

ENROLLED SENATE
BILL NO. 727

By: Williams of the Senate
and
Turner of the House

An Act relating to elections; amending 26 O.S. 1991, Sections 5-118, as amended by Section 1, Chapter 360, O.S.L. 1994 and 13A-105, as last amended by Section 2, Chapter 360, O.S.L. 1994 (26 O.S. Supp. 1996, Sections 5-118 and 13A-105), which relate to contests of candidacy for district board of education; deleting certain exception; deleting certain duties of the State Board of Education and State Superintendent of Public Instruction; deleting certain procedures; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 5-118, as amended by Section 1, Chapter 360, O.S.L. 1994 (26 O.S. Supp. 1996, Section 5-118), is amended to read as follows:

Section 5-118. Any candidate, hereafter referred to as petitioner, may contest the candidacy of any other candidate for the same office, hereafter referred to as contestee, by filing a written petition with the secretary of the election board with whom said candidate filed the declaration of candidacy. In the event only one candidate files for an office, a petition contesting the candidacy may be filed by any registered voter who is eligible to vote for the candidate.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 13A-105, as last amended by Section 2, Chapter 360, O.S.L. 1994 (26 O.S. Supp. 1996, Section 13A-105), is amended to read as follows:

Section 13A-105. Candidates for member of the board of education of every school district or vocational-technical school district shall file declarations of candidacy in the same place and with the same officials as candidates for county office. The declaration of candidacy shall have an attachment listing the requirements of a candidate for election or reelection to a school board as set forth in Sections 13A-106 and 5-105a of this title and Sections 5-110, 5-110.1, and 5-113 of Title 70 of the Oklahoma

Statutes, and the candidate shall swear or affirm that he or she is eligible to run for such office or serve in such office if elected. Candidates shall file on the first Monday in December through the following Wednesday. For school districts and vocational-technical school districts located in more than one county, filing shall be in the county wherein supervision of the district is located.

SECTION 3. 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.