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February 22, 2017

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 409

By: Standridge

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[ elections - election dates - effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

B. Except as otherwise provided by law, no regular or special election ~~to fill an elective office~~ for any purpose shall be held by any county, ~~school district,~~ technology center school district, municipality or other political subdivision authorized to call elections, and no such election to fill an elective office shall be held by any school district, except as follows:

1. The second Tuesday of February in any year;
2. The first Tuesday of April in any year;

1 3. The date of any regularly scheduled statewide state or
2 federal election in an even-numbered year;

3 4. The second Tuesday of September in an odd-numbered year; ~~and~~

4 5. The second Tuesday of November in an odd-numbered year; and

5 6. In municipalities with a population in excess of five
6 hundred thousand (500,000) persons, according to the most recent
7 federal decennial census, the second Tuesday of December in an odd-
8 numbered year.

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

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

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

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

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

6 2. The second Tuesday of January and February, the first
7 Tuesday in March and April, the last Tuesday in June, the fourth
8 Tuesday in August, and the first Tuesday after the first Monday in
9 November of any even-numbered year.

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

16 ~~E.~~ F. Notwithstanding any other provision of law or any
17 provision of a municipal charter, any municipality, school district,
18 technology center district, county, rural fire protection district,
19 or any other entity seeking to hold a regular or special election to
20 be conducted by a county election board on the same date as a
21 regular or special federal or state election, shall file the
22 resolution calling for the election with the county election board
23 secretary no later than seventy-five (75) days prior to the election
24 date. A candidate filing period of three (3) days, if so required

1 by the resolution, shall begin no later than ten (10) days following
2 the deadline to file the resolution with the secretary of the county
3 election board; provided, the filing period for such municipal
4 office may be scheduled on the same dates as the filing period for
5 state or federal office to be filled at such election.

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON RULES
16 February 22, 2017 - DO PASS AS AMENDED
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