

1 **SENATE FLOOR VERSION**

2 March 1, 2017

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 323

6 By: Paxton

7 [ elections - petitions and filing fees - effective  
8 date ]

9  
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

22 2. A cashier's check or certified check in the amount of Two  
23 ~~Hundred Dollars (\$200.00) for candidates filing with the Secretary~~  
24 ~~of the State Election Board or the secretary of a county election~~

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

- 11 a. for candidates for Governor, Two Thousand Dollars  
12 (\$2,000.00),
- 13 b. for candidates for United States Senator, Two Thousand  
14 Dollars (\$2,000.00),
- 15 c. for candidates for United States Congress, One  
16 Thousand Dollars (\$1,000.00),
- 17 d. for candidates for Lieutenant Governor, Corporation  
18 Commission, Attorney General, State Auditor and  
19 Inspector, State Superintendent of Public Instruction,  
20 State Treasurer, Commissioner of Insurance and  
21 Commissioner of Labor, One Thousand Dollars  
22 (\$1,000.00),
- 23 e. for candidates for the State Senate or State House of  
24 Representatives, Five Hundred Dollars (\$500.00),

- 1        f. for candidates for District Judge or Associate  
2        District Judge, Five Hundred Dollars (\$500.00),  
3        g. for candidates for District Attorney, Five Hundred  
4        Dollars (\$500.00), and  
5        h. for candidates for county office, Three Hundred  
6        Dollars (\$300.00).

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

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

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

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

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

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

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

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

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
22 March 1, 2017 - DO PASS AS AMENDED  
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