

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 323

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2011,
8 Sections 5-112 and 20-102, which relate to petitions
9 and filing fees; modifying requirements for petition
10 accompanying declaration of candidacy; modifying
11 amount of fees to file as candidate for certain
12 offices; providing procedure for adjustment of fees;
13 specifying duties of Secretary of State Election
14 Board; and providing an effective date.

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

16 SECTION 1. 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:

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

1 2. A cashier's check or certified check ~~in the amount of Two~~
2 ~~Hundred Dollars (\$200.00) for candidates filing with the Secretary~~
3 ~~of the State Election Board or the secretary of a county election~~
4 ~~board; provided, however, such cashier's check or certified check~~
5 ~~shall be in the amount of One Thousand Five Hundred Dollars~~
6 ~~(\$1,500.00) for candidates for Governor, One Thousand Dollars~~
7 ~~(\$1,000.00) for candidates for United States Senator and Seven~~
8 ~~Hundred Fifty Dollars (\$750.00) for candidates for the United States~~
9 ~~Congress, and Five Hundred Dollars (\$500.00) for candidates for~~
10 ~~Lieutenant Governor, Corporation Commission, Attorney General, State~~
11 ~~Auditor and Inspector, State Superintendent of Public Instruction,~~
12 ~~State Treasurer, Commissioner of Insurance and Commissioner of Labor~~
13 as follows:

- 14 a. for candidates for Governor, Two Thousand Dollars
15 (\$2,000.00),
- 16 b. for candidates for United States Senator and United
17 States Congress, Two Thousand Dollars (\$2,000.00),
- 18 c. for candidates for Lieutenant Governor, Corporation
19 Commission, Attorney General, State Auditor and
20 Inspector, State Superintendent of Public Instruction,
21 State Treasurer, Commissioner of Insurance and
22 Commissioner of Labor, Two Thousand Dollars
23 (\$2,000.00),

- 1 d. for candidates for the State Senate or State House of
2 Representatives, Five Hundred Dollars (\$500.00),
3 e. for candidates for District Judge or Associate
4 District Judge, Five Hundred Dollars (\$500.00),
5 f. for candidates for District Attorney, Five Hundred
6 Dollars (\$500.00), and
7 g. for candidates for county office, Three Hundred
8 Dollars (\$300.00).

9 Provided, the Secretary of the State Election Board shall update
10 the amounts of the filing fees set forth in this subsection in 2027,
11 according to the percent difference between the price index for the
12 twelve (12) months preceding the beginning of the calendar year
13 during which the adjustment is made and the price index for 2017.
14 Thereafter, the Secretary shall update such amounts every ten (10)
15 years according to the percent difference between the price index
16 for the twelve (12) months preceding the beginning of the calendar
17 year during which the adjustment is made and the price index for the
18 year when the most recent preceding adjustment was made. If the
19 adjusted amount is not a multiple of One Hundred Dollars (\$100.00),
20 the fee shall be rounded to the nearest multiple of One Hundred
21 Dollars (\$100.00). For purposes of this section, "price index"
22 shall mean the average over a calendar year of the Consumer Price
23 Index (all items - United States city average) published monthly by
24 the Bureau of Labor Statistics. The adjusted fees shall be

1 published on the website of the State Election Board and shall be
2 otherwise communicated as the Secretary determines appropriate.

3 B. 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 office. The candidates shall
18 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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