STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1569 By: Shortey

AS INTRODUCED

An Act relating to identity and eligibility of candidates; requiring proof of identity and eligibility to hold office for certain candidates; requiring promulgation of certain rules; requiring availability of certain documents for public inspection; amending 26 O.S. 2011, Section 20-102, which relates to candidacy for nomination for President of the United States; modifying filing requirements for candidacy for certain office; requiring availability of certain documents for public inspection; providing for codification; and providing an effective date.

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

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

A. Each candidate required to file a Declaration of Candidacy 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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