for Precinct Officials appointed to fill vacancies or named as substitutes.~~

**230:10-5-13. Reimbursement for training**

(a) Each Inspector, Judge and Clerk who attends a required training session conducted by the County Election Board Secretary is entitled to receive a reimbursement in the amount of \$25. In addition, each Precinct Official required to drive to a training session may be reimbursed for round trip mileage from his or her home to the training site at the rate currently allowed by the Internal Revenue Service for a business expense deduction. However, a Precinct Official who lives in the same town where a training session is held may not receive mileage reimbursement.

(b) The State Election Board pays \$25 for each Precinct Official who attends required training. Required training is defined as the training conducted every two years prior to statewide elections and training conducted at other times for Precinct Officials appointed to fill vacancies. A Precinct Official who chooses to attend additional training sessions as refreshers is not entitled to be paid \$25 by the State Election Board. Upon completion of a Precinct Official training session, the County Election Board Secretary shall follow these steps to prepare a claim to submit to the State Election Board.

(1) Enter training credit in ~~ΘEMS~~MESA for each person who attended a required training session. Indicate the position or positions for which the person was trained. The system automatically flags the individual to be paid. If a Precinct Official is not entitled to payment as outlined above, override the payment flag.

(2) Request and print the Precinct Official Training Expense Claim. Send the first page of the claim to the State Election Board. Keep the list of Precinct Officials' names as documentation of the claim.

(3) Deposit the warrant received from the State Election Board for Precinct Official training expenses in the Special Depository Account and create vouchers for each Precinct Official who attended training.

(c) The mileage reimbursement for Precinct Officials who attend required training is paid by the county from the County Election Board's budget account. The County Election Board Secretary shall follow the procedure established by the County Clerk to ensure that mileage reimbursement is paid.

**SUBCHAPTER 7. GENERAL ADMINISTRATION  
OF THE COUNTY ELECTION BOARD  
PART 1. MEETINGS OF THE BOARD**

**230:10-7-3. Types of meetings; terms defined [REVOKED]**

The County Election Board may conduct four different types of meetings.—

(1) ~~**Regularly scheduled meeting.**~~ A regularly scheduled meeting (or a “regular meeting”) shall include all meetings at which the regular business of the Board is conducted. [25:304(3)] That includes meetings to canvass returns of elections, meetings to certify the results of elections, meetings to organize the Board, etc. Secretaries shall schedule regular or special meetings only when there is specific business to be considered.—

(2) ~~**Special meeting.**~~ A special meeting shall include any meeting of the Board other than a regular or emergency meeting. [25:304(4)] Secretaries shall schedule a special meeting only when there is specific business to be considered that cannot wait until the next regular meeting.—

(3) ~~**Emergency meeting.**~~ An emergency meeting may be held in only two situations. The first is if a situation involves injury to a person or injury or damage to public or personal property and the second is if a situation involves immediate financial loss. [25:304(5)] In either case, an emergency meeting may be called only when the time requirements for giving public notice of a special meeting would make calling a special meeting impractical and would increase the likelihood of injury, damage, or immediate financial loss. [25:304(5)] In the event an emergency meeting is contemplated, the Secretary shall contact the State Election Board immediately.—

(4) ~~**Continued or reconvened meeting.**~~ A continued or reconvened meeting shall include all meetings held to finish business appearing on an agenda of a previous meeting. [25:304(6)]

**230:10-7-4. Public notice required [REVOKED]**

— All meetings of the County Election Board must be preceded by the filing of a written notice with the County Clerk. A copy of the written notice shall be retained permanently.

