

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 1081

By: Buck

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Section 1-105, which relates to substitute
9 candidates; modifying notice requirement for
10 alternative candidate; allowing legislative caucus to
11 select alternative candidate for certain offices; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 26 O.S. 2001, Section 1-105, is
15 amended to read as follows:

16 Section 1-105. A. In the event of the death of a political
17 party's nominee for office prior to the date of the General
18 Election, a substitute candidate will be permitted to have his name
19 placed on the General Election ballot as follows:

20 1. If the nominee was a candidate for county office, the
21 political party's central committee of said county shall notify the
22 secretary of the county election board of the name of an alternative
23 candidate to be placed on the General Election ballot. Such notice
24 shall be submitted in writing, within ~~five (5)~~ thirty (30) days
after said death has occurred and shall be signed by at least two

1 duly authorized members of the political party's county central
2 committee.

3 2. If the nominee was a candidate who filed ~~his~~ a Declaration
4 of Candidacy with the State Election Board, other than a State
5 Senator or State Representative, the state central committee of the
6 party affected shall notify the Secretary of the State Election
7 Board of the name of an alternative candidate to be placed on the
8 General Election ballot. Such notice shall be submitted in writing,
9 within ~~five (5)~~ thirty (30) days after said death has occurred and
10 shall be signed by at least two duly authorized members of the
11 political party's state central committee.

12 3. If the nominee was a candidate for State Senator, the Senate
13 caucus of the party affected shall notify the Secretary of the State
14 Election Board of the name of an alternative candidate to be placed
15 on the General Election ballot. Such notice shall be submitted in
16 writing, within thirty (30) days after said death has occurred and
17 shall be signed by at least two duly authorized members of the
18 political party's Senate caucus.

19 4. If the nominee was a candidate for State Representative, the
20 House Of Representatives caucus of the party affected shall notify
21 the Secretary of the State Election Board of the name of an
22 alternative candidate to be placed on the General Election ballot.
23 Such notice shall be submitted in writing, within thirty (30) days
24 after said death has occurred and shall be signed by at least two

1 duly authorized members of the political party's House of
2 Representatives caucus.

3 5. If said death should occur five (5) days or more following
4 the Runoff Primary Election date, a special General Election shall
5 be called by the Governor and shall be conducted according to the
6 laws governing such elections, Section 12-101 et seq. of this title,
7 except that there shall be no filing period or special Primary
8 Election and the candidates in the special General Election shall be
9 the substitute candidate named by the central committee and the
10 nominee of other political parties elected in the Primary or Runoff
11 Primary, and any previously filed independent candidates.

12 B. In the event of the death of a candidate who was unopposed
13 for election, a Special Election shall be called by the Governor.
14 Said Special Election shall be conducted according to the laws
15 governing such elections, Section 12-101 et seq. of this title.

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

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18 52-1-5269 LRB 12/17/08

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