

**TITLE 230. STATE ELECTION BOARD
CHAPTER 45. CONTESTS OF ELECTIONS**

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 45, Contests of Elections.

PROPOSED RULES:

Subchapter 3. Recounts

Part 1. RECOUNTS FOR COUNTY OFFICE

230:45-3-2. Procedure for Secretary [AMENDED]

Part 9. RECOUNTS WITH ELECTRONIC VOTING DEVICES

230:45-3-52. Preparation of voting device [AMENDED]

a. a statement of the need for the rule and legal basis supporting it:

The proposed amendments in this Chapter are minor terminology updates. The Assistant Secretary is who should speak with the other two members about an upcoming meeting, not the Secretary who is a voting member as to not risk a violation of the Open Meetings Act.

According to 26 O.S. § 2-107, “[t]he Secretary may promulgate, repeal or modify such rules or regulations as the Secretary deems necessary to facilitate and assist in achieving and maintaining uniformity in the application, operation and interpretation of the state and federal election laws and a maximum degree of correctness, impartiality and efficiency in administration of the election laws.”

b. a classification of the rule as major or nonmajor, with a justification for the classification, including an estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, state or local government units, or individuals and a determination of whether those costs will exceed One Million Dollars (\$1,000,000.00) over the initial five-year period following the promulgation of the proposed rule. Provided, if the costs exceed One Million Dollars (\$1,000,000.00), the agency shall classify the rule as a major rule:

Nonmajor. The proposed rules will not have implementation and compliance costs. Any increased costs not mentioned in this Rule Impact Statement are a result of complying with the law, and not a result of the proposed rules.

c. a description of the purpose of the proposed rule, including a determination of whether the proposed rule is mandated by federal law, or as a requirement for

participation in or implementation of a federally subsidized or assisted program, and whether the proposed rule exceeds the requirements of the applicable federal law:

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 45 concern the process and procedures for contests of elections.

The proposed amendments in this Chapter are minor terminology updates. The Assistant Secretary is who should speak with the other two members about an upcoming meeting, not the Secretary who is a voting member.

The proposed changes to these rules are not mandated by federal law, are not a requirement for participation in a federally subsidized or assisted program, and do not exceed the requirements of the applicable federal law.

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

Election officials.

- e. **a description of the classes of persons who will benefit from the proposed rule:**

Election officials.

- f. **a comprehensive analysis of the rule's economic impact**, including any anticipated impacts on the full-time-employee count of the agency, any costs or benefits, and a detailed quantification of implementation and compliance costs on the affected businesses, business sectors, public utility ratepayers, individuals, state or local government units, and on the state economy as a whole. The analysis shall include a listing for all fee changes and, whenever possible, separate justification for each fee change:

The proposed amendments are not expected to have an economic impact on any affected classes of persons or political subdivisions. No fees have been increased or added to these proposed rules.

- g. **a detailed explanation of the methodology and assumptions used to determine the economic impact**, including the dollar amounts calculated:

Because the proposed amendments are not expected to have an economic impact, no methodology or calculations were needed.

- h. **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 are not expected to have an economic impact on any political subdivisions. The proposed rules will require cooperation from election officials and voters.

- i. **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 will not have an adverse economic impact on any small businesses.

- j. **any measures taken by the agency to minimize the cost and impact of the proposed rule on business and economic development in this state, local government units of this state, and individuals:**

Because the proposed amendments are not expected to have an economic impact, no measures were needed to minimize the cost and impact.

- k. **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.

- l. **a determination of any detrimental effect on the public health, safety, and environment if the proposed rule is not implemented:**

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

- m. **the date the rule impact statement was prepared and, if modified, the date modified:**

Prepared: December 18, 2025

Modified:

- n. **an analysis of alternatives to adopting the rule:**

There were no alternatives to adopting the proposed amendments.

- o. estimates of the amount of time that would be spent by state employees to develop the rule and of the amount of other resources that would be utilized to develop the rule:**

Because the proposed amendments or revocations in this Chapter are necessary to come into compliance with current state law and/or clarify or codify current procedures, there is no additional time that will be spent by state employees other than that which was already required. It is possible that this will take some time for the training coordinator to add this to upcoming trainings for County Election Board members and staff, but these trainings are updated regularly regardless.

- p. a summary and preliminary comparison of any existing or proposed federal regulations that are intended to address the activities to be regulated by the proposed rule:**

Because the proposed amendments or revocations in this Chapter are necessary to come into compliance with current state law and/or clarify or codify current procedures, no federal regulations are implicated.