

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 28

By: Maddox

COMMITTEE SUBSTITUTE

An Act relating to elections; amending 26 O.S. 1991, Section 5-115, which relates to withdrawals; deleting certain withdrawal filing deadline; providing certain requirements relating to printing of names of withdrawn or deceased candidates on ballots; providing certain candidates be deemed elected or nominated under certain circumstances; repealing 26 O.S. 1991, Sections 5-116 and 5-116.1, which relate to withdrawal from elections; neutralizing gender reference; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 5-115, is amended to read as follows:

Section 5-115. A. Any candidate may withdraw his or her candidacy from any election conducted by a county election board only upon filing a written notice of withdrawal as a candidate with the secretary of the election board which accepted said candidate's declaration of candidacy. Said notice shall be signed by the candidate, whose signature shall be notarized by a notary public,

~~and shall be filed on or before 5:00 p.m. on the Friday following the close of the filing period prescribed by law.~~

B. If a candidate withdraws or dies before ballot preparation has begun for an election wherein the candidate's name appears on the ballot, the candidate's name shall not be printed on the ballot. If ballot preparation has begun, votes for the withdrawn or deceased candidate shall not be certified.

C. If the withdrawal or death of a candidate leaves another candidate for the same office unopposed for election or nomination, the unopposed candidate shall be deemed elected or nominated and the unopposed candidate's name shall not appear on the ballot if ballot preparation for the election has not begun. If ballot preparation has begun, votes for the unopposed candidate shall not be certified.

SECTION 2. REPEALER 26 O.S. 1991, Sections 5-116 and 5-116.1 are hereby repealed.

SECTION 3. This act shall become effective November 1, 1997.

46-1-1030

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