

1 ENGROSSED SENATE
2 BILL NO. 91

By: Brinkley and Shortey of the
Senate

3 and

4 Tibbs 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. 2001, Section 20-102, as
13 amended by Section 24, Chapter 485, O.S.L. 2003 (26
14 O.S. Supp. 2010, Section 20-102), which relates to
15 candidacy for nomination for President of the United
16 States; modifying filing requirements for candidacy
17 for certain office; requiring availability of certain
18 documents for public inspection; providing for
19 codification; and providing an effective date.

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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. 2001, Section 20-102, as
12 amended by Section 24, Chapter 485, O.S.L. 2003 (26 O.S. Supp. 2010,
13 Section 20-102), is amended to read as follows:

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

1 to the State Election Board. A candidate shall present a current
2 state or federal government-issued photo identification to provide
3 proof of identity, and shall also present one of the following
4 documents to provide proof of United States natural-born
5 citizenship:

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

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

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

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

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

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

1 thousand (1,000) registered voters in each congressional district
2 eligible to vote for a candidate, whichever is less, as reflected by
3 the latest January 15 registration report; or by a cashier's check
4 or certified check in the amount of Two Thousand Five Hundred
5 Dollars (\$2,500.00). Such check shall be forfeited unless a
6 candidate receives more than fifteen percent (15%) of the votes
7 cast. The State Election Board shall cause the names of all
8 candidates who have filed within the proper time to be printed on
9 the official ballots. The ballots shall be prepared as provided for
10 by law. Voters shall be restricted to one vote for the candidate of
11 his or her choice of the political party in which the voter is
12 registered.

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

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

21 SECTION 3. This act shall become effective November 1, 2011.
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