

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2995

By: Enns

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6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Sections 5-119 and 5-131, which relate to filing for
9 office; modifying time for filing contest; requiring
10 certain persons to pay reasonable costs associated
11 with contest of candidacy; allowing State Election
12 Board to determine reasonable costs; prohibiting
13 certain persons from filing for office until costs
14 are paid; and providing an effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2001, Section 5-119, is
16 amended to read as follows:

17 Section 5-119. Said petition must be filed no later than 5:00
18 p.m. on the ~~second~~ fifth day following the close of the filing
19 period.

20 SECTION 2. AMENDATORY 26 O.S. 2001, Section 5-131, is
21 amended to read as follows:

22 Section 5-131. A. In the event the petitioner is successful at
23 said hearing, his deposit shall be returned to him, and all costs of
24 such hearing shall be deducted from the deposit of the contestee,

1 and the balance, if any, shall be returned to said contestee. The
2 contestee shall reimburse the petitioner for all reasonable costs
3 incurred by the petitioner that are associated with the contest of
4 candidacy, including, but not limited to, mileage, research and
5 attorney fees. If the contestee does not file an answer or make an
6 appearance, ~~or if~~ the contestee shall reimburse the petitioner for
7 the petitioner's deposit, and all reasonable costs incurred by the
8 petitioner that are associated with the contest of candidacy,
9 including, but not limited to, mileage, research and attorney fees.
10 If the petitioner is unsuccessful, all costs incurred shall be paid
11 from the deposit made by the petitioner, and the balance, if any,
12 shall be returned to said petitioner and the petitioner shall
13 reimburse the contestee for all reasonable costs associated with
14 contesting the petition, including, but not limited to, mileage,
15 research and attorney fees.

16 B. The State Election Board shall determine what constitutes
17 reasonable costs.

18 C. Any contestee that does not remit costs to the petitioner
19 shall be prohibited from filing for office with the State Election
20 Board until the costs are paid in full.

21 SECTION 3. This act shall become effective November 1, 2010.

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23 52-2-9413 LRB 01/07/10

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