

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1905

By: Duncan

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Sections 1-102 and 1-103, as amended by Sections 2
9 and 3, Chapter 162, O.S.L. 2003 (26 O.S. Supp. 2008,
10 Sections 1-102 and 1-103), which relate to primary
and runoff primary elections; bypassing primary and
runoff primary elections under certain circumstances;
and providing an effective date.

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

14 SECTION 1. AMENDATORY 26 O.S. 2001, Section 1-102, as
15 amended by Section 2, Chapter 162, O.S.L. 2003 (26 O.S. Supp. 2008,
16 Section 1-102), is amended to read as follows:

17 Section 1-102. A. A Primary Election shall be held on the last
18 Tuesday in July of each even-numbered year, at which time each
19 political party recognized by the laws of Oklahoma shall nominate
20 its candidates for the offices to be filled at the next succeeding
21 General Election, unless otherwise provided by law. No candidate's
22 name shall be printed upon the General Election ballot unless such
23 candidate shall have been nominated as herein provided, unless
24 otherwise provided by law; provided further that this provision

1 shall not exclude the right of a nonpartisan candidate to have ~~his~~
2 ~~or her~~ the name of that candidate printed upon the General Election
3 ballots. No county, municipality or school district shall schedule
4 an election on any date during the twenty (20) days immediately
5 preceding the date of any such primary election.

6 B. If a political party has two nominees for office and no
7 other political party has a nominee for the office, in lieu of a
8 Primary Election, the nominees shall be placed on the official
9 ballot as candidates for the office at the General Election.

10 C. If a political party has more than two nominees for office
11 and no other political party has a nominee for the office, the two
12 nominees receiving the highest number of votes at the Primary
13 Election shall be placed on the official ballot as candidates for
14 the office at the General Election, regardless of whether any
15 nominee received a majority of all votes cast for the office.

16 SECTION 2. AMENDATORY 26 O.S. 2001, Section 1-103, as
17 amended by Section 3, Chapter 162, O.S.L. 2003 (26 O.S. Supp. 2008,
18 Section 1-103), is amended to read as follows:

19 Section 1-103. ~~If~~ Except as otherwise provided by subsection C
20 of Section 1-102 of this title, if at any Primary Election no
21 candidate for the nomination for office of any political party
22 receives a majority of all votes cast for all candidates of such
23 party for the office, no candidate shall be nominated by such party
24 for the office, but the two candidates receiving the highest number

1 of votes at such election shall be placed on the official ballot as
2 candidates for such nomination at a Runoff Primary Election to be
3 held on the fourth Tuesday of August in the same year. No county,
4 municipality or school district shall schedule an election on any
5 date during the twenty (20) days immediately preceding the date of
6 any such Runoff Primary Election.

7 SECTION 3. This act shall become effective November 1, 2009.

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9 52-1-5419 SD 12/19/08

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