

THE STATE SENATE
Monday, February 25, 2008

Committee Substitute for
Senate Bill No. 1499

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1499 - By: RABON of the Senate and BRANNON of the House.

[elections - school board vacancies - effective date]

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

SECTION 1. AMENDATORY 26 O.S. 2001, Section 13A-110, is amended to read as follows:

Section 13A-110. A. In addition to the provisions of Section 8 of Title 51 of the Oklahoma Statutes, a vacancy on a school district board of education shall exist when a member is absent from four (4) consecutive meetings of the board. Except for a vacancy in the position of the chair of the board elected pursuant to Section ~~±~~ 5-107B of ~~this act~~ Title 70 of the Oklahoma Statutes, vacancies for members of the board of education of every school district or technology center school district shall be filled by appointment by the board. Persons appointed to fill such vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the

1 secretary of the county election board shall be filled until the
2 regular elections the following year. Persons elected to fill
3 unexpired terms shall begin those terms at the next regular meeting
4 of the board of education following the election. Persons appointed
5 to fill such vacancies after the first half of the term of office
6 for the board position shall serve for the balance of the unexpired
7 term. No person shall be appointed to a board of education who does
8 not meet the eligibility qualifications needed to be a candidate for
9 such position as provided for in Sections 13A-106 of this title and
10 Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma
11 Statutes.

12 B. If the board of education does not fill the vacancy by
13 appointment within sixty (60) days of the date the board declared
14 the seat vacant, the board of education shall call a special
15 election to fill the vacancy for the unexpired term.

16 C. In districts having a chair of the board elected by the
17 electors of the district, a vacancy in the office of the chair of
18 the board shall be filled by the vice-chair who shall continue to
19 serve as the board member for the board district for which elected.
20 The board shall call a special election to elect a chair of the
21 board to serve the remainder of the unexpired term. The special
22 election shall be held in conjunction with the next regular,
23 district-wide school election, conducted pursuant to Section 13A-103

1 of this title, that is held more than ninety (90) days after the
2 vacancy occurs. The successful candidate in the special election
3 shall assume office as provided for district board of education
4 members and shall serve the remainder of the unexpired term.

5 SECTION 2. This act shall become effective November 1, 2008.

6 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-18-08 - DO
7 PASS, As Amended and Coauthored.