— (1) ~~**Regularly scheduled meetings.**~~ No later than December 15 of each year, the Secretary must provide notice in writing to the County Clerk showing the date, time and place of the regularly scheduled meetings of the Board for the following calendar year. [25:311(1)]

— (2) ~~**Special meetings.**~~ The Secretary must provide notice to the County Clerk at least 48 hours prior to any special meeting of the Board. [25:311(11)] Such notice must include the date, time and place of the special meeting. Such notice may be made in person or by telephone, but shall be followed as soon as possible by written notice.—

— (3) ~~**Emergency meetings.**~~ In the event of an emergency meeting, the Secretary shall provide as much notice as possible.—

— (4) ~~**Continued meetings.**~~ In the event a meeting is to be continued, notice of the continuance shall be given by an announcement at the original meeting. [25:311(10)] The announcement shall include the date, time, and place of the continued meeting. [25:311(10)]

**230:10-7-5. Additional public notice for special meetings [REVOKED]**

~~The Secretary shall provide written notice of all special meetings of the County Election Board to each person, newspaper, wire service, radio station or television station that has filed a written request for such notice. [25:311(11)] The written notice of a special meeting must be mailed or delivered at least 48 hours prior to the special meeting. The County Election Board may charge a fee of up to \$18 a year and may require that the requests for notice of special meetings be renewed annually. [25:311(11)]~~

**230:10-7-6. Changes in regularly scheduled meetings [REVOKED]**

~~In case any change must be made in the date, time or place of a regularly scheduled meeting, then the Secretary must give notice in writing to the County Clerk at least ten days prior to the date of the changed meeting. [25:311(8)]~~

**230:10-7-7. Agendas required [REVOKED]**

~~In addition to the advance notice of each meeting, the Secretary must post an agenda for each meeting, except emergency meetings, at least 24 hours prior to the beginning of the meeting, excluding Saturdays, Sundays and legally declared state holidays. [25:311(9)] The agenda must contain the date, time and place of the meeting and must list the items of business to be considered at the meeting. One item which routinely shall appear on each agenda for a regularly scheduled meeting will be titled "new business." New business includes only matters not known about or foreseen at the time the agenda is prepared for a regularly scheduled meeting. New business shall never be included on the agenda for a special meeting. [25:311(9)] Items listed in the agenda shall be referred to in such a manner that a citizen can be expected to understand the business to be discussed. All items to be discussed must appear on the agenda. Items not appearing on the agenda may not be discussed, except items under the heading "new business." If a matter is discussed at a regular meeting under the heading "new business," no action shall be taken on the matter. The matter shall be placed on the agenda of a subsequent meeting and action shall be taken at that time. The agenda must be posted in the office of the County Election Board in a prominent location easily viewed by the public. A copy of the agenda shall be retained permanently.~~

**230:10-7-8. Agenda for continued meetings [REVOKED]**

~~At a continued meeting, only items on the agenda of the original meeting at which the announcement of the continuance was made may be discussed.~~

**230:10-7-9. Meetings must be open [REVOKED]**

~~All meetings of the County Election Board must be open to the public. The sole exception, when the Board is permitted to meet in closed or "executive" session, is when the board discusses the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried employee. [25:307] Even in that event, however, any action taken by the Board must be taken in a public meeting. It is advisable to notify representatives of the news media~~

~~whenever a meeting of the Board is scheduled. Since the County Election Board is empowered only to appoint Precinct Officials, there should be no occasion to conduct an executive session.~~

**230:10-7-10. Informal meetings prohibited [REVOKED]**

~~No informal gatherings or meetings "on the telephone" may be used to decide any action or to take any vote on any business of the County Election Board. [25:306]~~

**230:10-7-15. Minutes of meetings required [REVOKED]**

~~The Secretary must keep precise minutes of each meeting of the County Election Board. Such minutes must be an official summary of the proceedings showing clearly the members of the Board present and absent, the method of providing notice as required in 230:10-7-4 and 230:10-7-7, all matters considered by the Board, and all actions taken by the Board including the individual vote of each member on each action. [25:312] In the event of an emergency meeting, the nature of the emergency must be included in the minutes. [25:312]~~

### **PART 3. EQUIPPING THE OFFICE**

**230:10-7-23. Legal requirements [REVOKED]**

~~It is the mandatory duty of the County Commissioners to furnish, at county expense, in the county seat a suitable office for the County Election Board. [26:2-121] The office must provide adequate space for storage of election records, supplies and the exercise of other functions required by law of the County Election Board. [26:2-121] The office must be equipped with suitable furniture, office equipment and a telephone. [26:2-121] The office must be convenient to the public and must be equipped comparably with other county offices within the same county. [26:2-121]~~

