STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1442 By: Caldwell of the House

and

Quinn of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to school elections; amending 26 O.S. 2011, Section 13A-110, which relates to vacancies on boards of education; providing for the filling of certain vacancies on the board of education by appointment; allowing the appointment of persons who do not reside in certain districts; requiring appointed persons to reside in the school district and meet other eligibility qualifications; limiting service; and requiring certain boards of education to give preference to certain persons.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 13A-110, is amended to read as follows:

Section 13A-110. A. Vacancies for members of the board of education of every school district or technology center school district shall be filled by appointment by the board. ~~Persons~~

B. Except as provided in subsection D of this section, persons appointed to fill such vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term. Vacancies filled by appointment following the delivery of the resolution calling for regular elections to the secretary of the county election board shall be filled until the regular elections the following year. Persons elected to fill unexpired terms shall begin those terms at the next regular meeting of the board of education following the election. Persons appointed to fill such vacancies after the first half of the term of office for the board position shall serve for the balance of the unexpired term. ~~No~~

C. Except as provided in subsection D of this section, no person shall be appointed to a board of education who does not meet the eligibility qualifications needed to be a candidate for such position as provided for in ~~Sections~~ Section 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes.

~~B.~~ D. 1. If after the filing period is closed no candidate for an open position on a board of education of a school district has filed and therefore a vacancy is created, the vacancy shall be filled by appointment by the board. Persons appointed to fill such vacancies shall not be required to reside in the board or election

district but shall be required to reside in the school district and to meet the other eligibility qualifications needed to be a candidate for the position as provided in Section 13A-106 of this title and Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma Statutes. Persons appointed to fill vacancies as provided for in this subsection shall be eligible to serve only for the balance of the term.

2. In school districts with an average daily membership of thirty thousand (30,000) or more, if prior to the board making an appointment as provided for in paragraph 1 of this subsection, a person who is a resident of the board or election district expresses interest to the board in being appointed to fill the vacancy, the board shall consider that person and shall give that person preference over a person who does not reside in the board or election district.

E. If the board of education does not fill the vacancy by appointment within sixty (60) days of the date the board declared the seat vacant, the board of education shall call a special election to fill the vacancy for the unexpired term.

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