

1 STATE OF OKLAHOMA

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

3 SENATE BILL 872

By: Coffee

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2001,
8 Sections 1-102, as amended by Section 2, Chapter
9 162, O.S.L. 2003, 5-110, as last amended by Section
10 8, Chapter 53, O.S.L. 2004, 5-119 and 8-103 (26 O.S.
11 Supp. 2008, Sections 1-102 and 5-110), which relate
12 to primary elections, candidate filing periods,
13 contests of candidacy and certificates of election;
14 changing date of primary election; modifying time
15 periods during which declarations of candidacy and
16 petitions to contest candidacy must be filed;
17 modifying date upon which certificates of election
18 issued to unopposed candidates; and providing an
19 effective date.

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

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

24 Section 1-102. A Primary Election shall be held on the ~~last~~
~~Tuesday in July~~ second Tuesday in June of each even-numbered year,
at which time each political party recognized by the laws of
Oklahoma shall nominate its candidates for the offices to be filled
at the next succeeding General Election, unless otherwise provided

1 by law. No candidate's name shall be printed upon the General
2 Election ballot unless such candidate shall have been nominated as
3 herein provided, unless otherwise provided by law; provided further
4 that this provision shall not exclude the right of a nonpartisan
5 candidate to have his or her name printed upon the General Election
6 ballots. No county, municipality or school district shall schedule
7 an election on any date during the twenty (20) days immediately
8 preceding the date of any such primary election.

9 SECTION 2. AMENDATORY 26 O.S. 2001, Section 5-110, as
10 last amended by Section 8, Chapter 53, O.S.L. 2004 (26 O.S. Supp.
11 2008, Section 5-110), is amended to read as follows:

12 Section 5-110. Declarations of Candidacy provided herein must
13 be filed with the secretary of the appropriate election board no
14 earlier than 8:00 a.m. on the ~~first Monday in June~~ last Thursday in
15 March of any even-numbered year and no later than 5:00 p.m. on the
16 next succeeding ~~Wednesday~~ Saturday. Such Declarations of Candidacy
17 may be transmitted by United States mail, but in no event shall the
18 secretary of any election board accept such Declarations after the
19 time prescribed by law.

20 SECTION 3. AMENDATORY 26 O.S. 2001, Section 5-119, is
21 amended to read as follows:

22 Section 5-119. ~~Said~~ A petition to contest a person's candidacy
23 must be filed no later than 5:00 p.m. on the ~~second day~~ Tuesday
24 following the close of the filing period.

1 SECTION 4. AMENDATORY 26 O.S. 2001, Section 8-103, is
2 amended to read as follows:

3 Section 8-103. The county election board shall certify a list
4 of successful candidates for county offices and shall provide
5 Certificates of Election to the same following the General Election,
6 except that Certificates of Election may be issued to unopposed
7 candidates after 5 p.m. on the ~~second day~~ Tuesday following the
8 close of the filing period. The State Election Board shall certify
9 a list of successful candidates for offices for which the Board
10 accepts filings of Declarations of Candidacy and shall provide
11 Certificates of Election to the same following the General Election,
12 except that Certificates of Election may be issued to unopposed
13 candidates after 5 p.m. on the ~~second day~~ Tuesday following the
14 close of the filing period.

15 SECTION 5. This act shall become effective November 1, 2009.

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