

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1777

By: Miller (Doug)

AS INTRODUCED

An Act relating to county officers; amending 51 O.S. 2001, Section 10, which relates to vacancies in office; modifying procedure for filling vacancies in county offices; repealing 26 O.S. 2001, Section 12-111, as amended by Section 12, Chapter 447, O.S.L. 2002 (26 O.S. Supp. 2002, Section 12-111), which relates to vacancies in county offices; and providing an effective date.

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

SECTION 1. AMENDATORY 51 O.S. 2001, Section 10, is amended to read as follows:

Section 10. A. All vacancies in state offices, except in offices of the members of the Legislature, members of the House of Representatives from Oklahoma in the Congress of the United States of America and members of the Senate of the United States of America, shall be filled by appointment by the Governor. When a vacancy occurs in the office of district judge, associate district judge, or judge of any intermediate appellate court, the Governor shall, in filling such vacancy, utilize the services of the Judicial Nominating Commission in the manner as provided for in the filling of judicial offices under Section 4, Article 7B of the Oklahoma Constitution.

B. All vacancies in county offices ~~except the board of county commissioners or except for any elective county office of any county in the State of Oklahoma having a population of more than six hundred thousand (600,000), according to the latest Federal Decennial Census~~ shall be filled by appointment by the board of county commissioners. If such an appointment is made prior to the

prescribed filing period for county officers in accordance with the provisions of Section 131 of Title 19 of the Oklahoma Statutes, the county commissioners shall, at the time said appointment is made, proclaim a special election to fill the balance of the unexpired term, providing the balance of the term does not expire in the year following the next succeeding general election. In making the proclamation, the county commissioners shall establish the dates for the filing period, primary election, runoff primary election and general election to be the same as the next succeeding filing period, primary election, runoff primary election and general election for county officers. The appointee shall be eligible to become a candidate at said special election, providing said appointee is otherwise qualified. The office to be filled shall be printed on the same ballot as other county offices.

SECTION 2. REPEALER 26 O.S. 2001, Section 12-111, as amended by Section 12, Chapter 447, O.S.L. 2002 (26 O.S. Supp. 2002, Section 12-111), is hereby repealed.

SECTION 3. This act shall become effective November 1, 2003.

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