



Registering Voters – Legal Responsibilities

While the law allows any person to assist an individual with voter registration, it is the responsibility of the individual, who provides the assistance, to abide by the provisions of both federal and state law. Additionally, any person who assists a voter with completing the application, must provide their name and address in the appropriate section of the Oklahoma Voter Registration Application.

FEDERAL LAW

NATIONAL VOTER REGISTRATION ACT OF 1993

52 USC §20511. Criminal Penalties

A person, including an election official, who in any election for Federal office —

- (1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for –
 - (A) registering to vote, or voting, or attempting to register or vote;
 - (B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or
 - (C) exercising any right under this Act; or
- (2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by —
 - (A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or
 - (B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with Title 18, United States Code which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to Section 3302 of Title 31, United States Code), notwithstanding any other law), or imprisoned not more than 5 years, or both.

52 USC §30125. Soft Money of Political Parties

(e) Federal candidates

(1) In general

A candidate, individual holding Federal office, agent of a candidate or an individual holding Federal office, or an entity directly or indirectly established, financed, maintained or controlled by or acting on behalf of 1 or more candidates or individuals holding Federal office, shall not—

(A) solicit, receive, direct, transfer, or spend funds in connection with an election for Federal office, including funds for any Federal election activity, unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act; or

(B) solicit, receive, direct, transfer, or spend funds in connection with any election other than an election for Federal office or disburse funds in connection with such an election unless the funds—

(i) are not in excess of the amounts permitted with respect to contributions to candidates and political committees under paragraphs (1), (2), and (3) of section 30116(a) of this title; and

(ii) are not from sources prohibited by this Act from making contributions in connection with an election for Federal office.

“federal election activity” is defined as activity by state or local political party committees that simultaneously benefits federal and non-federal candidates, such as get-out-the vote and voter registration drives. § 30101(20).

OKLAHOMA STATE LAWS

Because the Secretary of the State Election Board or county election board have a statutory obligation to report documents that appear to be evidence of voter registration crimes to the appropriate district attorney, any person who provides documentation of voter registration crimes may become a material witness in a subsequent criminal inquiry and/or investigation.

26 O.S. § 16-103

Any person who knowingly swears or affirms a false affidavit in order to become eligible to vote, to obtain and vote a provisional ballot, to obtain and vote an absentee ballot, or to cause the cancellation of a qualified elector’s voter registration, shall be deemed guilty of a felony.

26 O.S. § 16-103.1

Any person who knowingly causes any qualified elector to be invalidly registered or anyone who knowingly causes any unqualified person to be registered shall be deemed guilty of a felony. Any person who knowingly causes the collection or submission of voter registration forms containing false, fraudulent or fictitious information shall be deemed guilty of a felony.

26 O.S. § 16-106

Any person who offers, solicits or accepts something of value intended to directly or indirectly influence the vote of the person soliciting or accepting same shall be deemed guilty of a felony; provided, the gifting of an envelope, stamp, or both an envelope and stamp for the purpose of mailing in a ballot shall not be considered something of value.