



## OKLAHOMA STATE ELECTION BOARD

### DECLARATION OF ELECTION EMERGENCY 2020-01

**WHEREAS** on March 11, 2020, the World Health Organization classified the Coronavirus Disease 2019 (COVID-19) as a pandemic; and

**WHEREAS** on March 13, 2020, President of the United States Donald J. Trump declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

**WHEREAS** Governor J. Kevin Stitt issued Executive Order 2020-07 on March 15, 2020, as amended on March 17, 2020, declaring an emergency for all 77 Oklahoma counties caused by the impending threat of COVID-19 to the people of this State and the public's peace, health, and safety; and

**WHEREAS** Governor J. Kevin Stitt issued Executive Order 2020-08 on March 17, 2020, urging Oklahomans to follow *The President's Coronavirus Guidelines for America*, which includes the recommendation to avoid gatherings in groups of more than ten (10) people; and

**WHEREAS** declarations of local states of emergency have been issued by numerous counties and municipalities across the State of Oklahoma; and

**WHEREAS** Paragraph 1 of Subsection A of Section 22-101 of Title 26 of the Oklahoma Statutes authorizes the Secretary of the State Election Board to "declare an election emergency for any area of the state" when a national or local emergency "has occurred or is imminent, and such circumstances could make substantial compliance with state and federal election laws impossible or unreasonable, or could disrupt voter registration, voting, the tabulation of votes or the certification of election results;" and

**WHEREAS** the Secretary of the State Election Board agrees with recommendations from the Centers for Disease Control and Prevention ("CDC") and other health experts that large public gatherings should be limited in an effort to decrease the risk of the community spread of COVID-19; and

**WHEREAS** the Secretary of the State Election Board finds that national and local emergencies currently exist that could make substantial compliance with state and federal election laws impossible or unreasonable, or that the existing emergencies could disrupt voter registration, voting, the tabulation of votes or the certification of election results

**NOW, THEREFORE**, I, Paul Ziriak, Secretary of the Oklahoma State Election Board, pursuant to the power vested in me by Paragraph 1 of Subsection A of Section 22-101 of Title 26 of the Oklahoma Statutes, hereby declare and order the following:

1. An election emergency exists for the elections scheduled for Tuesday, April 7, 2020, in the following counties in the State of Oklahoma: Adair, Alfalfa, Atoka, Beaver, Beckham, Blaine, Bryan, Caddo, Canadian, Carter, Cherokee, Choctaw, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Custer, Delaware, Dewey, Ellis, Garfield, Garvin, Grady, Grant, Greer, Harmon, Harper, Haskell, Hughes, Jackson, Johnston, Kay, Kingfisher, Kiowa, Latimer, LeFlore, Lincoln, Logan, Love, McClain, McCurtain, McIntosh, Major, Mayes, Murray, Muskogee, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Roger Mills, Rogers, Seminole, Sequoyah, Stephens, Texas, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward.

2. No later than March 19, 2020, the Secretary of the County Election Board in each county that has elections scheduled on April 7, 2020, shall provide a copy of this election emergency declaration to the governing body of each entity in the county that has scheduled an election on that date. Types of entities that may have called statutory, regular, or special elections on April 7, 2020, include counties, municipalities, school districts, and technology center districts.

3. The governing body of any entity that called a regular or statutory election on Tuesday, April 7, 2020, is hereby authorized to reschedule the election to Tuesday, June 30, 2020. To reschedule the election, the governing body shall provide a resolution to the appropriate County Election Board Secretary no later than Monday, March 30, 2020, that (a) rescinds the portion of the original resolution that called the Tuesday, April 7, 2020, election and that (b) reschedules the election to June 30, 2020.

4. Alternatively, the governing body of any entity that called a special election on Tuesday, April 7, 2020, is hereby authorized to reschedule the election on any election date allowed by Section 3-101 of Title 26. To reschedule the election, the governing body shall provide a resolution to the appropriate County Election Board Secretary no later than Monday, March 30, 2020, that (a) rescinds the Tuesday, April 7, 2020, election date and (b) reschedules the election on any election date allowed by Section 3-101 of Title 26.

5. A County Election Board Secretary who receives a resolution that conforms to the requirements of items 3 and 4 shall accept the resolution and take the necessary action to reschedule the election as provided in the resolution.


6. Any entity that reschedules the election shall continue to be responsible for paying all election costs incurred by the County Election Board for the April 7, 2020, election as

required by statute, as well as the expenses to be incurred by the County Election Board on behalf of the entity for the rescheduled election.

7. A rescheduled election involving candidates or questions shall remain exactly the same as candidates and questions appeared on the ballot for the April 7, 2020, election.

Copies of this election emergency declaration shall be provided to each of the 77 county election board secretaries, the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Secretary of State, the Director of Emergency Management, and the Oklahoma State Health Commissioner.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the State Election Board to be affixed at Oklahoma City, Oklahoma, this 18<sup>th</sup> day of March, 2020.

  
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PAUL ZIRIAX  
SECRETARY  
STATE ELECTION BOARD

ATTEST:

  
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Notary Public



My Commission expires on: 2-10-2021