

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 409

6 By: Standridge

7 COMMITTEE SUBSTITUTE

8 An Act relating to elections; amending 26 O.S. 2011,
9 Section 3-101, as last amended by Section 11, Chapter
10 210, O.S.L. 2016 (26 O.S. Supp. 2016, Section 3-101),
11 which relates to election dates; modifying dates upon
12 which certain elections may be held; and providing an
13 effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 3-101, as
16 last amended by Section 11, Chapter 210, O.S.L. 2016 (26 O.S. Supp.
17 2016, Section 3-101), is amended to read as follows:

18 Section 3-101. A. No election required to be conducted by any
19 county election board shall be scheduled for a day other than
20 Tuesday.

21 B. Except as otherwise provided by law, no regular or special
22 election ~~to fill an elective office~~ for any purpose shall be held by
23 any county, ~~school district,~~ technology center school district,
24 municipality or other political subdivision authorized to call

1 elections, and no such election to fill an elective office shall be
2 held by any school district, except as follows:

- 3 1. The second Tuesday of February in any year;
- 4 2. The first Tuesday of April in any year;
- 5 3. The date of any regularly scheduled statewide state or
6 federal election in an even-numbered year;
- 7 4. The second Tuesday of September in an odd-numbered year; ~~and~~
- 8 5. The second Tuesday of November in an odd-numbered year; and
- 9 6. In municipalities with a population in excess of five
10 hundred thousand (500,000) persons, according to the most recent
11 federal decennial census, the second Tuesday of December in an odd-
12 numbered year.

13 C. Except as otherwise provided by law, no election for any
14 purpose other than to fill an elective office shall be held by any
15 ~~county, school district, technology center school district,~~
16 ~~municipality or other political subdivision~~ authorized to call
17 elections except on:

- 18 1. The second Tuesday of ~~January,~~ February, May, June, July,
19 August, September, October and November and the first Tuesday in
20 March and April in odd-numbered years; ~~provided, a municipality with~~
21 ~~a population in excess of two hundred fifty thousand (250,000)~~
22 ~~persons, according to the most recent federal decennial census, may~~
23 ~~also hold an election on the second Tuesday of December in odd-~~
24 ~~numbered years; and~~

1 2. The second Tuesday of ~~January and~~ February, the first
2 Tuesday in March and April, the last Tuesday in June, the fourth
3 Tuesday in August, and the first Tuesday after the first Monday in
4 November of any even-numbered year.

5 D. A special election called by the Governor to fill a vacancy
6 in an elective office may be held on the following dates:

7 1. The second Tuesday of January, February, May, June, July,
8 August, September, October and November and the first Tuesday in
9 March and April in odd-numbered years; and

10 2. The second Tuesday of January and February, the first
11 Tuesday in March and April, the last Tuesday in June, the fourth
12 Tuesday in August, and the first Tuesday after the first Monday in
13 November of any even-numbered year.

14 E. In the event that a regular or special election date occurs
15 on an official state holiday, the election shall be scheduled for
16 the next following Tuesday. In the event that any day of a
17 candidate filing period occurs on a Saturday, Sunday or any official
18 state holiday, that day of the filing period shall be scheduled for
19 the next business day.

20 ~~E.~~ F. Notwithstanding any other provision of law or any
21 provision of a municipal charter, any municipality, school district,
22 technology center district, county, rural fire protection district,
23 or any other entity seeking to hold a regular or special election to
24 be conducted by a county election board on the same date as a

1 regular or special federal or state election, shall file the
2 resolution calling for the election with the county election board
3 secretary no later than seventy-five (75) days prior to the election
4 date. A candidate filing period of three (3) days, if so required
5 by the resolution, shall begin no later than ten (10) days following
6 the deadline to file the resolution with the secretary of the county
7 election board; provided, the filing period for such municipal
8 office may be scheduled on the same dates as the filing period for
9 state or federal office to be filled at such election.

10 ~~F.~~ G. Any school district, technology center district,
11 municipality, including any municipality governed by charter, rural
12 fire protection district or any other entity seeking to hold a
13 special election for the purpose of filling a vacancy shall schedule
14 a candidate filing period of three (3) days to begin not more than
15 twenty (20) days following the date the resolution calling the
16 election is required to be filed with the secretary of the county
17 election board.

18 SECTION 2. This act shall become effective November 1, 2017.

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