

**ACCEPTED**

2/1/22

OFFICE OF ADMINISTRATIVE RULES  
OKLAHOMA SECRETARY OF STATE  
DOCKET# 22-106 OAR/cert CN

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 35. ELECTION CONDUCT**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. General Provisions [AMENDED]

230:35-1-2. Definitions [AMENDED]

Subchapter 5. Instructions for Precinct ~~Election~~ Officials [AMENDED]

Part 11. Processing the Voter

230:35-5-57. Routine for Inspector [AMENDED]

230:35-5-58. Additional duties of Inspector [AMENDED]

Part 25. Special Services

230:35-5-127. Spoiled ballots [AMENDED]

**SUMMARY:**

Proposed amendments in Subchapter 1 provide definitions of new election terms and terms from various election statutes that have no specific definitions. For example, the term “election enclosure” has been used in Statutes and in election administration for many years, but it has never been specifically defined. “Spoiled ballots” is defined as referenced in Title 26 O.S., Section 7-122. Additionally, because there are numerous references throughout Title 230 to OEMS (an older version of election management software), and MESA (the current version of election management software), this amended definition helps to clarify that any reference to either of those versions is also a reference to the current software utilized by the State and County Election Boards.

Proposed amendments in Subchapter 5, concern instructions for Precinct Officials regarding how to handle abandoned, discarded, and spoiled ballots.

**AUTHORITY:**

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

**COMMENT PERIOD:**

Persons may submit written comments through March 17, 2022 to Rachel Rogers at:  
Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.  
Email: [rachel.rogers@elections.ok.gov](mailto:rachel.rogers@elections.ok.gov). Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

**PUBLIC HEARING:**

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at [rachel.rogers@elections.ok.gov](mailto:rachel.rogers@elections.ok.gov) no later than 5:00 p.m. on March 17, 2022.

**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 G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review after March 2, 2022 at the above addresses.

**CONTACT PERSON:**

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962.  
[rachel.rogers@elections.ok.gov](mailto:rachel.rogers@elections.ok.gov)

**ADDITIONAL INFORMATION:**

N/A