

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4   ENGROSSED SENATE  
5   BILL NO. 962

                              By: Treat, Bullard, **Jett,**  
  **Rogers,** and **Hamilton** of the  
  Senate

  and

  McCall, **Davis,** and **Phillips**  
  of the House

11           An Act relating to school district elections;  
12           amending 26 O.S. 2011, Sections 13A-103, as amended  
13           by Section 1, Chapter 9, O.S.L. 2018 and 13A-105 (26  
14           O.S. Supp. 2020, Section 13A-103), which relate to  
15           election dates and declaration of candidacy;  
16           modifying permissible dates for certain elections;  
17           modifying dates for filing for certain office; and  
18           providing an effective date.

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

20           SECTION 1.           AMENDATORY           26 O.S. 2011, Section 13A-103, as  
21           amended by Section 1, Chapter 9, O.S.L. 2018 (26 O.S. Supp. 2020,  
22           Section 13A-103), is amended to read as follows:

23           Section 13A-103.   A.   1.   The general election of members of the  
24           board of education of every school district and technology center  
                  school district shall be conducted on the ~~first~~ second Tuesday of

1 ~~April~~ November of each odd-numbered year, and on the first Tuesday  
2 after the first Monday of November in each even-numbered year.

3 2. The primary election of members of the board of education of  
4 every school district and technology center school district, if  
5 necessary, shall be conducted on the second Tuesday in ~~February~~  
6 September of each odd-numbered year, ~~except in any year when a~~  
7 ~~Presidential Preferential Primary is held in February, then the~~  
8 ~~election shall be held on the same day as the Presidential~~  
9 ~~Preferential Primary~~ and on the fourth Tuesday of August in each  
10 even-numbered year.

11 3. If only two candidates qualify to have their names appear on  
12 the ballot, the names of both candidates shall appear on the ballot  
13 at the board of education general election.

14 4. If more than two candidates qualify to have their names  
15 appear on the ballot, the names of all such candidates shall appear  
16 on the ballot at the board of education primary election. A  
17 candidate receiving more than fifty percent (50%) of the votes cast  
18 in the board of education primary election shall be elected to the  
19 office. If no candidate receives more than fifty percent (50%) of  
20 the votes cast in the board of education primary election, then the  
21 two candidates with the highest number of votes shall appear on the  
22 ballot at the board of education general election.

23 B. Elections on the question of making a levy or levies for  
24 schools under Section 9, Section 9B or Section 10 of Article X of

1 the Oklahoma Constitution shall be held on the second Tuesday in  
2 February of each year, except in any year when a Presidential  
3 Preferential Primary is held in February, then the election shall be  
4 held on the same day as the Presidential Preferential Primary.

5 C. The board of education of every school district or  
6 technology center school district may call a special election for  
7 the purpose of voting on any matter or question authorized by law.

8 SECTION 2. AMENDATORY 26 O.S. 2011, Section 13A-105, is  
9 amended to read as follows:

10 Section 13A-105. Candidates for member of the board of  
11 education of every school district or technology center school  
12 district shall file declarations of candidacy in the same place and  
13 with the same officials as candidates for county office. The  
14 declaration of candidacy to be signed by the candidate shall have an  
15 attachment to be signed by the candidate listing the requirements of  
16 a candidate for election or reelection to a school board as set  
17 forth in Sections 13A-106 and 5-105a of this title and Sections 5-  
18 110, 5-110.1, and 5-113 of Title 70 of the Oklahoma Statutes, and  
19 the candidate shall swear or affirm that he or she is eligible to  
20 run for the office or serve in the office if elected. Candidates  
21 shall file no earlier than 8:00 a.m. on the ~~first Monday~~ second  
22 Wednesday in ~~December~~ April through no later than 5:00 p.m. on the  
23 ~~following Wednesday~~ next succeeding Friday. For school districts  
24 and technology center school districts located in more than one

1 county, filing may be either in the county wherein supervision of  
2 the district is located or in the county where the candidate  
3 resides.

4 SECTION 3. This act shall become effective January 1, 2023.

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6 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/18/2022 - DO PASS,  
7 As Coauthored.  
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