

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1261

By: Graves

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 1991, Sections 6-106 and 22-102, which relate to ballots; providing for rotation of position on the ballot for candidates of political parties and independent candidates; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 6-106, is amended to read as follows:

Section 6-106. The official ballot card for the General Election shall be printed so that the nominees of the various political parties and nonpartisan candidates will appear in columns. For each General Election ballot for which there are partisan candidates, the names of candidates of the Democratic party ~~shall be printed in the first position,~~ those of the Republican party ~~in the second position and,~~ those of other parties as the State Election Board may direct, ~~giving preference to the party which had the largest number of registered voters in the latest January 15 report,~~ ~~followed by~~ and names of candidates who filed as Independents shall be rotated in such a manner that the names of all parties'

candidates and all Independent candidates appear in each position on the official ballots an equal number of times. Each political party shall have the right to select an emblem to be used in designating its candidates on the ballot; provided, however, that no party shall be allowed to use the coat of arms or seal of Oklahoma or of the United States, or the respective flags thereof. Until changed by resolution of a political party, in state convention, the emblem of the Democratic party shall be a rooster and that of the Republican party an eagle. Change in a party emblem shall be authorized by the Secretary of the State Election Board only after receipt of written notice of said change by said Secretary from the state central committee of a party. At the top of each ballot on which there are partisan candidates shall appear the name of each recognized party with the emblem of said party. The name and emblem of ~~the Democratic party shall be printed in the first position, the Republican party in the second position and the other parties as the State Election Board may direct, giving preference to the party which had the largest number of registered voters in the latest registration report~~ each party shall be rotated in such a manner that the emblem of each party appears in each position on the official ballots an equal number of times. Below said name and emblems shall be a line extending across the entire ballot. The name of the office entitled to the first place in the column, preceded by the word "for", shall next appear in bold type, as "For Governor". Immediately after same shall be the names of the nominees for such office printed with the name of the nominee's party followed by candidates who file as Independents for such office printed with the word "Independent". The list shall be continued down each column, naming the officers in the order in which they are set out by the Constitution and statutes, until all the nominees are given space. The columns shall be set off with well defined lines.

SECTION 2. AMENDATORY 26 O.S. 1991, Section 22-102, is amended to read as follows:

Section 22-102. In a declared election emergency the Secretary of the State Election Board shall declare that either this section or Section 6-106 of this title shall govern General Election ballot printing. The official ballot for the General Election shall be printed so that the nominees of the various political parties and nonpartisan candidates will appear in columns, a column being given to the nominees of each party, and a column being given to nonpartisan candidates. The names of candidates of the Democratic party shall be printed in the first column, those of the Republican party in the second position column and, those of other parties as the State Election Board may direct, giving preference to the party which had the largest number of registered voters in the latest January 15 report and names of candidates who filed as Independents shall be rotated in such a manner that the names of all parties' candidates and all Independent candidates appear in each position on the official ballots an equal number of times. Each political party shall have the right to select an emblem to be used in designating its candidates on the ballot; provided, however, that no party shall be allowed to use the coat of arms or seal of Oklahoma or of the United States, or the respective flags thereof. Until changed by resolution of a political party, in state convention, the emblem of the Democratic party shall be a rooster and that of the Republican party an eagle. Change in a party emblem shall be authorized by the Secretary of the State Election Board only after receipt of written notice of said change by said Secretary from the state central committee of a party. At the top of the column shall appear the name of the recognized party; directly below the name of the party the emblem of said party; and directly below said emblem a circle at least one-half (1/2) inch in diameter. The name of the office entitled to the first place in the column, preceded by the word

"for", shall next appear in bold type, as "For Governor".

Immediately after same shall be the names of the party's nominees for such office, preceded by a square one-fourth (1/4) inch in size. The initial or the first letter of the name of a candidate shall have only the space of an "em" between it and this square, and there shall be no line between the name of an office and that of such candidate; but there shall be a line following the name of a candidate and the name of the next office in order down the column. The list shall be continued down each column, naming the officers in the order in which they are set out by the Constitution and statutes, until all the nominees are given space. No party's list of candidates shall occupy more than one column, and the columns shall be setoff with well-defined lines. At the top of the column designated for nonpartisan candidates, except in the case of judicial officers, shall appear the word "Independent"; provided further, that no party emblem and no circle shall appear between the word "Independent" and the line below same. Each type of ballot may be printed on a different color of paper, said color to be designated by the Secretary of the State Election Board.

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

46-1-6049

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