STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1655 By: Morgan (Danny)

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S 2001, Section 15-102, which relates to initiative and referendum; providing requirements of certain captions; providing restrictions on signatures for certain petitions; providing penalty; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2001, Section 15-102, is amended to read as follows:

Section 15-102. A. The procedure in municipalities which do not provide by ordinance or charter for the manner of exercising the initiative and referendum powers shall be governed by the Oklahoma Constitution and general state law, except as otherwise provided in Sections 15-101 through 15-110 of this title. The duties required of the Governor by state law shall be performed by the mayor; the duties of the Secretary of State shall be performed by the municipal clerk; and the duties of the Attorney General shall be performed by the attorney for the municipality. The procedure for initiative and referendum as to municipal legislation shall be as nearly as practicable the same as those for measures relating to the people of the state at large.

B. The form of the caption for signature sheets for initiative petitions shall be substantially as follows:

1. May be in no smaller than ten-point type; and

2. The warning shall be in bold print and include the following language:

INITIATIVE PETITION

GIST OF PROPOSITION:

WARNING: It is a felony for anyone to sign an initiative or referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the measure, or to sign such petition when he or she is not a registered voter of the city.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 15-111 of Title 11, unless there is created a duplication in numbering, reads as follows:

Every person who is a registered voter of the municipality may sign a petition for the referendum or for the initiative for any measure upon which the person is legally entitled to vote. Any person signing any name other than their own to any petition, or knowingly signing their name more than once for the same measure at one election, or who is not, at the time of signing, the same legal voter of the municipality, or whoever falsely makes or willfully destroys a petition or any part thereof, or who signs or files any certificate or petition knowing the same or any part thereof which has been duly filed, or who shall violate any provision of this statute, or who shall aid or abet any other person in doing any of these acts, and any person violating any provision of Sections 15-101 et seq. of Title 11 of the Oklahoma Statutes, shall, upon conviction, be guilty of a felony and shall be punished by a fine not to exceed Five Hundred Dollars ($500.00) or by imprisonment in the State Penitentiary not to exceed two (2) years, or by both fine and imprisonment in the discretion of the court.

SECTION 3. This act shall become effective November 1, 2005.

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