

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 323 By: Paxton of the Senate
3 and
4 Wallace of the House
5
6

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 and providing an effective date.

14 AMENDMENT NO. 1. Replace the title, enacting clause and entire bill
15 and insert

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

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

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

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 House of Representatives,
12 Five Hundred Dollars (\$500.00),
- 13 f. for candidates for the State Senate, Seven Hundred
14 Fifty Dollars (\$750.00),
- 15 g. for candidates for District Judge or Associate
16 District Judge, Five Hundred Dollars (\$500.00),
- 17 h. for candidates for District Attorney, Five Hundred
18 Dollars (\$500.00), and
- 19 i. for candidates for county office, Three Hundred
20 Dollars (\$300.00).

21 B. A filing fee received by the Secretary of the State Election
22 Board shall be deposited in the State Election Board Revolving Fund
23 created pursuant to Section 3-107 of this title. A filing fee
24 received by a secretary of a county election board shall be

1 deposited in the County Election Board Special Depository Account
2 authorized by Section 3-108 of this title.

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

5 Section 20-102. A. Candidates for the nomination for President
6 of the United States shall file with the Secretary of the State
7 Election Board. Such candidates shall be members of political
8 parties recognized under the laws of the State of Oklahoma and shall
9 have filed a statement of candidacy with the Federal Election
10 Commission and shall have raised and expended not less than Five
11 Thousand Dollars (\$5,000.00) for ~~said~~ the office. The candidates
12 shall be required to swear an oath or affirm that they meet the
13 aforementioned qualifications, and their signatures shall be
14 witnessed by a notary public. Such filing beginning at 8:00 a.m. on
15 the first Monday in December and ending at 5:00 p.m. on the next
16 succeeding Wednesday, or at a time prescribed by the State Election
17 Board for a Presidential Preferential Primary to be held on a date
18 other than the first Tuesday in March. A statement of candidacy
19 must be accompanied by a petition supporting a candidate's filing
20 signed by one percent (1%) of the registered voters in each
21 congressional district eligible to vote for a candidate or one
22 thousand (1,000) registered voters in each congressional district
23 eligible to vote for a candidate, whichever is less, as reflected by
24 the latest January 15 registration report; or by a cashier's check

1 or certified check in the amount of ~~Two Thousand Five Hundred~~
2 ~~Dollars (\$2,500.00)~~ Five Thousand Dollars (\$5,000.00). The State
3 Election Board shall cause the names of all candidates who have
4 filed within the proper time to be printed on the official ballots.
5 The ballots shall be prepared as provided for by law. Voters shall
6 be restricted to one vote for the candidate of his or her choice of
7 the political party in which the voter is registered.

8 B. Each page of a petition supporting a candidate's filing
9 shall identify the county and the congressional district, and shall
10 contain the names of registered voters in only one congressional
11 district and in only one county.

12 C. Each page of a petition supporting a candidate's filing
13 shall be verified. Verification shall be made in substantial
14 compliance with the provisions of Section 6 of Title 34 of the
15 Oklahoma Statutes.

16 SECTION 3. This act shall become effective November 1, 2017."
17
18
19
20
21
22
23
24

1 Passed the House of Representatives the 26th day of April, 2017.

2
3
4 Presiding Officer of the House of
Representatives

5
6 Passed the Senate the ____ day of _____, 2017.

7
8
9 Presiding Officer of the Senate

1 ENGROSSED SENATE
2 BILL NO. 323

By: Paxton of the Senate

3 and

4 Wallace of the House

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

10

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

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

14 Section 5-112. A. A declaration of candidacy must be
15 accompanied by a:

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

23 2. A cashier's check or certified check ~~in the amount of Two~~
24 ~~Hundred Dollars (\$200.00) for candidates filing with the Secretary~~

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

- 12 a. for candidates for Governor, Two Thousand Dollars
13 (\$2,000.00),
- 14 b. for candidates for United States Senator, Two Thousand
15 Dollars (\$2,000.00),
- 16 c. for candidates for United States Congress, One
17 Thousand Dollars (\$1,000.00),
- 18 d. 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, One Thousand Dollars
23 (\$1,000.00),

24

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

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

15 SECTION 5. AMENDATORY 26 O.S. 2011, Section 20-102, is
16 amended to read as follows:

17 Section 20-102. A. Candidates for the nomination for President
18 of the United States shall file with the Secretary of the State
19 Election Board. Such candidates shall be members of political
20 parties recognized under the laws of the State of Oklahoma and shall
21 have filed a statement of candidacy with the Federal Election
22 Commission and shall have raised and expended not less than Five
23 Thousand Dollars (\$5,000.00) for ~~said~~ the office. The candidates
24 shall be required to swear an oath or affirm that they meet the

1 | aforementioned qualifications, and their signatures shall be
2 | witnessed by a notary public. Such filing beginning at 8:00 a.m. on
3 | the first Monday in December and ending at 5:00 p.m. on the next
4 | succeeding Wednesday, or at a time prescribed by the State Election
5 | Board for a Presidential Preferential Primary to be held on a date
6 | other than the first Tuesday in March. A statement of candidacy
7 | must be accompanied by a petition supporting a candidate's filing
8 | signed by one percent (1%) of the registered voters in each
9 | congressional district eligible to vote for a candidate or one
10 | thousand (1,000) registered voters in each congressional district
11 | eligible to vote for a candidate, whichever is less, as reflected by
12 | the latest January 15 registration report; or by a cashier's check
13 | or certified check in the amount of ~~Two Thousand Five Hundred~~
14 | ~~Dollars (\$2,500.00)~~ Five Thousand Dollars (\$5,000.00). The State
15 | Election Board shall cause the names of all candidates who have
16 | filed within the proper time to be printed on the official ballots.
17 | The ballots shall be prepared as provided for by law. Voters shall
18 | be restricted to one vote for the candidate of his or her choice of
19 | the political party in which the voter is registered.

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

24 |

