

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1315

By: McCarter

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 2001, Section 11-123, which relates to political activity; modifying complaint procedures; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2001, Section 11-123, is amended to read as follows:

Section 11-123. A. No officer or employee in the classified service of a statutory strong-mayor-council city may actively influence, or actively attempt to influence, or work actively for, the nomination, election or defeat of any candidate for mayor or councilmember; but this shall not prohibit the ordinary exercise of one's right as a citizen to express his opinions and to vote. An officer or employee who violates this section shall be removed from office or position either by the authority normally having power to remove him, or, after adequate opportunity for a public hearing, by the ~~personnel board~~ district attorney. An officer or employee who violates this section shall not hold any office or position in the city government for a period of four (4) years thereafter.

B. A qualified elector of the city may bring an alleged violation of this section before the ~~personnel board~~ district attorney for consideration and determination. Alleged violations shall be made in the form of a sworn complaint charging an officer or employee with such violation. The complaint shall be filed with the secretary ~~or chairman~~ of the ~~personnel board~~ district attorney

and shall be accompanied by a deposit of Twenty Dollars (\$20.00) for payment of costs. If the ~~personnel board~~ district attorney finds to ~~it's~~ the satisfaction of the district attorney that the officer or employee has violated this section prohibiting political activity, ~~it~~ the district attorney shall remove ~~him~~ the officer or employee from office or position, and the money deposit shall be returned to the complainant.

SECTION 2. This act shall become effective November 1, 2005.

50-1-5140 MD 01/11/05