**230:10-7-27. Voting devices and ballot boxes [REVOKED]**

~~The State Election Board shall provide, at state expense, at least one voting device and one ballot box for each precinct. [26:3-104; 26:3-121]~~

### **PART 5. MAINTAINING THE OFFICE**

**230:10-7-38. Office hours [REVOKED]**

~~The office of the County Election Board shall be open a minimum of six consecutive hours per day, excluding Saturdays, Sundays and holidays. [26:2-122] The County Election Board office shall be open between the hours of 11:30 a.m. and 1:00 p.m. each regular work day. The Secretary of the County Election Board shall establish the office hours. [26:2-122] In establishing the regular office hours, the Secretary shall consider first the hours which would make the office most accessible to the general public. The office hours shall be posted on the door of the office.~~

**230:10-7-39. General duties of the Secretary [REVOKED]**

~~The Secretary of the County Election Board shall be charged with the operational responsibilities of the Board, including, but not limited to, supervising personnel, defining job positions and responsibilities of the employees, preparing the annual budget, preparing and filing all reports and implementing policies, findings and actions lawfully prescribed or determined by the County Election Board. [26:2-117]~~

**230:10-7-40. Cancellation File**

The Cancellation File shall hold the cancelled original ~~Registration Forms~~ or original voter registration application forms of voters whose registration has been cancelled for death, conviction of a felony, adjudication as an incapacitated person or as a partially incapacitated person prohibited from voting, or subsequent registration in another county or state. [26:4-120.7] Registrations which are cancelled upon written notice from the voter or upon receipt of an address confirmation return card from the voter indicating a new address outside the county also shall be retained in this file. All forms contained in the Cancellation File may be destroyed 24 months after the date of cancellation. [26:4-120.7] These forms shall be filed alphabetically by month and year. See 230:15-11-1 through 230:15-1-10 and 230:15-11-24.

**230:10-7-43. Retention of forms and materials documenting voter registration transactions**

(a) **Original registration records removed from Central File.** Original voter registration records that have been removed from the Central File due to cancellation of registration or due to change in registration shall be retained for 24 months following removal. These original registration records shall be filed together by month in alphabetical order. See also 230:10-7-40.

(b) **Materials documenting cancellation of registration.** Materials used to document the cancellation of a voter's registration shall be retained for 24 months following the cancellation. These materials include Cancellation of Registration of Deceased Voter by Next of Kin forms; Request to Cancel Registration of Deceased Voter forms; Notification of ~~Nursing Facility~~ County Resident's Death forms; Potential Deletion Reports; Potential Duplicate Reports; Judgment of Incapacitation Reports, cancellation requests from voters; certified copies of death certificates; notices of felony conviction; Deleted Voters by Reason reports, address confirmation return cards indicating addresses outside the county; and True Duplicates Deleted Reports.

(c) **Rejected voter registration applications.** Rejected voter registration applications shall be retained for 24 months following rejection. Rejected applications shall be filed by month in alphabetical order.

(d) **Rejection notices returned by post office.** Rejection notices that have been returned by the post office undelivered shall be retained for 24 months following return. Returned undelivered rejection notices shall be filed by month in alphabetical order.

(e) **Voter identification cards returned by post office.** Voter identification cards that have been returned by the post office undelivered shall be retained for 24 months following return. Returned undelivered voter identification cards shall be filed by month in alphabetical order.

(f) **Insufficient Information Rejection Notices returned by applicant.** An Insufficient

Information Rejection Notice returned to the County Election Board by the applicant with the information required to complete the application shall be filed in the Additional Information Correspondence file. Material in this file shall be retained as long as the voter remains registered. An Insufficient Information Rejection Notice that is returned by a voter but still does not contain enough information to complete the application shall be filed by month in alphabetical order and retained for 24 months.

(g) **Address confirmation return cards and undelivered address confirmation notices.** All address confirmation return cards received by the County Election Board shall be retained for 24 months, except return cards used to change a voter's address in the county. Address confirmation return cards used to change the voter's address in the county shall be filed in the Additional Information Correspondence file and shall be retained as long as the voter remains registered. Undelivered address confirmation notices shall be retained for 24 months.

