

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1072

By: Pae

4
5 AS INTRODUCED

6 An Act relating to elections; amending 26 O.S. 2011,
7 Sections 1-101 and 3-101, as last amended by Section
8 1, Chapter 110, O.S.L. 2018 (26 O.S. Supp. 2018,
9 Section 3-101), which relate to General Elections;
10 modifying date of General Election; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 26 O.S. 2011, Section 1-101, is
14 amended to read as follows:

15 Section 1-101. On the first ~~Tuesday~~ Saturday succeeding the
16 first Monday of November, ~~1976~~ 2020, and every four (4) years
17 thereafter, a General Election shall be held, at which time electors
18 for President and Vice President shall be elected. On said date,
19 and every two (2) years thereafter, United States Senators and
20 United States Representatives, whose terms expire before the next
21 succeeding General Election, and state, district and county
22 officers, whose terms expire before the next succeeding General
23 Election, shall be elected. No county, municipality or school
24 district shall schedule an election on any date during the twenty

1 (20) days immediately preceding the date of any such General
2 Election.

3 SECTION 2. AMENDATORY 26 O.S. 2011, Section 3-101, as
4 last amended by Section 1, Chapter 110, O.S.L. 2018 (26 O.S. Supp.
5 2018, Section 3-101), is amended to read as follows:

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

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

- 14 1. The second Tuesday of February in any year;
- 15 2. The first Tuesday of April in any year;
- 16 3. The date of any regularly scheduled statewide state or
17 federal election in an even-numbered year;
- 18 4. The second Tuesday of September in an odd-numbered year; and
- 19 5. The second Tuesday of November in an odd-numbered year.

20 C. Except as otherwise provided by law, no election for any
21 purpose other than to fill an elective office shall be held by any
22 county, school district, technology center school district,
23 municipality, fire protection district or other political
24 subdivision authorized to call elections except on:

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

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

12 D. In the event that a regular or special election date occurs
13 on an official state holiday, the election shall be scheduled for
14 the next following Tuesday. In the event that any day of a
15 candidate filing period occurs on a Saturday, Sunday or any official
16 state holiday, that day of the filing period shall be scheduled for
17 the next business day.

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

8 F. Any school district, technology center district,
9 municipality, including any municipality governed by charter, rural
10 fire protection district or any other entity seeking to hold a
11 special election for the purpose of filling a vacancy shall schedule
12 a candidate filing period of three (3) days to begin not more than
13 twenty (20) days following the date the resolution calling the
14 election is required to be filed with the secretary of the county
15 election board.

16 SECTION 3. This act shall become effective November 1, 2019.

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