1 ENGROSSED SENATE
   BILL NO. 375   By: Howard of the Senate

2   and

3   Newton of the House

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5

6   [elections - filing period - date declarations of
          candidacy -

7   emergency]

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

11   SECTION 1.   AMENDATORY   26 O.S. 2021, Section 1-102, is

12 amended to read as follows:

13   Section 1-102. A Primary Election shall be held on the ~~last~~

14 <u>third</u> Tuesday in June of each even-numbered year, at which time each

15 political party recognized by the laws of ~~Oklahoma~~ <u>this state</u> shall

16 nominate its candidates for the offices to be filled at the next

17 succeeding General Election~~,~~ unless otherwise provided by law. No

18 candidate's name shall be printed upon the General Election ballot

19 unless such candidate shall have been nominated as herein provided,

20 unless otherwise provided by law; provided further that this

21 provision shall not exclude the right of a nonpartisan candidate to

22 have his or her name printed upon the General Election ballots. No

23 county, municipality or school district shall schedule an election

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on any date during the twenty (20) days immediately preceding the date of any such primary election.

SECTION 2.   AMENDATORY   26 O.S. 2021, Section 3-101, is amended to read as follows:

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

B. Except as otherwise provided by law, no regular or special election to fill an elective office shall be held by any county, school district, technology center school district, municipality, fire protection district or other political subdivision authorized to call elections except as follows:

1. The second Tuesday of February in any year;

2. The first Tuesday of April in any year;

3. The date of any regularly scheduled statewide state or federal election in an even-numbered year;

4. The second Tuesday of September in an odd-numbered year;

5. The second Tuesday of November in an odd-numbered year; and

6. The second Tuesday of June of an odd-numbered year for a special election to fill a vacancy.

C. Except as otherwise provided by law or by Section 1 of this act, no election for any purpose other than to fill an elective office shall be held by any county, school district, technology

center school district, municipality, fire protection district or

other political subdivision authorized to call elections except on:

1. The second Tuesday of January, February, May, June, July,

August, September, October and November and the first Tuesday in

March and April in odd-numbered years; provided, a municipality with

a population in excess of two hundred fifty thousand (250,000)

persons, according to the most recent federal decennial census, may

also hold an election on the second Tuesday of December in odd-

numbered years; and

2. The second Tuesday of January and February, the first

Tuesday in March and April, the ~~last~~ third Tuesday in June, the

fourth Tuesday in August, and the first Tuesday after the first

Monday in November of any even-numbered year.

D. In the event that a regular or special election date occurs

on an official state holiday, the election shall be scheduled for

the next following Tuesday. In the event that any day of a

candidate filing period occurs on a Saturday, Sunday or any official

state holiday, that day of the filing period shall be scheduled for

the next business day.

E. Notwithstanding any other provision of law or any provision

of a municipal charter, any municipality, school district,

technology center district, county, rural fire protection district,

or any other entity seeking to hold a regular or special election to

be conducted by a county election board on the same date as a

1 regular or special federal or state election, shall file the

2 resolution calling for the election with the county election board

3 secretary no later than seventy-five (75) days prior to the election

4 date. A candidate filing period of three (3) days, if so required

5 by the resolution, shall begin no later than ten (10) days following

6 the deadline to file the resolution with the secretary of the county

7 election board; provided, the filing period for such municipal

8 office may be scheduled on the same dates as the filing period for

9 state or federal office to be filled at such election.

10   F. Any school district, technology center district,

11 municipality, including any municipality governed by charter, rural

12 fire protection district or any other entity seeking to hold a

13 special election for the purpose of filling a vacancy shall schedule

14 a candidate filing period of three (3) days to begin not more than

15 twenty (20) days following the date the resolution calling the

16 election is required to be filed with the secretary of the county

17 election board.

18   SECTION 3.   AMENDATORY   26 O.S. 2021, Section 5-110, is

19 amended to read as follows:

20   Section 5-110. Declarations of Candidacy provided herein must

21 be filed with the secretary of the appropriate election board no

22 earlier than 8:00 a.m. on the second ~~Wednesday~~ Monday of April of

23 any even-numbered year and no later than 5:00 p.m. on the next

24 succeeding ~~Friday~~ Wednesday. Such Declarations of Candidacy may be

1 transmitted by United States mail, but in no event shall the

2 secretary of any election board accept such Declarations after the

3 time prescribed by law.

4   SECTION 4. It being immediately necessary for the preservation

5 of the public peace, health or safety, an emergency is hereby

6 declared to exist, by reason whereof this act shall take effect and

7 be in full force from and after its passage and approval.

8   Passed the Senate the 9th day of March, 2023.

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10   _____

                                      Presiding Officer of the Senate

11

12   Passed the House of Representatives the ____ day of _____,

13 2023.

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15   _____

                                      Presiding Officer of the House

16   of Representatives

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