

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 HOUSE BILL 3055

By: Newell of the House

5 and

6 Smalley of the Senate

7  
8  
9 AS INTRODUCED

10 An Act relating to schools; providing for recall and  
11 removal of school district board of education  
12 members; providing for submission of a recall  
13 petition; requiring petition to be signed by certain  
14 percentage of school district electors; directing the  
15 county election board secretary to certify the number  
16 of signatures; providing for submission of a recall  
17 petition for board members elected by board district;  
18 specifying manner of recall elections; permitting  
19 candidates to be placed on ballot after petition is  
20 submitted; providing for codification; providing an  
21 effective date; and declaring an emergency.

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

23 SECTION 1. NEW LAW A new section of law to be codified  
24 in the Oklahoma Statutes as Section 5-107C of Title 70, unless there  
is created a duplication in numbering, reads as follows:

A. School district board of education members may be recalled  
and removed from office in a special election held for that purpose

1 which shall be called upon submission of a petition to the secretary  
2 of the county election board.

3 B. A petition requesting the recall election of a member of the  
4 board of education of a school district shall be signed by twenty-  
5 five percent (25%) of the school district electors in the school  
6 district, the percentage being applied to the highest number of  
7 voters voting in a regular school district election in the district  
8 in the preceding five (5) years as determined by the secretary of  
9 the county election board, who shall certify the adequacy of the  
10 number of signatures on the petition.

11 C. In any school district where the electors of each board  
12 district, rather than the electors of the entire school district,  
13 elect board members to represent that board district, a special  
14 election shall be called upon submission of a petition to the  
15 secretary of the county election board requesting the recall  
16 election and signed by twenty-five percent (25%) of the electors in  
17 the board district where the recall election is requested.

18 D. Recall elections held pursuant to this section shall be  
19 conducted in the same manner as the election of members of the board  
20 of education for a school district. After the submitted petition is  
21 signed by twenty-five percent (25%) of the electors requesting the  
22 recall of a member of the board of education, candidates who meet  
23 eligibility requirements may file to be placed on the ballot for  
24 such office.

1 SECTION 2. This act shall become effective July 1, 2016.

2 SECTION 3. It being immediately necessary for the preservation  
3 of the public peace, health and safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

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7 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated  
8 02/10/2016 - DO PASS, As Coauthored.