STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1914 By: Ferguson

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 1991, Sections 1-102 and 1-103, which relate to primary and runoff primary elections; modifying process for primary and runoff primary elections; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 1-102, is amended to read as follows:

Section 1-102. A. A Primary Election shall be held on the fourth Tuesday in August of each even-numbered year, at which time each political party recognized by the laws of Oklahoma shall nominate its candidates for the offices to be filled at the next succeeding General Election, unless otherwise provided by law. No candidate's name shall be printed upon the General Election ballot unless said candidate shall have been nominated as herein provided, unless otherwise provided by law; provided further that this provision shall not exclude the right of a nonpartisan candidate to have his name printed upon said General Election ballots. No county, municipality or school district shall schedule an election on any date during the twenty (20) days immediately preceding the date of any such primary election.

B. If a political party has two nominees for office and no other political party has a nominee for such office, in lieu of a primary election, the nominees shall be placed on the official ballot as candidates for the office at the General Election.

C. If a political party has more than two nominees for office and no other political party has a nominee for such office, the two nominees receiving the highest number of votes at the primary election shall be placed on the official ballot as candidates for such office at the General Election, regardless of whether any nominee received a majority of all votes cast for the office.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 1-103, is amended to read as follows:

Section 1-103. ~~If~~ Except as otherwise provided by subsection C of Section 1-102 of this title, if at any Primary Election no candidate for the nomination for office of any political party receives a majority of all votes cast for all candidates of such party for said office, no candidate shall be nominated by said party for said office, but the two candidates receiving the highest number of votes at said election shall be placed on the official ballot as candidates for such nomination at a Runoff Primary Election to be held on the third Tuesday of September of the same year. No county, municipality or school district shall schedule an election on any date during the twenty (20) days immediately preceding the date of any such Runoff Primary Election.

SECTION 3. This act shall become effective November 1, 1995.

45-1-6030 SD