#### **230:10-7-44. Retention of ballots [REVOKED]**

~~All ballots shall be retained in sealed ballot transfer boxes for at least 30 days after an election. [26:7-134] Voted precinct ballots used in an election involving federal candidates, as outlined in 230:10-7-41, shall be retained for 24 months after the election. Unused precinct and unused absentee ballots from elections involving federal candidates may be destroyed 30 days after the election, provided that the unused ballots were retained separately from the used ballots. Voted absentee ballots and all related materials shall be retained for 24 months after the election. [26:14-132] Voted provisional ballots and all related materials shall be retained for 24 months after the election. [26:7-116.1]~~

#### **230:10-7-47. Election results**

The County Election Board must maintain results by precinct of each election conducted in the county as a permanent record. [26:3-127] A copy of the Oklahoma Official Certification Report, signed by the members of the County Election Board and bearing the County Election Board seal, shall be retained permanently. ~~In addition to the Oklahoma Certification Report, a copy of the Corrections Log report and a copy of the System Log report for the election also shall be retained permanently.~~

#### **230:10-7-50. Annual reports**

No later than January 15 each year the Secretary of the County Election Board shall file with the County Clerk a report stating the total number of registered voters, by party, in the county as of January 1. The report used for this purpose shall be the monthly Administration and Registration Report ~~formatted automatically by OEMS~~ requested in MESA after the first day of January. The Secretary shall retain a copy of this report as a permanent record.

#### **230:10-7-51. Analysis of election [REVOKED]**

~~At times specified by the State Election Board, the Secretary shall file with the State Election Board a report on analysis for all elections. The Secretary shall retain a copy of each analysis of election report as a permanent record.~~

## PART 7. PUBLIC RECORDS

### **230:10-7-59. Public records [REVOKED]**

(a) ~~All records of the County Election Board, except as provided in (b), (c), (d) and (e) of this Section, must be made available for public inspection, copying and/or mechanical reproduction during regular office hours. [51:24A.5] The County Election Board must provide prompt, reasonable access to its records but may establish reasonable procedures to protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions.~~

(b) ~~No information relating to a declination to register to vote in connection with an application made at an office designated a voter registration agency may be used for any purpose other than voter registration. [26:4-109.2(C)] The identity of a voter registration agency through which a particular voter registered may not be disclosed to the public. [26:4-109.2(D)] If a person applies for voter registration in connection with the application for, renewal of or change of address for an Oklahoma driver license or state identification card, the office at which the person submits the voter registration application or the fact that the person declined to register shall remain confidential and will be used only for voter registration purposes. [26:4-109.3(A)]~~

(c) ~~Members of the judiciary, district attorneys, assistant district attorneys, law enforcement personnel, corrections officers, and persons covered by victim's protection orders are entitled by law to apply to the Secretary of the County Election Board for restricted records status. [26:4-115.2] The spouse and/or dependent of a voter entitled to apply for restricted records status also may apply for restricted records status. Restricted records status shall apply to the voter registration form in the Central File, to information in MESA, and to materials used to request and cast absentee ballots. Voter registration information for restricted records voters shall be available only to authorized County Election Board personnel for administrative purposes, with the exception that it may be provided to a candidate or a candidate's representative or other lawful authority in connection with a contest of candidacy, a contest of election, or a petition challenge as provided by law. [26:4-115.2] Restricted records status shall remain in effect until the voter chooses to end it by notifying the Secretary in writing. See 230:15-9-25.~~

(d) ~~The name, address, and precinct number of an Address Confidentiality Program (ACP) participant who applies to the Secretary of the State Election Board for ACP voter registration and absentee ballots shall not be released to any person for any purpose except by court order. No information concerning an ACP voter shall be entered in MESA. The name, address and precinct number of an ACP voter shall not appear on any list or report produced by either the State Election Board or the County Election Board.~~

