

**TITLE 230. STATE ELECTION BOARD  
CHAPTER 30. ABSENTEE VOTING**

**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 30, Absentee Voting.

**PROPOSED RULES:**

Subchapter 1. General Provisions

230:30-1-2. Definitions [AMENDED]

Subchapter 5. Applications for Absentee Ballots

230:30-5-9. Rejected applications [AMENDED]

230:30-5-13. Application for absentee ballots may be submitted electronically [AMENDED]

Subchapter 7. Absentee Voting Boards

230:30-7-6. Scheduling Absentee Voting Boards for an election [AMENDED]

230:30-7-11.1. Preparation of polling place and voting device for in-person absentee voting [AMENDED]

Subchapter 9. Processing Applications

230:30-9-3. Processing applications for absentee ballots [AMENDED]

230:30-9-5. Processing applications from uniformed services and overseas voters [AMENDED]

230:30-9-6. Processing requests from emergency incapacitated voters [AMENDED]

230:30-9-8. Processing first responder/emergency worker emergency absentee applications, issuing ballots, and receiving voted ballots [AMENDED]

Subchapter 13. Federal Write-In Absentee Ballot

230:30-13-1. Voters permitted to use federal write-in absentee ballots [REVOKED]

230:30-13-2. Receiving and processing federal write-in absentee ballots [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 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 30 concern the procedures for receiving and processing absentee ballot applications, issuing ballots, counting voted absentee ballots, and retaining absentee balloting materials.

These proposed amendments or revocations are being made in order to comply with state and federal law. Some recent legislation in Oklahoma has altered some of the dates, deadlines, and requirements regarding absentee voting. For example, the proposed amendments to 230:30-5-13 and 230:30-9-3 are necessary following the passage of HB 3364 from last session. Additionally, the proposed amendment to 230:30-5-9 is as a result of HB 2663 which amended 26 O.S. Section 14-103. Finally, the proposed amendments to 230:30-7-6, 230:30-9-6 and 230:30-9-8 were

needed as a result of SB 714. The proposed amendment to 230:30-9-5 is needed for circumstances when absentee ballot applications for uniformed services and overseas voters are received from individuals not yet registered, it is clear they must meet the registration deadline for the next election pursuant to 26 O.S. Section 4-110.1. The changes made in Subchapter 13 are needed to conform with 26 O.S. Section 14-142.

**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:**

County Election Board Secretaries, Assistant Secretaries, and other employees who process absentee applications, address confirmation notices, and cancelations. The State Election Board will bear the costs, if any, of the proposed amendments, and no cost impacts have been received by the State Election Board from any private or public entity.

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

State and County Election Board staff will benefit from the clarity in the proposed amendments in Chapter 30.

**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 30 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 30 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 30 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 30 are not expected to have a significant 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 to the procedures, guidelines and rules in Chapter 30.

**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 21, 2023

Modified:

**Prepared by:**

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