

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 32

By: Bullard and Dahm

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5
6 AS INTRODUCED

7 An Act relating to presidential electors; amending 26
8 O.S. 2011, Section 10-102, as amended by Section 1,
9 Chapter 35, O.S.L. 2013 (26 O.S. Supp. 2020, Section
10 10-102), which relates to oath for presidential
11 electors; requiring oath for presidential elector
12 nominee to include certain statements; and declaring
13 an emergency.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 10-102, as
16 amended by Section 1, Chapter 35, O.S.L. 2013 (26 O.S. Supp. 2020,
17 Section 10-102), is amended to read as follows:

18 Section 10-102. Every party nominee for Presidential Elector
19 shall subscribe to an oath, stating that said nominee, if elected,
20 will cast a ballot for the persons nominated for the offices of
21 President and Vice President by the nominee's party. Such oath
22 shall state that the nominee, if elected, shall not cast a ballot
23 based on the national popular vote or other national election
24 results, but shall only cast a ballot based on election results in
this state or as otherwise directed by the Legislature pursuant to

1 the laws of this state. The oath shall be notarized by a notary
2 public and filed with the Secretary of the State Election Board no
3 fewer than ninety (90) days prior to the General Election. Failure
4 of any party nominee to take and file the oath by such date shall
5 automatically vacate his or her nomination and a substitute nominee
6 shall be selected by the state central committee of the appropriate
7 political party. It shall be the duty of the Secretary of the State
8 Election Board to notify the chairman of the state central committee
9 of the failure of any nominee to file the oath. Refusal or failure
10 to vote by a Presidential Elector for the persons nominated for the
11 offices of President and Vice President by the nominee's party shall
12 constitute a violation of the oath and shall result in the immediate
13 forfeiture of the Elector's office. In such event, the vote shall
14 not be recorded, a vacancy shall be declared, and the Presidential
15 Electors present shall proceed to fill such vacancy as provided in
16 Section 10-108 of this title.

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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