(e) ~~An electronic mail address provided by a uniformed services voter or an overseas voter for the purposes of absentee voting as provided in 230:30-9-5 and 230:30-9-5.2, shall not constitute public information. [26:14-118] The Secretary of the County Election Board shall ensure that such an electronic mail address is protected from public disclosure. [26:14-118]~~

### **230:10-7-60. Persons authorized to release records [REVOKED]**

~~The Secretary of the County Election Board shall designate certain persons who are authorized to release records of the County Election Board for inspection, copying or mechanical~~

~~reproduction. [51:24A.5(6)] At least one such person shall be available at all times to release records during the regular business hours of the County Election Board. [51:24A.5(6)] At all times official records of the County Election Board shall be in the possession of the Secretary of the County Election Board or his designee.~~

**230:10-7-62. Fees for reproduction of records [REVOKED]**

~~The County Election Board may charge a fee only for recovery of the reasonable, direct costs of document copying and/or mechanical reproduction. [51:24A.5(3)] However, if the request is solely for commercial purpose or clearly would cause excessive disruption of the County Election Board's essential functions, then the County Election Board may charge a reasonable fee to recover the direct cost of document search. In no event shall the fee charged for copying a document exceed 25 cents per page when the page measures 8 1/2 by 14 inches or smaller. [51:24A.5(3)] The fee charged for a certified copy of a document shall not exceed \$1.00 per page. [51:24A.5(3)]~~

**230:10-7-63. Written schedule of fees [REVOKED]**

~~The Secretary of the County Election Board shall post a written schedule of the fees charged for copying and/or mechanical reproduction of documents and fees for document search at the County Election Board office and with the County Clerk. [51:24A.5(3)]~~

**230:10-7-64. Search fees shall not be charged when in public interest [REVOKED]**

~~In no case shall a search fee be charged when the release of documents is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those persons entrusted with the affairs of the government are honestly, faithfully and competently performing their duties as public servants. [51:24A.5(3)]~~

**230:10-7-65. Fees not to discourage requests [REVOKED]**

~~Fees charged for document search and for copying or mechanical reproduction of documents shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information. [51:24A.5(3)]~~

## **PART 9. FINANCES**

**230:10-7-71. Purchasing supplies**

Purchasing of supplies by the County Election Board shall be made through the County Purchasing Agent. The County Election Board shall make purchasing requests on requisition forms required by the County Purchasing Agent. Upon request, the Secretary shall submit to the County Purchasing Agent a list of supplies, materials and equipment used in common with other county departments. The Secretary shall designate two receiving officers in writing, and this written designation shall be filed with the County Clerk. [19:1504] *A receiving officer shall receive all supplies, materials and equipment purchased, lease-purchased or rented by the County Election Board by his department*

*and shall identify such items received in a manner prescribed by the county road and bridge inventory officer or Board of County Commissioners or designee. [19:1504] The receiving officer shall also maintain a record of all supplies, materials and equipment received, disbursed, stored and consumed by the County Election Board his department. [19:1504] (In most counties, the County Purchasing Agent is the County Clerk or an employee of the County Clerk.)*

**230:10-7-73. County Board Member Claims**

Claims for compensation owed to the Chairman and Vice Chairman by the State Election Board shall be filed each month with the State Election Board. No claim shall be filed if the County Election Board has no meeting in a particular month. Claims should be filed between the first and tenth day of the month. ~~The white, yellow and pink copies of the claim shall be sent to the State Election Board. The gold copy shall be retained by the Secretary.~~ See 230:10-3-10.

**230:10-7-79. Special Depository Account ledger**

The Secretary shall maintain a ledger on the Special Depository Account in ~~ΘEMS~~ MESA. The ledger shall list the date of each transaction, the name of the depositor or claimant, the purpose of the deposit or expenditure, the voucher number and amount of each voucher issued, the receipt number and amount of each deposit and the balance of the account. Vouchers shall be entered in the ledger on the same day they are registered with the County Treasurer. Expenditures and receipts shall be totaled at the end of each month. The Ledger Sheet-SDA report shall be printed on a regular basis.

