

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1428

By: Cooksey

AS INTRODUCED

An Act relating to elections; ordering a legislative referendum pursuant to the Oklahoma Constitution; amending 26 O.S. 2001, Section 5-106, as amended by Section 2, Chapter 369, O.S.L. 2004 (26 O.S. Supp. 2004, Section 5-106), which relates to filing for elective office; requiring members of the Legislature to resign when filing for election to certain other offices; providing ballot title; and directing filing.

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

SECTION 1. Pursuant to Section 3 of Article V of the Oklahoma Constitution, there is hereby ordered the following legislative referendum which shall be filed with the Secretary of State and addressed to the Governor of the state, who shall submit the same to the people for their approval or rejection at the next General Election.

SECTION 2. AMENDATORY 26 O.S. 2001, Section 5-106, as amended by Section 2, Chapter 369, O.S.L. 2004 (26 O.S. Supp. 2004, Section 5-106), is amended to read as follows:

Section 5-106. A. Candidates may file for no more than one office at any election. A Special Election and a Regular Election held on the same date shall be considered one election.

B. Members of the Legislature who file for election to some other office, which if elected to that other office would require the member to resign the member's current legislative office, must resign from their legislative office prior to or concurrently with filing for election to the other office.

SECTION 3. The Ballot Title for the proposed act shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This act amends the Oklahoma Statutes. It amends Section 5-106 of Title 26. It requires State Legislators to resign from office prior to or at the time they file for election to some other office. This requirement to resign would only apply if election to the new office would otherwise require the Legislator to resign from the Legislator's current office.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

SECTION 4. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 3 hereof, with the Secretary of State and one copy with the Attorney General.

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