

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 260

By: Leftwich of the Senate

and

Boren of the House

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2001, Sections 5-110, 1-102, and 1-103, which relate to the filing period, primary elections, and runoff primary elections; modifying dates of the filing period, the primary election and the runoff primary election; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 5-110, is amended to read as follows:

Section 5-110. Declarations of Candidacy provided herein must be filed with the secretary of the appropriate election board no earlier than 8:00 a.m. on the ~~first Monday after Independence Day~~ last Monday in June of any even-numbered year and no later than 5:00 p.m. on the next succeeding Wednesday. ~~Said~~ Such Declarations of Candidacy may be transmitted by United States mail, but in no event shall the secretary of any election board accept ~~said~~ such Declarations after the time prescribed by law.

SECTION 2. AMENDATORY 26 O.S. 2001, Section 1-102, is amended to read as follows:

Section 1-102. A Primary Election shall be held on the ~~fourth~~ first Tuesday in August of each even-numbered year, at which time each political party recognized by the laws of Oklahoma shall nominate its candidates for the offices to be filled at the next succeeding General Election, unless otherwise provided by law. No candidate's name shall be printed upon the General Election ballot

unless ~~said~~ such candidate shall have been nominated as herein provided, unless otherwise provided by law; provided further that this provision shall not exclude the right of a nonpartisan candidate to have his or her name printed upon ~~said~~ the General Election ballots. No county, municipality or school district shall schedule an election on any date during the twenty (20) days immediately preceding the date of any such primary election.

SECTION 3. AMENDATORY 26 O.S. 2001, Section 1-103, is amended to read as follows:

Section 1-103. If at any Primary Election no candidate for the nomination for office of any political party receives a majority of all votes cast for all candidates of such party for ~~said~~ the office, no candidate shall be nominated by ~~said~~ such party for ~~said~~ the office, but the two candidates receiving the highest number of votes at ~~said~~ such election shall be placed on the official ballot as candidates for such nomination at a Runoff Primary Election to be held on ~~the third Tuesday of September of~~ the fourth Tuesday of August in the same year. No county, municipality or school district shall schedule an election on any date during the twenty (20) days immediately preceding the date of any such Runoff Primary Election.

SECTION 4. 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.

49-1-100

JT

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