

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1563

 By: Echols

7 AS INTRODUCED

8 An Act relating to elections; amending 26 O.S. 2011,
9 Sections 10-101, 10-101.1 and 10-101.2, which relate
10 to Presidential Electors; modifying amount of
11 signatures needed for certain petitions; providing
12 for filing fee in lieu of signatures; and providing
13 an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 26 O.S. 2011, Section 10-101, is
15 amended to read as follows:

16 Section 10-101. The nominees for Presidential Electors of any
17 recognized political party shall be selected at a statewide
18 convention of said party in a manner to be determined by said party.
19 The nominees for Presidential Electors shall be certified by said
20 party's chairman to the Secretary of the State Election Board no
21 fewer than ninety (90) days nor more than one hundred eighty (180)
22 days from the date of the General Election at which candidates for
23 Presidential Electors shall appear on the ballot. Failure of a
24 political party to properly certify the names of its nominees for

1 Presidential Electors within the time specified shall bar such party
2 from placing any candidates for Presidential Electors on the ballot
3 at said election. Candidates for Presidential Electors seeking to
4 appear on the ballot as uncommitted shall be entitled to have their
5 names placed upon the ballot at a General Election by observing the
6 following procedure:

7 1. No later than July 15 of a presidential election year,
8 petitions seeking ballot access for said uncommitted candidates for
9 Presidential Electors, in a form to be prescribed by the Secretary
10 of the State Election Board, shall be filed with said Secretary,
11 bearing the signatures of registered voters equal to at least ~~three~~
12 ~~percent (3%) of the total votes cast in the last General Election~~
13 ~~for President~~ five thousand signatures, or a cashier's check or
14 certified check in the amount of Five Thousand Dollars (\$5,000.00).

15 Each page of said petitions must contain the ~~name~~ names of
16 registered voters from a single county-; and

17 2. Within thirty (30) days after receipt of said petitions or
18 filing fee, the State Election Board shall determine the sufficiency
19 of said petitions. If said Board determines there are a sufficient
20 number of valid signatures of registered voters, the nominees for
21 Presidential Electors are entitled to appear on the ballot at the
22 next following General Election at which candidates for Presidential
23 Electors shall appear on the ballot.

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1 SECTION 2. AMENDATORY 26 O.S. 2011, Section 10-101.1, is
2 amended to read as follows:

3 Section 10-101.1 The names of a slate of candidates for the
4 office of Presidential Elector pledged to an Independent candidate
5 for President of the United States shall be printed on the ballot
6 only by observing the following procedure:

7 1. No later than July 15 of a presidential election year,
8 petitions signed by a number of registered voters supporting the
9 candidacy of said candidate for President of the United States equal
10 to at least ~~three percent (3%) of the total votes cast in the last~~
11 ~~General Election for President~~ five thousand signatures, or a
12 cashier's check or certified check in the amount of Five Thousand
13 Dollars (\$5,000.00) shall be filed with the Secretary of the State
14 Election Board. The form of said petitions shall be prescribed by
15 the Secretary. Each page of said petitions must contain the names
16 of registered voters from a single county-;

17 2. Within thirty (30) days after receipt of said petitions or
18 filing fee, the State Election Board shall determine the sufficiency
19 of said petitions-; and

20 3. If the petitions or filing fee are found to be sufficient,
21 the Independent candidate for President of the United States shall,
22 no later than September 1, certify to the Secretary of the State
23 Election Board the names of the nominees for Presidential Elector
24 pledged to him or her and the name of his or her Vice Presidential

1 running mate. Each candidate for Presidential Elector so nominated
2 shall subscribe to an oath stating that, if elected, he or she will
3 cast his or her ballot for the candidate who nominated him or her
4 and for said candidate's Vice Presidential running mate. Said oath
5 shall be filed with the Secretary of the State Election Board no
6 later than September 15.

7 SECTION 3. AMENDATORY 26 O.S. 2011, Section 10-101.2, is
8 amended to read as follows:

9 Section 10-101.2 The names of a slate of candidates for the
10 office of Presidential Elector pledged to the nominee of a political
11 party not recognized under the laws of the State of Oklahoma for
12 President of the United States shall be printed on the ballot only
13 by observing the following procedure:

14 1. No later than July 15 of a presidential election year,
15 petitions signed by a number of registered voters supporting the
16 candidacy of said nominee for President of the United States equal
17 to at least ~~three percent (3%) of the total votes cast in the last~~
18 ~~General Election for President~~ five thousand signatures, or a
19 cashier's check or certified check in the amount of Five Thousand
20 Dollars (\$5,000.00) shall be filed with the Secretary of the State
21 Election Board. Notice of intention to circulate petitions shall be
22 filed with the Secretary of the State Election Board before such
23 petitions may be circulated. The form of said petitions shall be
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1 prescribed by the Secretary. Each page of said petitions must
2 contain the names of registered voters from a single county-;

3 2. Within thirty (30) days after receipt of said petitions or
4 filing fee, the State Election Board shall determine the sufficiency
5 of said petitions-; and

6 3. If the petitions or filing fee are found to be sufficient,
7 the nominee for President of the United States shall, no later than
8 September 1, certify to the Secretary of the State Election Board
9 the names of the nominees for Presidential Elector pledged to him or
10 her and the name of his or her Vice Presidential running mate. Each
11 candidate for Presidential Elector so nominated shall subscribe to
12 an oath stating that, if elected, he or she will cast his or her
13 ballot for the candidate who nominated him or her and for said
14 candidate's Vice Presidential running mate. Said oath shall be
15 filed with the Secretary of the State Election Board no later than
16 September 15.

17 SECTION 4. This act shall become effective November 1, 2017.

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19 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
20 02/15/2017 - DO PASS.
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