STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

SENATE BILL 1578 By: Boggs

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Section 1-104, which relates to Primary Elections and Runoff Primary Elections; allowing all registered voters eligible to vote for an office to vote in the Primary and Runoff Primary Election of a recognized political party in certain circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 1-104, is amended to read as follows:

Section 1-104. A. No registered voter shall be permitted to vote in any Primary Election or Runoff Primary Election of any political party except the political party of which ~~his~~ the registration form of the voter shows ~~him~~ the voter to be a member, except as otherwise provided by this section.

B. If a recognized political party has two or more nominees for an office, no other recognized political party has a nominee for the office, and no person registered as an Independent pursuant to Section 4-112 of this title is a candidate for the office, all

registered voters eligible to vote for that office, regardless of whether the voters are registered as members of the recognized political party having candidates for the office, are registered as members of another recognized political party, or are registered as Independents, shall be allowed to vote in the Primary Election and, if a Runoff Primary Election is necessary, in the Runoff Primary Election.

C. 1. A recognized political party may permit registered voters designated as Independents pursuant to the provisions of Section 4-112 of this title to vote in a Primary Election or Runoff Primary Election of the party.

2. The state chairman of the party shall, between November 1 and 30 of every odd-numbered year, notify the Secretary of the State Election Board as to whether or not the party intends to permit registered voters designated as Independents to vote in a Primary Election or Runoff Primary Election of the party. If the state chairman notifies the Secretary of the State Election Board of the party's intention to so permit, registered voters designated as Independents shall be permitted to vote in any Primary Election or Runoff Primary Election of the party held in the following two (2) calendar years. If the state chairman of one party notifies the Secretary of the State Election Board of the party's intent to so permit, the notification period specified in this paragraph shall be extended to December 15 for the state chairman of any other party to

so notify or to change prior notification. A registered voter designated as Independent shall not be permitted to vote in a Primary Election or Runoff Primary Election of more than one party.

3. Failure to so notify the Secretary of the State Election Board shall serve to prohibit registered voters designated as Independents from voting in a Primary Election or Runoff Primary Election of the party.

4. A group of persons seeking to form a recognized political party pursuant to the provisions of Section 1-108 of this title shall, upon filing of the petitions seeking recognition of the political party with the Secretary of the State Election Board, notify the Secretary of the State Election Board as to whether or not the party intends to permit registered voters designated as Independents to vote in a Primary Election or Runoff Primary Election of the party. If the party is recognized and the group of persons seeking recognition of the party notifies the Secretary of the State Election Board of such intention, registered voters designated as Independents shall be permitted to vote in any Primary Election or Runoff Primary Election of the party held prior to January 1 of the following even-numbered year.

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

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