

SB 603

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THE STATE SENATE  
Monday, February 21, 2005

Senate Bill No. 603

As Amended

SENATE BILL NO. 603 - By: CORN of the Senate and McCARTER of the House.

[ elections - political candidates - cash deposit - Ethics Commission - rights-of-way - Department of Transportation - rules - codification - 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 5-102.1 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. Any candidate for public office required to file a declaration of candidacy with the Secretary of the State Election Board, pursuant to the provisions of Section 5-102 of Title 26 of the Oklahoma Statutes, shall be required to make a cash deposit with the Ethics Commission for the purpose of clearing state roads and highways of political campaign signs illegally placed in public rights-of-way. The amount of the cash deposit required pursuant to this section shall be equal to the amount of the filing fee relevant to the office the candidate is seeking. All candidates shall be required to pay the required cash deposit, including those candidates who file petitions to fulfill their candidacy requirements.

(Bold face denotes Committee Amendments)

1           B. Except as otherwise provided by law, it shall be unlawful to  
2 post any sign in the rights-of-way on any state road or highway  
3 pursuant to law.

4           C. Any political candidate receiving notification from the  
5 Department of Transportation that the Department is in possession of  
6 any of said candidate's political signs within fifteen (15) days  
7 following the final election such candidate is involved in shall  
8 forfeit the cash deposit and in addition be fined One Dollar (\$1.00)  
9 per sign, the sum of which shall be collected by the Ethics  
10 Commission. The candidate may make arrangements with the Department  
11 to pick up any such signs collected by the Department.

12           D. Forfeited deposits and fines collected pursuant to the  
13 provisions of this act shall be transferred by the Ethics Commission  
14 to the Department of Transportation and used solely for the purpose  
15 of maintaining state roads and highways. The Ethics Commission shall  
16 retain five percent (5%) of all cash deposits to cover administrative  
17 costs pursuant to this act.

18           E. The Department of Transportation and the Ethics Commission  
19 are authorized to promulgate rules necessary to implement the  
20 provisions of this act.

21           F. Any municipality or political subdivision of this state may  
22 enact an ordinance or order prohibiting campaign signs on its public  
23 streets.

1           SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-15-05 - DO  
6 PASS, As Amended and Coauthored.