

(1ST EXTRAORDINARY SESSION  
OF THE 48TH LEGISLATURE)  
ENGROSSED HOUSE AMENDMENT  
TO  
ENGROSSED SENATE BILL NO. 7X

By: Taylor of the Senate  
and  
Adair of the House

( State Government Improvement Act of 2001 -  
noncodification -

effective date )

AUTHOR: Add the following House Coauthor: Liotta

AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
entire bill and insert

"An Act relating to elections; amending 26 O.S. 1991,  
Section 12-101, as amended by Section 27, Chapter  
260, O.S.L. 1994 (26 O.S. Supp. 2000, Section 12-  
101), which relates to vacancies in Congress;  
permitting certain incumbents to file irrevocable  
resignation to become effective on certain date;  
authorizing the Governor to call special election to  
fill the vacancy; providing that certain election  
laws applicable to special election; setting for  
date when person elected in special election takes  
office; stating that certain law applies if  
resignation becomes effective after certain date;  
and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 1991, Section 12-101, as  
amended by Section 27, Chapter 260, O.S.L. 1994 (26 O.S. Supp. 2000,  
Section 12-101), is amended to read as follows:

Section 12-101. A. Except as otherwise provided in this  
section, whenever a vacancy shall occur in the office of a member of

the United States Senate or United States House of Representatives from Oklahoma, such vacancy shall be filled at a Special Election to be called by the Governor within thirty (30) days after such vacancy occurs.

B. No special election shall be called if the vacancy occurs after March 1 of any even-numbered year if the term of ~~said~~ the office expires the following year. In such case, the candidate elected to ~~said~~ the office at the regular General Election shall be appointed by the Governor to fill the unexpired term.

C. If in an even-numbered year an incumbent United States Senator with two (2) or more years remaining in the term for which the incumbent was elected shall file with the Oklahoma Secretary of State before July 1 a resignation in writing which states that the resignation will not become effective immediately, but rather will become effective on some date certain which date is after the General Election, but before the convening of the next term of Congress, the vacancy shall be filled by a special election which shall be held in that even-numbered year on the same dates as the regular Primary Election, Runoff Primary Election and General Election. The filing period for the special election shall be the regular filing period prescribed in Section 5-110 of this title. The person elected in the General Election of the special election shall take office on the date the resignation of the incumbent becomes effective and shall serve the remainder of the unexpired term.

D. If an incumbent United States Representative files with the Oklahoma Secretary of State an irrevocable resignation in writing which states that the resignation shall not become effective immediately, but will become effective on some date certain, the vacancy shall be filled by a special election to be called by the Governor within thirty (30) days of the filing of the resignation with the Secretary of State. The Governor shall issue a

proclamation in accordance with Section 12-102 of this title, and the filing period and the election dates for the special election shall be held in accordance with Sections 12-103 and 12-104 of this title. The person elected in the General Election of the special election shall take office on the date the resignation of the incumbent becomes effective and shall serve the remainder of the unexpired term. In the event the resignation becomes effective after March 1 of an even-numbered year, the provisions of subsection B of this section shall be effective.

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."

Passed the House of Representatives the 23rd day of October, 2001.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2001.

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Presiding Officer of the Senate