**230:10-7-81. Election balance sheet**

A balance sheet shall be maintained in ~~ΘEMS~~ MESA for each election. The balance sheet lists by category all funds that flow through the Special Depository Account for an individual election. The amount of funds received must equal the amount of expense incurred, and the balance sheet for each election must end with a zero balance.

**230:10-7-82. Expenses paid through Special Depository Account**

For statewide elections, the state's and the county's share of compensation for Precinct Officials, the Absentee Voting Boards, and special-purpose precinct workers are paid through the Special Depository Account. ~~Refunds of candidate filing fees also are paid from the Special Depository Account. (See 230:20-3-39.1 and 230:20-3-63)~~ All other expenses are handled by submitting purchase orders to the County Clerk. The purchase orders are paid by the County Clerk with warrants drawn on the County Election Board's budget account. For special county elections, only compensation for Precinct Officials, Absentee Voting Board members, and special-purpose precinct workers are paid through the Special Depository Account. All other expenses for special county elections are paid by submitting purchase orders to the County Clerk. For school district and municipal elections, all warrants received from the entities are deposited in the Special Depository Account and vouchers are written to pay all expenses incurred in the election.

**230:10-7-84. State Election Board reimbursed for computer supplies [REVOKED]**

~~The Secretary of the County Election Board shall reimburse to the State Election Board all funds collected for Precinct Registries and for specially printed reports. [26:3-108.1] See 230:10-7-66 and 230:35-3-57.1. This reimbursement shall be made on a monthly basis. The funds for Precinct Registries and reports shall be deposited in the County Election Board Special Depository Account immediately upon receipt. Once each month the Secretary shall issue a voucher to the State Election Board. The voucher shall include all funds received by the County Election Board for Precinct Registries and reports during the preceding month.~~

**PART 13. PRECINCTS AND SUBPRECINCTS**

**230:10-7-96. Establishment of precincts [REVOKED]**

~~The County Election Board must establish voting precincts throughout the county. [26:3-115] A large map showing the precinct boundaries must be maintained in the County Election Board office at all times. [26:3-115]~~

**230:10-7-97. Boundary limitations [REVOKED]**

~~No precinct boundary line may cross the boundary line of any District Court judicial district electoral division or any Congressional, Legislative, or County Commissioner district. Boundaries of all precincts shall enclose a contiguous area. [26:3-116] All precinct boundaries shall follow clearly visible, definable and observable physical boundaries which are based upon criteria established and recognized by the Bureau of the Census of the United States Department of Commerce [26:3-116] for the purposes of defining census blocks for the decennial census. [26:3-116] No municipal boundary that is not such a visible, definable and observable [26:3-116] boundary shall be used as a precinct boundary.~~

**230:10-7-99. Precincts within municipalities [REVOKED]**

~~(a) If the governing board of any municipality requests in writing that precinct boundaries be altered to conform to ward boundaries of the municipality, the County Election Board may, at its discretion, make such alterations, providing such alterations conform to the requirements outlined in 230:10-7-97. [26:3-117] All expenses incurred in making such alterations must be paid for by the municipality. [26:3-117] In all statutory cities, voting in elections is at large; thus, there is no added efficiency in making ward boundaries and precinct boundaries conform. Only in municipalities with home rule charters providing for elections by wards is there increased efficiency in making ward boundaries and precinct boundaries conform.~~

~~(b) The governing body of a home rule charter municipality, to the extent practicable, shall not subdivide precincts established by a County Election Board in establishing ward or council boundaries. [11:20-101(B)]~~

**230:10-7-100. Changes in precincts [REVOKED]**

~~—The County Election Board may change the boundaries of a precinct, abolish a precinct, or consolidate any precinct, subject to the requirements of Section 230:10-7-97. [26:3-118] When making a change in the boundaries of a precinct, the following procedure must be observed: [26:3-118]~~

