

1 STATE OF OKLAHOMA

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

3 SENATE BILL 275

By: Fields

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5  
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2011,  
8 Sections 5-105 and 5-110, which relate to  
9 Declarations of Candidacy; modifying party  
10 registration and residency requirements for  
11 candidates; clarifying required registration period  
12 for candidates of newly recognized party; modifying  
13 period during which Declarations of Candidacy may be  
14 filed; providing for extension under certain  
15 circumstances; providing procedures upon recognition  
16 of political party after certain date; specifying  
17 duties of Secretary of State Election Board; amending  
18 14 O.S. 2011, Sections 80.8 and 108, which relate to  
19 filing as legislative candidates; modifying voter  
20 registration requirement to file as legislative  
21 candidate; deleting obsolete language; and providing  
22 an effective date.

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

24 SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-105, is  
amended to read as follows:

Section 5-105. A. To file as a candidate for nomination by a  
political party to any state or county office, a person must have  
been a registered voter of that party by September 1 of the odd-  
numbered year preceding the election for an office to be filled at a  
regular election, or for the six-month period immediately preceding

1 the first day of the filing period prescribed by law and, under  
2 oath, so state. Provided, this requirement shall not apply to a  
3 candidate for the nomination of a political party which attains  
4 recognition less than six (6) months preceding the first day of the  
5 filing period required by law. However, the candidate shall be  
6 required to have registered with the newly recognized party within  
7 fifteen (15) days after such party recognition, but in no case later  
8 than the date of filing a Declaration of Candidacy.

9 B. To file as an independent candidate for any state or county  
10 office, a person must have been registered to vote as an independent  
11 by September 1 of the odd-numbered year preceding the election for  
12 an office to be filled at a regular election, or for the six-month  
13 period immediately preceding the first day of the filing period  
14 prescribed by law and, under oath, so state.

15 SECTION 2. AMENDATORY 26 O.S. 2011, Section 5-110, is  
16 amended to read as follows:

17 Section 5-110. A. Except as otherwise provided in this  
18 section, Declarations of Candidacy provided herein must be filed  
19 with the secretary of the appropriate election board no earlier than  
20 8:00 a.m. on the ~~second Wednesday of April~~ second Monday in January  
21 of any even-numbered year and no later than 5:00 p.m. on the next  
22 succeeding Friday. Such Declarations of Candidacy may be  
23 transmitted by United States mail, but in no event shall the  
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1 secretary of any election board accept such Declarations after the  
2 time prescribed by law.

3 B. In the event that the appropriate election board is closed  
4 on any day set forth in subsection A of this section due to  
5 inclement weather or natural disaster, the Secretary of the State  
6 Election Board shall extend the filing period by a number of  
7 weekdays equal to the number of weekdays of closure.

8 C. In the event that a political party is recognized pursuant  
9 to the provisions of Section 1-108 of this title on or after the  
10 thirtieth day preceding the first day of the filing period set forth  
11 in subsection A of this section, the Secretary of the State Election  
12 Board shall order a supplemental filing period during which  
13 Declarations of Candidacy for candidates of that party only may be  
14 filed with the secretary of the appropriate election board no  
15 earlier than 8:00 a.m. on the first Monday of April following  
16 recognition of the political party and no later than 5:00 p.m. on  
17 the next succeeding Wednesday.

18 SECTION 3. AMENDATORY 14 O.S. 2011, Section 80.8, is  
19 amended to read as follows:

20 Section 80.8. To file as a candidate for the Senate in any  
21 senatorial district, a person must have been a registered voter in  
22 the district and a resident residing within such district by  
23 September 1 of the odd-numbered year preceding the election for an  
24 office to be filled at a regular election, or for the six-month

1 period immediately preceding the first day of the filing period as  
2 provided in Section 5-110 of Title 26 of the Oklahoma Statutes for  
3 an office to be filled at a special election. Any member of the  
4 Senate whose district has been changed by a reapportionment may  
5 change residence with the intent of becoming qualified to seek  
6 reelection in such district in the first election applicable to such  
7 district following the reapportionment without thereby being deemed  
8 to have vacated his or her existing office.

9 SECTION 4. AMENDATORY 14 O.S. 2011, Section 108, is  
10 amended to read as follows:

11 Section 108. To file as a candidate for the House of  
12 Representatives in any representative district, a person must have  
13 been a registered voter in such district and a resident residing  
14 within such district by September 1 of the odd-numbered year  
15 preceding the election for an office to be filled at a regular  
16 election, or for at least six (6) months immediately preceding the  
17 filing period prescribed by law. ~~Except, however, to file as a~~  
18 ~~candidate for the House of Representatives in any house district in~~  
19 ~~2004, a person must have been a registered voter and a resident~~  
20 ~~residing in such district no later than December 21, 2003~~ for an  
21 office to be filled at a special election. Any member of the House  
22 of Representatives whose district has been changed by redistricting  
23 may change residence with the intent of becoming qualified to seek  
24 reelection in such district in the first election applicable to such

1 district following redistricting without thereby being deemed to  
2 have vacated his or her existing office.

3 SECTION 5. This act shall become effective November 1, 2013.

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