

1 ENGROSSED SENATE  
2 BILL NO. 1569

By: Shortey and Brinkley of the  
Senate

3 and

4 Murphey of the House  
5

6  
7 An Act relating to identity and eligibility of  
8 candidates; requiring proof of identity and  
9 eligibility to hold office for certain candidates;  
10 requiring promulgation of certain rules; requiring  
11 availability of certain documents for public  
12 inspection; amending 26 O.S. 2011, Section 20-102,  
13 which relates to candidacy for nomination for  
14 President of the United States; modifying filing  
15 requirements for candidacy for certain office;  
16 requiring availability of certain documents for  
17 public inspection; providing for codification; and  
18 providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 5-111.2 of Title 26, unless  
22 there is created a duplication in numbering, reads as follows:

23 A. Each candidate required to file a Declaration of Candidacy  
24 for any federal, state, county, municipal or judicial office, or for  
the nomination of a recognized political party, in any general,  
primary, or special election shall, at the time of filing the  
Declaration of Candidacy, provide proof of identity and eligibility

1 to hold the office sought to the election board at which the  
2 Declaration was filed.

3 B. The Secretary of the State Election Board shall promulgate  
4 rules to specify the documentation required to provide proof of  
5 eligibility to hold the office sought. The requirement to provide  
6 proof of identity may be satisfied by production of a document  
7 specified in Section 7-114 of Title 26 of the Oklahoma Statutes.

8 C. Copies of documents provided pursuant to the provisions of  
9 this section shall be made by the election board and kept available  
10 for public inspection pursuant to the Oklahoma Open Records Act.

11 SECTION 2. AMENDATORY 26 O.S. 2011, Section 20-102, is  
12 amended to read as follows:

13 Section 20-102. A. Candidates for the nomination for President  
14 of the United States shall file with the Secretary of the State  
15 Election Board. Such candidates shall be members of political  
16 parties recognized under the laws of the State of Oklahoma and shall  
17 have filed a statement of candidacy with the Federal Election  
18 Commission and shall have raised and expended not less than Five  
19 Thousand Dollars (\$5,000.00) for ~~said~~ the office. The candidates  
20 shall be required to swear an oath or affirm that they meet the  
21 aforementioned qualifications, and their signatures shall be  
22 witnessed by a notary public. The candidates shall further be  
23 required to provide proof of identity and United States citizenship  
24 to the State Election Board. A candidate shall present a current

1 state or federal government-issued photo identification or a copy  
2 thereof to provide proof of identity, and shall also present one of  
3 the following documents to provide proof of United States natural-  
4 born citizenship:

5 1. An original birth document issued by a state, the  
6 Commonwealth of Puerto Rico, or the District of Columbia, or a  
7 certified copy thereof;

8 2. An original birth certificate issued by the federal  
9 government, or a certified copy thereof;

10 3. An original United States Certificate of Birth Abroad; or

11 4. An original Report of Birth Abroad of a Citizen of the  
12 United States.

13 Copies of these documents shall be made by the State Election  
14 Board and kept available for public inspection pursuant to the  
15 Oklahoma Open Records Act.

16 B. Such filing ~~beginning~~ shall begin at 8:00 a.m. on the first  
17 Monday in December and ~~ending~~ end at 5:00 p.m. on the next  
18 succeeding Wednesday, or at a time prescribed by the State Election  
19 Board for a Presidential Preferential Primary to be held on a date  
20 other than the first Tuesday in March. A statement of candidacy  
21 must be accompanied by a petition supporting a candidate's filing  
22 signed by one percent (1%) of the registered voters in each  
23 congressional district eligible to vote for a candidate or one  
24 thousand (1,000) registered voters in each congressional district

1 eligible to vote for a candidate, whichever is less, as reflected by  
2 the latest January 15 registration report; or by a cashier's check  
3 or certified check in the amount of Two Thousand Five Hundred  
4 Dollars (\$2,500.00). The State Election Board shall cause the names  
5 of all candidates who have filed within the proper time to be  
6 printed on the official ballots. The ballots shall be prepared as  
7 provided for by law. Voters shall be restricted to one vote for the  
8 candidate of his or her choice of the political party in which the  
9 voter is registered.

10 ~~B.~~ C. Each page of a petition supporting a candidate's filing  
11 shall identify the county and the congressional district, and shall  
12 contain the names of registered voters in only one congressional  
13 district and in only one county.

14 ~~C.~~ D. Each page of a petition supporting a candidate's filing  
15 shall be verified. Verification shall be made in substantial  
16 compliance with the provisions of Section 6 of Title 34 of the  
17 Oklahoma Statutes.

18 SECTION 3. This act shall become effective January 1, 2013.  
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