

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 233

By: Crain

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2011,
8 Sections 20-101 and 20-102, which relate to
9 Presidential Preferential Primary elections;
10 modifying date of such election; amending 26 O.S.
11 2011, Section 3-101, as last amended by Section 20,
Chapter 15, O.S.L. 2013 (26 O.S. Supp. 2014, Section
3-101), which relates to election dates; modifying
dates when certain entities allowed to hold special
elections; and providing an effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 20-101, is
16 amended to read as follows:

17 Section 20-101. A. A Presidential Preferential Primary for
18 recognized political parties shall be held on the ~~first~~ fourth
19 Tuesday in March in each of the years in which the President and
20 Vice President of the United States are to be elected.

21 B. If one or more states having a mutual boundary with this
22 state establish a single date for a regional primary, the State
23 Election Board is authorized to change the date of the Oklahoma
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1 primary to the date established for the regional primary, as long as
2 the date is not before the first Tuesday in March.

3 C. No county, municipality, school district or other entity
4 authorized by law to call elections shall schedule an election on
5 any date during the twenty (20) days immediately preceding the date
6 of any such Primary Election. However, this subsection shall not
7 apply to home rule municipalities.

8 SECTION 2. AMENDATORY 26 O.S. 2011, Section 20-102, is
9 amended to read as follows:

10 Section 20-102. A. Candidates for the nomination for President
11 of the United States shall file with the Secretary of the State
12 Election Board. Such candidates shall be members of political
13 parties recognized under the laws of the State of Oklahoma and shall
14 have filed a statement of candidacy with the Federal Election
15 Commission and shall have raised and expended not less than Five
16 Thousand Dollars (\$5,000.00) for said office. The candidates shall
17 be required to swear an oath or affirm that they meet the
18 aforementioned qualifications, and their signatures shall be
19 witnessed by a notary public. Such filing ~~beginning~~ shall begin at
20 8:00 a.m. on the first Monday in December and ~~ending~~ end at 5:00
21 p.m. on the next succeeding Wednesday, or at a time prescribed by
22 the State Election Board for a Presidential Preferential Primary to
23 be held on a date other than the ~~first~~ fourth Tuesday in March. A
24 statement of candidacy must be accompanied by a petition supporting

1 a candidate's filing signed by one percent (1%) of the registered
2 voters in each congressional district eligible to vote for a
3 candidate or one thousand (1,000) registered voters in each
4 congressional district eligible to vote for a candidate, whichever
5 is less, as reflected by the latest January 15 registration report;
6 or by a cashier's check or certified check in the amount of Two
7 Thousand Five Hundred Dollars (\$2,500.00). The State Election Board
8 shall cause the names of all candidates who have filed within the
9 proper time to be printed on the official ballots. The ballots
10 shall be prepared as provided for by law. Voters shall be
11 restricted to one vote for the candidate of his or her choice of the
12 political party in which the voter is registered.

13 B. Each page of a petition supporting a candidate's filing
14 shall identify the county and the congressional district, and shall
15 contain the names of registered voters in only one congressional
16 district and in only one county.

17 C. Each page of a petition supporting a candidate's filing
18 shall be verified. Verification shall be made in substantial
19 compliance with the provisions of Section 6 of Title 34 of the
20 Oklahoma Statutes.

21 SECTION 3. AMENDATORY 26 O.S. 2011, Section 3-101, as
22 last amended by Section 20, Chapter 15, O.S.L. 2013 (26 O.S. Supp.
23 2014, Section 3-101), is amended to read as follows:

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1 Section 3-101. A. No election required to be conducted by any
2 county election board shall be scheduled for a day other than
3 Tuesday.

4 B. Except as otherwise provided by law, no special election
5 shall be held by any county, school district, technology center
6 school district, municipality or other entity authorized to call
7 elections except on:

8 1. The second Tuesday of January, February, May, June, July,
9 August, September, October and November and the first Tuesday in
10 March and April in odd-numbered years; provided, a municipality with
11 a population in excess of two hundred fifty thousand (250,000)
12 persons, according to the most recent federal decennial census, may
13 also hold an election on the second Tuesday of December in odd-
14 numbered years; and

15 2. The second Tuesday of January and February, the fourth
16 Tuesday in March, the first Tuesday in ~~March and~~ April, the last
17 Tuesday in June, the fourth Tuesday in August, and the first Tuesday
18 after the first Monday in November ~~of any~~ in even-numbered ~~year~~
19 years.

20 C. In the event that a regular or special election date occurs
21 on an official state holiday, the election shall be scheduled for
22 the next following Tuesday.

23 D. Notwithstanding any other provision of law or any provision
24 of a municipal charter, any municipality, school district,

1 technology center district, county, rural fire protection district,
2 or any other entity seeking to hold a regular or special election to
3 be conducted by a county election board on the same date as a
4 regular or special federal or state election, shall file the
5 resolution calling for the election with the county election board
6 secretary no later than seventy-five (75) days prior to the election
7 date. A candidate filing period, if so required by the resolution,
8 shall begin no later than ten (10) days following the deadline to
9 file the resolution with the secretary of the county election board;
10 provided, the filing period for such municipal office may be
11 scheduled on the same dates as the filing period for state or
12 federal office to be filled at such election.

13 SECTION 4. This act shall become effective November 1, 2015.

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