- ~~—(1) No precinct boundary changes shall be made between January 1 of any year in which the last digit is nine and December 31 of any year in which the last digit is zero. [26:3-118]~~
- ~~—(2) After January 1, 1992, the County Election Board shall only change a precinct by dividing or consolidating it in a manner consistent with designated census geography. [26:3-118] See 230:10-7-97. However, a part or parts of a precinct may be consolidated without conforming to the designated census geography if it becomes necessary to change a precinct boundary for one of the following reasons:
  - ~~—(A) lack of an adequate available polling place. [26:3-118]~~
  - ~~—(B) road conditions that hinder or impede a voter's ability to vote in that precinct. [26:3-118]~~
  - ~~—(C) accomplishment of reapportionment. [26:3-118]~~~~
- ~~—(3) Notify the Secretary of the State Election Board in writing of any changes in precinct boundaries.~~
- ~~—(4) Changes may not become effective until 30 days after notice of change has been posted and mailed. [26:3-118] One notice must be posted at the door of the polling place for the affected precinct, one notice must be posted at the door of the county courthouse, and one notice shall be mailed to the State Election Board. [26:3-118(1)]~~
- ~~—(5) The registration of each registered voter affected by such a change must be transferred, without request by the voter, if such a transfer is necessary. [26:3-118(2)]~~
- ~~—(6) Each registered voter whose registration is transferred must be notified in writing by the Secretary. [26:3-118] At the same time, the voter must be issued a new Voter Identification Card and must be instructed to destroy his former Voter Identification Card. [26:3-118(3)]~~
- ~~—(7) Enter any precinct boundary changes on the appropriate maps.~~

### **230:10-7-103. Subprecincts [REVOKED]**

- ~~(a) Where fewer than 200 registered voters are affected, an area which otherwise would be a precinct may be designated as a subprecinct provided that it includes the *maximum area possible without crossing boundaries of any District Court judicial district electoral division or any Congressional, Legislative or Commissioner district.* [26:3-119] Registration records for a subprecinct must be maintained in the same manner as for a precinct. [26:3-119] Subprecincts shall not have a separate polling place or Precinct Election Board. Instead, the Secretary of the County Election Board shall authorize registered voters of a subprecinct to vote at a specific adjacent precinct. [26:3-119] Separate voting devices and election materials must be provided for the subprecinct in order that a separate certification can be made of the subprecinct's election results. [26:3-119] Appropriate ballots must be printed and issued to the voters of the subprecinct. [26:3-119]~~
- ~~(b) *In metropolitan statistical areas, if fewer than 300 registered voters are affected, an area constituting the maximum area possible without crossing boundaries of any district court judicial district electoral division or any congressional, legislative or county commissioner district may be designated as a subprecinct.* [26:3-119(B)] Metropolitan statistical areas are defined by the federal Office of Management and Budget according to standards developed by the interagency Federal Executive Committee on Metropolitan Areas. The following metropolitan statistical areas have been~~

defined in Oklahoma. In counties included in each of these defined metropolitan statistical areas, the Secretary of the County Election Board may designate appropriate areas as subprecincts as provided in this subsection.

- ~~—(1) **Lawton.** The Lawton metropolitan statistical area includes all of Comanche County.~~
- ~~—(2) **Oklahoma City.** The Oklahoma City metropolitan statistical area includes all of Canadian, Cleveland, Grady, Lincoln, Logan, McClain, and Oklahoma Counties.~~
- ~~—(3) **Tulsa.** The Tulsa metropolitan statistical area includes all of Creek, Okmulgee, Osage, Pawnee, Rogers, Tulsa, and Wagoner Counties.~~
- ~~—(4) **Fort Smith, Arkansas.** The Fort Smith, Arkansas, metropolitan statistical area includes all of LeFlore and Sequoyah Counties in Oklahoma.~~

## PART 15. POLLING PLACES

### **230:10-7-108. Number of polling places**

There must be one polling place for each precinct, and that polling place must be located within the geographical boundaries of the precinct. [26:3-120] The State Election Board is authorized to make exceptions to this requirement. However, exceptions will be granted only in those instances in which it can be shown that compliance is impossible. In order to obtain such an exception, the Secretary must make written application to the State Election Board setting forth the reasons why compliance is not possible and detailing the actions which have been taken to locate a polling place within the boundaries of the affected precinct. The State Election Board will notify the Secretary, in writing, of the decision regarding his request.

