

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 10. THE COUNTY ELECTION BOARD**

**RULEMAKING ACTION:            Rule Impact Statement**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma State Election Board hereby submits the following Rule Impact Statement for **PERMANENT** rule proposals for Title 230, State Election Board, Chapter 10, The County Election Board.

**PROPOSED RULES:**

- Subchapter 3. Election Personnel
  - Part 1. County Election Board Members and Employees
    - 230:10-3-12. Compensation of the Assistant Secretary [REVOKED]
    - 230:10-3-14. Compensation of the Chief Clerk [REVOKED]
- Subchapter 7. General Administration of the County Election Board Office
  - Part 5. Maintaining the Office
    - 230:10-7-45. Retention of Precinct Registries and affidavits [AMENDED]

**Brief Description of the Purpose of the Proposed Rules:**

The purpose of all the rules of the State Election Board is to provide County Election Board (CEB) members and employees with the information and instructions needed to perform their duties as required by law. The rules of the State Election Board are the basis of Oklahoma's unified, uniform election system. The rules in Chapter 10 describe the employment and training of County Election Board staff and precinct officials and the organization and maintenance of the County Election Board office. The two proposed revocations in Subchapter 3 are related to the change in the formula for compensation of the Assistant Secretary, which is defined in state statute (See 26 O.S. Section 2-117(D)) and the elimination of the Chief Clerk position. Therefore, these rules are obsolete. Amendments to Subchapter 7 will make the retention period for precinct registries in the County Election Board offices coincide with the statutory requirement of 24 months. See 26 O.S. Section 7-117. Many county election boards face the issue of having enough storage space to maintain the paper records of elections in their offices – this may help ease that burden while still following the statutory retention period.

**Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:**

CEB Secretaries, Assistant Secretaries, and other employees who maintain records for the office.

**Description of the classes of persons who will benefit from the proposed rule:**

CEB Secretaries and staff as well as the County Commissioners who must provide space for the CEB offices.

**Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever**

**possible, separate justification for each fee change:**

The proposed amendments in Chapter 10 are not expected to have a significant economic impact on any affected classes of persons or political subdivisions. No fees have been increased or added to these proposed rules and no significant economic impact is anticipated.

**Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:**

No unique or additional costs are anticipated by the State Election Board for implementation and enforcement of these proposed amendments.

**The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:**

The proposed amendments in Chapter 10 are not expected to provide any significant loss or gain in agency revenue or the state's general revenue.

**A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

As previously stated, the proposed amendments in Chapter 10 are not expected to have a significant economic impact on any political subdivisions. The proposed rules will require cooperation from County Election Board Secretaries.

**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

The proposed amendments in Chapter 10 will not have an adverse economic impact on any small businesses.

**An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rules:**

No new or increased fees will be added to these rules. There is no less costly non-regulatory method available to help formally implement these changes.

**A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed amendments have no effect on and pose no risk to the public health, safety, or environment.

**A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

The proposed amendments have no effect on and pose no risk to the public health, safety, or environment.

**Date the rule impact statement was prepared and the date modified:**

Prepared: February 16, 2023

Modified:

**Prepared by:**

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