

1 **SENATE FLOOR VERSION**

2 February 11, 2015

3 **AS AMENDED**

4 SENATE BILL NO. 233

5 By: Crain

6 **[elections - Presidential Preferential Primary**
7 **elections - election dates - special elections -**
8 **effective date]**

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

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

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

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

21 C. No county, municipality, school district or other entity
22 authorized by law to call elections shall schedule an election on
23 any date during the twenty (20) days immediately preceding the date
24

1 of any such Primary Election. However, this subsection shall not
2 apply to home rule municipalities.

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

5 Section 20-102. A. Candidates for the nomination for President
6 of the United States shall file with the Secretary of the State
7 Election Board. Such candidates shall be members of political
8 parties recognized under the laws of the State of Oklahoma and shall
9 have filed a statement of candidacy with the Federal Election
10 Commission and shall have raised and expended not less than Five
11 Thousand Dollars (\$5,000.00) for said office. The candidates shall
12 be required to swear an oath or affirm that they meet the
13 aforementioned qualifications, and their signatures shall be
14 witnessed by a notary public. Such filing ~~beginning~~ shall begin at
15 8:00 a.m. on the first Monday in December and ~~ending~~ end at 5:00
16 p.m. on the next succeeding Wednesday, or at a time prescribed by
17 the State Election Board for a Presidential Preferential Primary to
18 be held on a date other than the ~~first~~ fourth Tuesday in March. A
19 statement of candidacy must be accompanied by a petition supporting
20 a candidate's filing signed by one percent (1%) of the registered
21 voters in each congressional district eligible to vote for a
22 candidate or one thousand (1,000) registered voters in each
23 congressional district eligible to vote for a candidate, whichever
24 is less, as reflected by the latest January 15 registration report;

1 or by a cashier's check or certified check in the amount of Two
2 Thousand Five Hundred Dollars (\$2,500.00). The State Election Board
3 shall cause the names of all candidates who have filed within the
4 proper time to be printed on the official ballots. The ballots
5 shall be prepared as provided for by law. Voters shall be
6 restricted to one vote for the candidate of his or her choice of the
7 political party in which the voter is registered.

8 B. Each page of a petition supporting a candidate's filing
9 shall identify the county and the congressional district, and shall
10 contain the names of registered voters in only one congressional
11 district and in only one county.

12 C. Each page of a petition supporting a candidate's filing
13 shall be verified. Verification shall be made in substantial
14 compliance with the provisions of Section 6 of Title 34 of the
15 Oklahoma Statutes.

16 SECTION 3. AMENDATORY 26 O.S. 2011, Section 3-101, as
17 last amended by Section 20, Chapter 15, O.S.L. 2013 (26 O.S. Supp.
18 2014, Section 3-101), is amended to read as follows:

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

22 B. Except as otherwise provided by law, no special election
23 shall be held by any county, school district, technology center
24

1 school district, municipality or other entity authorized to call
2 elections except on:

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

10 2. The second Tuesday of January and February, the fourth
11 Tuesday in March, the first Tuesday in ~~March and~~ April, the last
12 Tuesday in June, the fourth Tuesday in August, and the first Tuesday
13 after the first Monday in November ~~of any~~ in even-numbered ~~year~~
14 years.

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

18 D. Notwithstanding any other provision of law or any provision
19 of a municipal charter, any municipality, school district,
20 technology center district, county, rural fire protection district,
21 or any other entity seeking to hold a regular or special election to
22 be conducted by a county election board on the same date as a
23 regular or special federal or state election, shall file the
24 resolution calling for the election with the county election board

1 secretary no later than seventy-five (75) days prior to the election
2 date. A candidate filing period, if so required by the resolution,
3 shall begin no later than ten (10) days following the deadline to
4 file the resolution with the secretary of the county election board;
5 provided, the filing period for such municipal office may be
6 scheduled on the same dates as the filing period for state or
7 federal office to be filled at such election.

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

9 COMMITTEE REPORT BY: COMMITTEE ON RULES
10 February 11, 2015 - DO PASS AS AMENDED

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