STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1698 By: Sykes

AS INTRODUCED

An Act relating to elections; requiring local entity to ensure compliance with certain provisions; amending 26 O.S. 2011, Section 3-101, which relates to election dates; requiring filing of election resolution by certain date; specifying date requirements for candidate filing period; providing for codification; and declaring an emergency.

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 3-301.1 of Title 26, unless there is created a duplication in numbering, reads as follows:

Any local entity seeking to hold an election on the same date as a state or federal election shall ensure that the election board can comply with the provisions of the Let the Troops Vote Act of 2011, including, but not limited to, submitting the resolution calling for the election, conducting a candidate filing period and conducting any related elections not conducted by the county election board on dates that ensure such compliance.

SECTION 2. AMENDATORY 26 O.S. 2011, Section 3-101, is amended to read as follows:

Section 3-101. A. No election required to be conducted by any county election board shall be scheduled for a day other than Tuesday.

B. Except as otherwise provided by law, no special election shall be held by any county, school district, technology center school district, municipality or other entity authorized to call elections except on:

1. The second Tuesday of January, February, May, June, July, August, September, October and November and the first Tuesday in March and April in odd-numbered years;

2. The second Tuesday of January and February, the first Tuesday in March and April, the last Tuesday in June, the fourth Tuesday in August, and the first Tuesday after the first Monday in November of any even-numbered year.

C. In the event that a regular or special election date occurs on an official state holiday, the election shall be scheduled for the next following Tuesday.

D. Notwithstanding any other provision of law or any provision of a municipal charter, any municipality, school district, technology center district, county, rural fire protection district, or any other entity seeking to hold a regular or special election to be conducted by a county election board on the same date as a

regular or special federal or state election, shall file the resolution calling for the election with the county election board secretary no later than seventy-five (75) days prior to the election date. A candidate filing period, if so required by the resolution, shall begin no later than ten (10) days following the deadline to file the resolution with the secretary of the county election board.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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