

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL 1693

6 By: Fields

7 COMMITTEE SUBSTITUTE

8 An Act relating to elections; amending 26 O.S. 2011,
9 Section 1-105, which relates to deceased candidates;
10 modifying procedures in the event of death of a
11 candidate; specifying circumstances under which
12 vacancy declared and special election called; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 1-105, is
16 amended to read as follows:

17 Section 1-105. A. In the event of the death of a political
18 party's nominee for office prior to the date of the General
19 Election, a substitute candidate will be permitted to have his or
20 her name placed on the General Election ballot as follows:

21 1. If the nominee was a candidate for county office, the
22 political party's central committee of ~~said~~ the county shall notify
23 the secretary of the county election board of the name of an
24 alternative candidate to be placed on the General Election ballot.
Such notice shall be submitted in writing, within fifteen (15) days

1 after ~~said~~ the death has occurred, but not later than ~~fifty-five~~
2 ~~(55) days prior to the General Election,~~ five o'clock p.m. on the
3 Friday following the date of the Runoff Primary Election, and shall
4 be signed by at least two duly authorized members of the political
5 party's county central committee. If a political party's central
6 committee fails to submit the notice in the manner described, then a
7 nominee for that party shall not appear on the ballot for that
8 office;

9 2. If the nominee was a candidate who filed a Declaration of
10 Candidacy with the State Election Board, the state central committee
11 of the party affected shall notify the Secretary of the State
12 Election Board of the name of an alternative candidate to be placed
13 on the General Election ballot. Such notice shall be submitted in
14 writing, within fifteen (15) days after ~~said~~ the death has occurred,
15 but not later than ~~sixty (60) days prior to the General Election for~~
16 ~~statewide and federal offices and not later than fifty-five (55)~~
17 ~~days prior to the General Election for other offices~~ five o'clock
18 p.m. on the Friday following the date of the Runoff Primary
19 Election, and shall be signed by at least two duly authorized
20 members of the political party's state central committee. If a
21 political party's central committee fails to submit the notice in
22 the manner described, then a nominee for that party shall not appear
23 on the ballot for that office; and

24

1 3. ~~If said death should occur five (5) days or more following~~
2 ~~the Runoff Primary Election date, a special General Election shall~~
3 ~~be called by the Governor and shall be conducted according to the~~
4 ~~laws governing such elections, Section 12-101 et seq. of this title,~~
5 ~~except that there shall be no filing period or special Primary~~
6 ~~Election and the candidates in the special General Election shall be~~
7 ~~the substitute candidate named by the central committee and the~~
8 ~~nominee of other political parties elected in the Primary or Runoff~~
9 ~~Primary, and any previously filed independent candidates~~ Provided,
10 if the death of a political party's nominee for an office described
11 in paragraph 1 or 2 of this subsection should occur after the Friday
12 following the date of the Runoff Primary Election, then the election
13 shall proceed with the deceased candidate's name printed on the
14 ballot.

15 B. In the event of the death of an independent candidate for an
16 office described in paragraph 1 or 2 of subsection A of this
17 section, the following procedure shall apply:

18 1. If the death occurs on or prior to the Friday following the
19 date of the Runoff Primary Election, the candidate's name shall not
20 be printed on the ballot; and

21 2. If the death occurs after the Friday following the date of
22 the Runoff Primary Election, the candidate's name shall be printed
23 on the ballot.

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1 C. In the event a deceased candidate is certified by the
2 appropriate Election Board as having won an election, a vacancy in
3 the office shall occur upon the date the candidate would have taken
4 office, and the vacancy shall be filled in the manner prescribed by
5 law.

6 D. In the event of the death of a candidate who was unopposed
7 for election, a Special Election shall be called by the Governor.
8 ~~Said~~ The Special Election shall be conducted according to the laws
9 governing such elections, Section 12-101 et seq. of this title.

10 SECTION 2. This act shall become effective January 1, 2015.

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