

1 ENGROSSED SENATE AMENDMENTS  
TO

2 ENGROSSED HOUSE  
BILL NO. 3103

By: Caldwell of the House

and

Griffin of the Senate

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7 An Act relating to school elections; amending 26 O.S.  
8 2011, Section 13A-110, as amended by Section 8,  
9 Chapter 380, O.S.L. 2015 (26 O.S. Supp. 2015, Section  
10 13A-110), which relates to vacancies on boards of  
11 education; providing for the filling of certain  
12 vacancies on the board of education by appointment;  
13 allowing the appointment of persons who do not reside  
14 in certain districts; requiring appointed persons to  
15 reside in the school district and meet other  
16 eligibility qualifications; limiting service; and  
17 requiring certain boards of education to give  
18 preference to certain persons.

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AMENDMENT NO. 1. Page 2, line 18, delete the number 1.

AMENDMENT NO. 2. Page 3, lines 6 through 13, delete all new  
language.

1 Passed the Senate the 18th day of April, 2016.

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\_\_\_\_\_  
Presiding Officer of the Senate

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5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,

6 2016.

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Presiding Officer of the House  
of Representatives

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16 eligibility qualifications; limiting service; and  
17 requiring certain boards of education to give  
18 preference to certain persons.

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

20 SECTION 1. AMENDATORY 26 O.S. 2011, Section 13A-110, as  
21 amended by Section 8, Chapter 380, O.S.L. 2015 (26 O.S. Supp. 2015,  
22 Section 13A-110), is amended to read as follows:

23 Section 13A-110. A. Vacancies for members of the board of  
24 education of every school district or technology center school  
25 district shall be filled by appointment by the board. ~~Persons~~

26 B. Except as provided in subsection D of this section, persons  
27 appointed to fill such vacancies in the first half of the term of

1 office for the board position shall serve only until the next  
2 succeeding election, at which time the office which they hold shall  
3 be placed on the ballot for the balance of the unexpired term.  
4 Vacancies filled by appointment following the delivery of the  
5 resolution calling for regular elections to the secretary of the  
6 county election board shall be filled until the regular elections  
7 the following year. Persons elected to fill unexpired terms shall  
8 begin those terms at the next regular meeting of the board of  
9 education following the election. Persons appointed to fill such  
10 vacancies after the first half of the term of office for the board  
11 position shall serve for the balance of the unexpired term. ~~No~~

12 C. Except as provided in subsection D of this section, no  
13 person shall be appointed to a board of education who does not meet  
14 the eligibility qualifications needed to be a candidate for such  
15 position as provided for in ~~Sections~~ Section 13A-106 of this title  
16 and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma  
17 Statutes.

18 B. D. 1. If after the filing period is closed no candidate for  
19 an open position on a board of education of a school district has  
20 filed and therefore a vacancy is created, the vacancy shall be  
21 filled by appointment by the board. Persons appointed to fill such  
22 vacancies shall not be required to reside in the board or election  
23 district but shall be required to reside in the school district and  
24 to meet the other eligibility qualifications needed to be a

1 candidate for the position as provided in Section 13A-106 of this  
2 title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the  
3 Oklahoma Statutes. Persons appointed to fill vacancies as provided  
4 for in this subsection shall be eligible to serve only for the  
5 balance of the term.

6 2. In school districts with an average daily membership of  
7 thirty thousand (30,000) or more, if prior to the board making an  
8 appointment as provided for in paragraph 1 of this subsection, a  
9 person who is a resident of the board or election district expresses  
10 interest to the board in being appointed to fill the vacancy, the  
11 board shall consider that person and shall give that person  
12 preference over a person who does not reside in the board or  
13 election district.

14 E. If the board of education does not fill the vacancy by  
15 appointment within sixty (60) days of the date the board declared  
16 the seat vacant, the board of education shall call a special  
17 election to fill the vacancy for the unexpired term. The special  
18 election shall be called on a date established by subsection B of  
19 Section 3-101 of this title, and the special filing period shall be  
20 scheduled as required in subsection D of Section 13A-109 of this  
21 title.

1 Passed the House of Representatives the 23rd day of February,  
2016.

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Presiding Officer of the House  
of Representatives

6 Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2016.

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Presiding Officer of the Senate