

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 603

By: Corn

AS INTRODUCED

An Act relating to elections; requiring certain political candidates to make cash deposit with the Ethics Commission for certain purpose; providing amount of deposit; stating prohibition against posting sign in rights-of-way; providing for Department of Transportation to notify candidates of possession of certain signs; providing for forfeit of deposit; authorizing additional fine per sign; authorizing candidate to pick up signs from Department; providing for transfer of certain funds; authorizing Ethics Commission to keep certain percentage for administrative purposes; authorizing Department of Transportation and Ethics Commission to promulgate rules; allowing municipalities to enact certain ordinances for certain purposes; providing for codification; and declaring an 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.

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

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

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

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

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

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.