### **230:10-7-110. Boards to provide polling places [REVOKED]**

*The Board of Education of any school district may, and the governing board of any municipality, shall furnish a room or rooms in any school building or municipal building for use as a polling place at no cost. [26:3-123]*

### **230:10-7-111. Liability [REVOKED]**

*Persons, businesses, churches and any other nongovernmental entities providing space for use as a polling place shall not be held liable for any torts (civil lawsuits) arising from any incident occurring in such space during the period when such space is used as a polling place. [26:3-120]*

## PART 17. SPECIAL DUTIES OF THE COUNTY ELECTION BOARD

### **230:10-7-119. Verification of audit request petitions [REVOKED]**

(a) The State Auditor and Inspector is required to audit the books of any subdivision of the State of Oklahoma when petitioned to do so by the requisite number of the subdivision's registered voters. [74:212(I)(1)] *The petition must contain the number of signatures equivalent to ten percent (10%)*

~~of the registered voters of the subdivision as determined by the county election board or, if the county election board determines that the number of registered voters in the subdivision cannot be determined due to boundary lines not conforming to precinct lines, the required number of petitioners shall be twenty-five percent (25%) of the total number of persons voting in the last subdivision-wide general election held in the subdivision. [74:212(I)(2)] Within thirty (30) days of receipt of the petitions, the State Auditor and Inspector shall present the petitions to the county election board located in the county in which the subdivision is located. [74:212(I)(5)]~~  
~~(b) The county election board shall determine whether the signers of the petition are registered voters of the county in which the subdivision is located and whether the petition has the requisite number of signatures of such registered voters. [74:212(I)(6)] The county election board shall certify the petition as having the required number of signatures and return it to the State Auditor and Inspector. [74:212(I)(6)]~~

## **PART 19. COUNTY ELECTION BOARD STAFF OVERTIME**

### **230:10-7-132. Reimbursing funds to the Personal Services account**

When an entity's payment for the expenses listed on the Record of Expense is received, the Secretary shall deposit the funds in the County Election Board's Special Depository Account and shall pay the various expenses of the election according to routine procedures. The Secretary also shall observe the following procedure to reimburse the County General Fund for the compensation and benefits paid to County Election Board employees for overtime worked in connection with the entity's election. (In a county with a Budget Board, the Secretary shall ask the County Clerk to contact the office of the State Auditor and Inspector for the procedure to reimburse these funds to the County Election Board's Personal Services account.) The County Commissioners first must have adopted a resolution directing such reimbursement before this procedure can be implemented. See 230:10-7-130.

- (1) Issue a voucher from the Special Depository Account in the amount of the overtime compensation plus the employer-paid benefits for deposit in the County General Fund.
- (2) Fill out a copy of the Reimbursement to General Fund Account form (SA&I Form No. 313).
  - (A) If the resolution adopted by the County Commissioners directing reimbursement to the County Election Board's Personal Services Account does not have a resolution number, leave that space blank. Be certain to enter the date the resolution was adopted in the appropriate space.
  - (B) Enter the County Election Board's Personal Services account number in the first column. However, if benefits are paid to a General Fund Account other than the County Election Board's Personal Services account, enter the benefits account number in the first column instead.
  - (C) Enter the name of the entity or entities for which the election was conducted in the fourth column labeled "Source of Reimbursement."
  - (D) Enter the total amount to be paid to the County Election Board Personal Services account in the fifth column. Also enter the amount to be paid to the benefits account if it is separate from the Personal Services account.
- (3) Attach the voucher to the Reimbursement to General Fund Account form.
- (4) Take the completed Reimbursement to General Fund Account form with the voucher

attached to the County Treasurer. Ask the Treasurer to issue a receipt for the voucher and to sign and date the Reimbursement to General Fund Account form.

(5) Enter the County Treasurer's receipt number in the second column and the receipt date in the third column.

(6) Make two copies of the completed Reimbursement to General Fund Account form. Deliver the original form to the County Clerk, one of the copies to the County Treasurer, and keep the other copy for the County Election Board's records.

(7) Add a reimbursement transaction to the ~~ØEMS~~-MESA Budget Account and document the reimbursement on the Day Ledger-Budget Account.