

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 887

BY: FAIR

AS INTRODUCED

AN ACT RELATING TO PUBLIC OFFICIALS; AMENDING 51 O.S. 1991, SECTION 10, WHICH RELATES TO VACANCIES IN PUBLIC OFFICES; PROVIDING FOR VACANCIES IN CERTAIN STATE OFFICES TO BE FILLED BY APPOINTMENT UNTIL CERTAIN ELECTION; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 51 O.S. 1991, Section 10, is amended to read as follows:

Section 10. (a) All vacancies in state offices, except in offices of the members of the Legislature, members of the House of Representatives from Oklahoma in the Congress of the United States of America and members of the Senate of the United States of America, shall be filled by appointment by the Governor. In case of a vacancy in the above-mentioned state offices, the Governor shall fill such vacancy by appointment until the next general election, when a successor shall be elected to fill out any unexpired term.

When a vacancy occurs in the office of district judge, associate district judge, or judge of any intermediate appellate court, the Governor shall, in filling such vacancy, utilize the services of the Judicial Nominating Commission in the manner as provided for in the

filling of judicial offices under Section 4, Article 7B of the Oklahoma Constitution.

(b) All vacancies in county offices except the board of county commissioners shall be filled by appointment by the board of county commissioners. If such an appointment is made prior to the prescribed filing period for county officers in accordance with the provisions of Section 131 of Title 19 of the Oklahoma Statutes, the county commissioners shall, at the time said appointment is made, proclaim a special election to fill the balance of the unexpired term, providing the balance of the term does not expire in the year following the next succeeding general election. In making the proclamation, the county commissioners shall establish the dates for the filing period, primary election, runoff primary election and general election to be the same as the next succeeding filing period, primary election, runoff primary election and general election for county officers. The appointee shall be eligible to become a candidate at said special election, providing said appointee is otherwise qualified. The office to be filled shall be printed on the same ballot as other county offices.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1446

MJM