

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2136

By: Wright

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2001, Section 13A-110, which relates to vacancies in school boards; updating statutory cite; deleting authorization to fill vacancies until expiration of term; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 13A-110, is amended to read as follows:

Section 13A-110. A. Except for a vacancy in the position of the chair of the board elected pursuant to Section ~~4~~ 5-107B of ~~this act~~ Title 70 of the Oklahoma Statutes, vacancies for members of the board of education of every school district or technology center school district shall be filled by appointment by the board. Persons appointed to fill such vacancies ~~in the first half of the term of office for the board position~~ shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the secretary of the county election board shall be filled until the regular elections the following year. Persons elected to fill unexpired terms shall begin those terms at the next regular meeting of the board of education following the election. ~~Persons appointed to fill such vacancies after the first half of the term of office for the board position shall serve for the balance of the unexpired term.~~ No

person shall be appointed to a board of education who does not meet the eligibility qualifications needed to be a candidate for such position as provided for in Sections 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes.

B. If the board of education does not fill the vacancy by appointment within sixty (60) days of the date the board declared the seat vacant, the board of education shall call a special election to fill the vacancy for the unexpired term.

C. In districts having a chair of the board elected by the electors of the district, a vacancy in the office of the chair of the board shall be filled by the vice-chair who shall continue to serve as the board member for the board district for which elected. The board shall call a special election to elect a chair of the board to serve the remainder of the unexpired term. The special election shall be held in conjunction with the next regular, district-wide school election, conducted pursuant to Section 13A-103 of this title, that is held more than ninety (90) days after the vacancy occurs. The successful candidate in the special election shall assume office as provided for district board of education members and shall serve the remainder of the unexpired term.

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.

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