

THE HOUSE OF REPRESENTATIVES
Monday, March 2, 2009

House Bill No. 1823

HOUSE BILL NO. 1823 - By: WRIGHT (JOHN) of the House.

An Act relating to elections; amending 26 O.S. 2001, Section 13A-110, as amended by Section 1, Chapter 19, O.S.L. 2008 (26 O.S. Supp. 2008, Section 13A-110), which relates to school board vacancies; modifying filling of vacancies; providing vacancies be filled by special election; and providing an effective date.

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

1 SECTION 1. AMENDATORY 26 O.S. 2001, Section 13A-110, as amended by
2 Section 1, Chapter 19, O.S.L. 2008 (26 O.S. Supp. 2008, Section 13A-110), is amended to
3 read as follows:

4 Section 13A-110. ~~A. Vacancies for members of the board of education of every~~
5 school district or technology center school district shall be filled by ~~appointment by the~~
6 ~~board. Persons appointed to fill such vacancies in the first half of the term of office for~~
7 ~~the board position shall serve only until the next succeeding election, at which time the~~
8 ~~office which they hold shall be placed on the ballot for the balance of the unexpired term.~~
9 ~~Vacancies filled by appointment following the delivery of the resolution calling for~~
10 ~~regular elections to the secretary of the county election board shall be filled until the~~
11 ~~regular elections the following year.~~ a special election called by the board of education.
12 Persons elected to fill unexpired terms shall begin those terms at the next regular

1 meeting of the board of education following the election. ~~Persons appointed to fill such~~
2 ~~vacancies after the first half of the term of office for the board position shall serve for the~~
3 ~~balance of the unexpired term. No person shall be appointed to a board of education who~~
4 ~~does not meet the eligibility qualifications needed to be a candidate for such position as~~
5 ~~provided for in Sections 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of~~
6 ~~Title 70 of the Oklahoma Statutes.~~

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

10 SECTION 2. This act shall become effective November 1, 2009.

11 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02-26-09 - DO PASS.