

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1492

By: Ritze of the House

and

Shortey of the Senate

8  
9                                   COMMITTEE SUBSTITUTE

10                   An Act relating to elections; amending 26 O.S. 2011,  
11                   Section 3-101, as amended by Section 1, Chapter 152,  
12                   O.S.L. 2012 (26 O.S. Supp. 2012, Section 3-101),  
13                   which relates to the election code; requiring certain  
14                   elections be held on certain dates; providing an  
15                   effective date; and declaring an emergency.

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

17                   SECTION 1.           AMENDATORY           26 O.S. 2011, Section 3-101, as  
18                   amended by Section 1, Chapter 152, O.S.L. 2012 (26 O.S. Supp. 2012,  
19                   Section 3-101), is amended to read as follows:

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

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

5 1. The second Tuesday of January, February, May, June, July,  
6 August, September, October and November and the first Tuesday in  
7 March and April in odd-numbered years; provided, a municipality with  
8 a population in excess of two hundred fifty thousand (250,000)  
9 persons, according to the most recent federal decennial census, may  
10 also hold an election on the second Tuesday of December in odd-  
11 number years; and

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

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

19 D. No special election called by county commissioners shall be  
20 held by any county other than the first Tuesday succeeding the first  
21 Monday in November in even-numbered years or the second Tuesday in  
22 November in odd-numbered years, or the dates of the primary, run-off  
23 or presidential preferential primary elections.

24

1 SECTION 2. This act shall become effective July 1, 2013.

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

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7 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/28/2013 - DO PASS,  
8 As Amended and Coauthored.