

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1231 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Marty Quinn

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1231

By: Quinn

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to elections; providing for the
10 recall of certain elected officers; providing for
11 petition to initiate recall; providing for contents
12 of petition; requiring certain amount of signatures;
13 providing for filing and certification of petition;
14 providing for circulation of petition; requiring
15 successor meet certain filing requirements; providing
16 for election of successor; prohibiting certain recall
17 petitions; providing exemptions; providing for
18 codification; and providing an effective date.

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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 23-102 of Title 26, unless there
3 is created a duplication in numbering, reads as follows:

4 Qualified electors may initiate the recall of an elected state
5 or county official by signing a petition which demands the election
6 of a successor to the officer named in the petition. The petition
7 shall contain a general statement, consisting of two hundred words
8 or less, stating the ground or grounds on which the recall is
9 sought. The statement is for the information of the electors who
10 shall be the sole and exclusive judges of the legality,
11 reasonableness, and sufficiency of the ground or grounds assigned
12 for the recall. The ground or grounds shall not be open to review.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 23-103 of Title 26, unless there
15 is created a duplication in numbering, reads as follows:

16 A petition to recall any elected state or county officer shall
17 be signed by qualified electors equal in number to fifteen percent
18 (15%) of the entire votes cast at the last preceding general
19 election for all candidates for the office which the incumbent
20 sought to be recalled occupies.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 23-104 of Title 26, unless there
23 is created a duplication in numbering, reads as follows:

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1 A. For state recall elections, the petition shall be filed with
2 the Secretary of the State Election Board who shall certify the
3 sufficiency of the petition and shall set the date for the election
4 which shall be the next general election.

5 B. For recall elections for any elected county official, the
6 petition shall be filed with the secretary of the county election
7 board in the county in which the recall of the elected official is
8 sought, who shall certify the sufficiency of the petition and call
9 and conduct the election.

10 SECTION 5. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 23-105 of Title 26, unless there
12 is created a duplication in numbering, reads as follows:

13 The petition shall be circulated for ninety (90) days. No
14 petition shall be circulated until it has been approved as meeting
15 the requirements of Section 2 of this act. The official with whom
16 the petitions are to be filed pursuant to Section 4 of this act
17 shall approve or disapprove a petition as to form by the close of
18 the second business day following submission of the proposed
19 petition.

20 SECTION 6. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 23-106 of Title 26, unless there
22 is created a duplication in numbering, reads as follows:

23 A candidate to succeed the officer sought to be recalled shall
24 meet the filing requirements of Sections 5-101 through 5-131 of

1 Title 26 of the Oklahoma Statutes. The officer who was sought to be
2 recalled shall not be eligible as a candidate in the election to
3 fill any vacancy resulting from the recall election.

4 SECTION 7. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 23-107 of Title 26, unless there
6 is created a duplication in numbering, reads as follows:

7 The election of a successor shall be held at the same time as
8 the recall election. The names of those persons filing as
9 candidates to succeed the person sought to be recalled shall appear
10 on the ballot; provided, no vote cast shall be counted for any
11 candidate for the office unless the voter also voted for or against
12 the recall of the person sought to be recalled. The name of the
13 person against whom the petition is filed shall not appear on the
14 ballot as a candidate for office.

15 SECTION 8. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 23-108 of Title 26, unless there
17 is created a duplication in numbering, reads as follows:

18 A. No recall petition shall be circulated or filed against any
19 elected officer until the officer has actually held office for at
20 least twelve (12) months following the last election.

21 B. After one recall petition and election, no further petition
22 may be filed against the same officer during the term for which the
23 officer was elected.

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1 SECTION 9. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 23-109 of Title 26, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall not apply to the recall of an elected municipal
5 officer or school board member.

6 SECTION 10. This act shall become effective November 1, 2013.

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8 54-1-7315 LRB 02/25/13

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