

SHORT TITLE: State officers; requiring resignations to be irrevocable and provide certain date of resignation; emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 763

By: Fair

AS INTRODUCED

An Act relating to state officers; amending 51 O.S. 1991, Section 9, which relates to resignations; requiring resignations to be immediate unless otherwise indicated or irrevocable if delayed and provide certain date; and declaring an emergency.

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

SECTION 1. AMENDATORY 51 O.S. 1991, Section 9, is amended to read as follows:

Section 9. A. Resignations may be made as follows:

1. Of state officers, officers of districts of the state, and county commissioners, to the Governor~~;~~;

2. Of members of the Legislature, to the presiding officers of their branches respectively, when in session, and when not in session, to the Governor; and when made to the presiding officer he or she shall at once notify the Governor thereof~~;~~;

3. Of the officers of the Legislature, to the respective branches thereof~~;~~;

4. Of elective county officers, by filing or depositing such resignation in writing in the office of the county clerk, except that of county clerk, which shall be filed or deposited with the board of county commissioners, which resignations, unless a different time is fixed therein, shall take effect upon such filing or deposit~~;~~;

5. Of officers of districts of the county and officers of municipal townships, to the board of county commissioners~~;~~ and

6. Of officers holding their offices by appointment, to the body, board, court or officer that appointed them.

B. Any resignation made pursuant to subsection A of this section shall be signed by the officer in writing. The officer shall personally subscribe his or her name to the resignation and no agent, representative or employee of the officer may sign on the officer's behalf. The signature must be the original, handwritten signature or autograph of the officer. No facsimile, reproduction, typewritten or other substitute signature or autograph will be valid. Such resignation shall be effective immediately, unless a later effective date certain is provided. Any resignation which is effective upon a date certain later than the date of submission may not be withdrawn and shall become effective on the specified date. Such resignation specifying a date certain shall authorize the Governor or other appropriate authority to immediately begin the process to fill the vacancy as generally provided in Section 12-101 et seq. of Title 26 of the Oklahoma Statutes.

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.

44-2-1784

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