

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1399

By: Thompson

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2001, Section 12-101, as amended by Section 1, Chapter 380, O.S.L. 2002 (26 O.S. Supp. 2004, Section 12-101), which relates to vacancies in Congress; providing for temporary appointment of United States Senators in certain circumstances; and declaring an emergency.

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 12-101, as amended by Section 1, Chapter 380, O.S.L. 2002 (26 O.S. Supp. 2004, Section 12-101), is amended to read as follows:

Section 12-101. A. Except as otherwise provided by law, whenever a vacancy shall occur in the office of a member of the United States Senate or United States House of Representatives from Oklahoma, such vacancy shall be filled at a Special Election to be called by the Governor within thirty (30) days after such vacancy occurs.

B. No special election shall be called if the vacancy occurs after March 1 of any even-numbered year if the term of the office expires the following year. In such case, the candidate elected to the office at the regular General Election shall be appointed by the Governor to fill the unexpired term.

C. If one or both of the United States Senators from this state should be killed by an act of terrorism, as defined by Section 1268.1 of Title 21 of the Oklahoma Statutes, the Governor may fill the vacancy or vacancies by temporary appointment until the special election occurs.

SECTION 2. 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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