

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1564

By: Echols of the House

and

Dahm of the Senate

4
5
6
7 An Act relating to elections; amending 26 O.S. 2011,
8 Section 5-112, which relates to petitions and filing
9 fees; modifying amount of signatures needed for
10 certain petition; authorizing a candidate with
11 certain income to file a pauper's affidavit in lieu
of paying the costs; requiring accompanying petition
signed by certain number of registered votes; and
providing an effective date.

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14 AUTHOR: Add the following Senate Coauthor: Paxton

15 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

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17 "An Act relating to elections; amending 26 O.S. 2011,
18 Sections 5-112 and 20-102, which relate to petitions
and filing fees; modifying requirements for petition
19 accompanying declaration of candidacy; modifying
amount of fees to file as candidate for certain
20 offices; allowing filing of pauper's affidavit under
certain circumstances; providing procedure for
adjustment of fees; and providing an effective date.

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

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SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-112, is

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amended to read as follows:

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1 Section 5-112. A. A declaration of candidacy must be
2 accompanied by a:

3 1. A petition supporting a candidate's filing signed by four
4 ~~percent (4%) of the registered voters eligible to vote for a~~
5 ~~candidate in the first election wherein the candidate's name could~~
6 ~~appear on the ballot, as reflected by the latest January 15~~
7 ~~registration report~~ not fewer than two percent (2%) of the number of
8 registered voters in the district, county or state, as appropriate
9 for the office sought; or by a

10 2. A cashier's check or certified check in the amount of Two
11 ~~Hundred Dollars (\$200.00) for candidates filing with the Secretary~~
12 ~~of the State Election Board or the secretary of a county election~~
13 ~~board; provided, however, such cashier's check or certified check~~
14 ~~shall be in the amount of One Thousand Five Hundred Dollars~~
15 ~~(\$1,500.00) for candidates for Governor, One Thousand Dollars~~
16 ~~(\$1,000.00) for candidates for United States Senator and Seven~~
17 ~~Hundred Fifty Dollars (\$750.00) for candidates for the United States~~
18 ~~Congress, and Five Hundred Dollars (\$500.00) for candidates for~~
19 ~~Lieutenant Governor, Corporation Commission, Attorney General, State~~
20 ~~Auditor and Inspector, State Superintendent of Public Instruction,~~
21 ~~State Treasurer, Commissioner of Insurance and Commissioner of Labor~~
22 as follows:

23 a. for candidates for Governor, Two Thousand Dollars
24 (\$2,000.00),

- 1 b. for candidates for United States Senator, Two Thousand
2 Dollars (\$2,000.00),
- 3 c. for candidates for United States Congress, One
4 Thousand Dollars (\$1,000.00),
- 5 d. for candidates for Lieutenant Governor, Corporation
6 Commission, Attorney General, State Auditor and
7 Inspector, State Superintendent of Public Instruction,
8 State Treasurer, Commissioner of Insurance and
9 Commissioner of Labor, One Thousand Dollars
10 (\$1,000.00),
- 11 e. for candidates for the State Senate or State House of
12 Representatives, Five Hundred Dollars (\$500.00),
- 13 f. for candidates for District Judge or Associate
14 District Judge, Five Hundred Dollars (\$500.00),
- 15 g. for candidates for District Attorney, Five Hundred
16 Dollars (\$500.00), and
- 17 h. for candidates for county office, Three Hundred
18 Dollars (\$300.00).

19 B. A candidate with an annual income at or below the federal
20 poverty level may file a pauper's affidavit provided by the
21 Secretary of the State Election Board in lieu of paying the costs
22 provided for in this section. The pauper's affidavit shall be
23 accompanied by a petition signed by a number of registered voters in
24 the district, county or state as appropriate for the office sought,

1 equal to the dollar amount of the filing fee required for the
2 office.

3 C. A filing fee received by the Secretary of the State Election
4 Board shall be deposited in the State Election Board Revolving Fund
5 created pursuant to Section 3-107 of this title. A filing fee
6 received by a secretary of a county election board shall be
7 deposited in the County Election Board Special Depository Account
8 authorized by Section 3-108 of this title.

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

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

1 must be accompanied by a petition supporting a candidate's filing
2 signed by one percent (1%) of the registered voters in each
3 congressional district eligible to vote for a candidate or one
4 thousand (1,000) registered voters in each congressional district
5 eligible to vote for a candidate, whichever is less, as reflected by
6 the latest January 15 registration report; or by a cashier's check
7 or certified check in the amount of ~~Two Thousand Five Hundred~~
8 ~~Dollars (\$2,500.00)~~ Five Thousand Dollars (\$5,000.00). The State
9 Election Board shall cause the names of all candidates who have
10 filed within the proper time to be printed on the official ballots.
11 The ballots shall be prepared as provided for by law. Voters shall
12 be restricted to one vote for the candidate of his or her choice of
13 the political party in which the voter is registered.

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

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

22 SECTION 3. This act shall become effective November 1, 2017."
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9 fees; modifying amount of signatures needed for
10 certain petition; authorizing a candidate with
11 certain income to file a pauper's affidavit in lieu
12 of paying the costs; requiring accompanying petition
13 signed by certain number of registered votes; and
14 providing an effective date.

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

16 SECTION 4. AMENDATORY 26 O.S. 2011, Section 5-112, is
17 amended to read as follows:

18 Section 5-112. A. A declaration of candidacy must be
19 accompanied by a petition supporting a candidate's filing signed by
20 ~~four percent (4%)~~ not fewer than one percent (1%) of the number of
21 registered voters eligible to vote for a candidate in the first
22 election wherein the candidate's name could appear on the ballot,
23 district, county or state, as appropriate for the office sought as
24 reflected by the latest January 15 registration report; or by a
cashier's check or certified check in the amount of Two Hundred
Dollars (\$200.00) for candidates filing with the Secretary of the

1 State Election Board or the secretary of a county election board;
2 provided, however, such cashier's check or certified check shall be
3 in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for
4 candidates for Governor, One Thousand Dollars (\$1,000.00) for
5 candidates for United States Senator and Seven Hundred Fifty Dollars
6 (\$750.00) for candidates for the United States Congress, and Five
7 Hundred Dollars (\$500.00) for candidates for Lieutenant Governor,
8 Corporation Commission, Attorney General, State Auditor and
9 Inspector, State Superintendent of Public Instruction, State
10 Treasurer, Commissioner of Insurance and Commissioner of Labor.

11 B. A candidate with an annual income at or below the federal
12 poverty level may file a pauper's affidavit provided by the
13 Secretary of the State Election Board in lieu of paying the costs
14 provided for in this section. The pauper's affidavit shall be
15 accompanied by a petition signed by a number of registered voters in
16 the district, county or state as appropriate for the office sought,
17 equal to the dollar amount of the filing fee required for the
18 office.

19 C. A filing fee received by the Secretary of the State Election
20 Board shall be deposited in the State Election Board Revolving Fund
21 created pursuant to Section 3-107 of this title. A filing fee
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