

AS INTRODUCED

An Act relating to elections; allowing incumbents in certain elective offices to file resignation to become effective on some date certain; authorizing the Governor to call a special election to fill the vacancy; providing that person elected take office on specified date and serve remainder of term; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 12-119 of Title 26, unless there is created a duplication in numbering, reads as follows:

Except as otherwise provided by law, an incumbent in any elective office for which a vacancy is filled by special election called by the Governor may file with the Oklahoma Secretary of State a non-negotiable resignation in writing which states that the resignation will not become effective immediately, but rather will become effective on some date certain. The vacancy shall be filled by a special election which shall be called by the Governor. The person elected at the special election shall take office on the later of the date of the special election or the date the resignation of the incumbent becomes effective and shall serve the remainder of the unexpired term.

SECTION 2. Section 1 of this act shall become effective November 1, 2002.

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.

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