

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 323

6 By: Paxton

7 COMMITTEE SUBSTITUTE

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

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

17 SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-112, is  
18 amended to read as follows:

19 Section 5-112. A. A declaration of candidacy must be  
20 accompanied by ~~a~~:

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

1 registered voters in the district, county or state, as appropriate  
2 for the office sought; or by a

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

- 16 a. for candidates for Governor, Two Thousand Dollars  
17 (\$2,000.00),
- 18 b. for candidates for United States Senator, Two Thousand  
19 Dollars (\$2,000.00),
- 20 c. for candidates for United States Congress, One  
21 Thousand Dollars (\$1,000.00),
- 22 d. for candidates for Lieutenant Governor, Corporation  
23 Commission, Attorney General, State Auditor and  
24 Inspector, State Superintendent of Public Instruction,

1 State Treasurer, Commissioner of Insurance and  
2 Commissioner of Labor, One Thousand Dollars  
3 (\$1,000.00),

4 e. for candidates for the State Senate or State House of  
5 Representatives, Five Hundred Dollars (\$500.00),

6 f. for candidates for District Judge or Associate  
7 District Judge, Five Hundred Dollars (\$500.00),

8 g. for candidates for District Attorney, Five Hundred  
9 Dollars (\$500.00), and

10 h. for candidates for county office, Three Hundred  
11 Dollars (\$300.00).

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

1 shall mean the average over a calendar year of the Consumer Price  
2 Index (all items - United States city average) published monthly by  
3 the Bureau of Labor Statistics. The adjusted fees shall be  
4 published on the website of the State Election Board and shall be  
5 otherwise communicated as the Secretary determines appropriate.

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

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

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

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

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

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

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SECTION 3. This act shall become effective November 1, 2017.

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