

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 775

By: Bass

COMMITTEE SUBSTITUTE

An Act relating to elections; amending 26 O.S. 2011, Section 5-105a, which relates to persons barred from public office; clarifying language; modifying persons ineligible to be a candidate for or be elected to certain offices; defining term; and providing an effective date.

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

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

Section 5-105a. A. A person who has ~~been~~:

1. Been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States ~~or who has entered~~ ;

2. Entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony under the laws of this state or of the United States; ~~or who has been~~

1        3. Been convicted of a crime in another state which would have  
2        been a misdemeanor involving embezzlement or a felony under the laws  
3        of this state; or ~~has entered~~

4        4. Entered a plea of guilty or nolo contendere to such crime in  
5        another state which would have been a misdemeanor involving  
6        embezzlement or a felony under the laws of this state;

7        shall not be eligible to be a candidate for or to be elected to  
8        any state, county, municipal, judicial or school office or any other  
9        elective office of any political subdivision of this state for a  
10       period of fifteen (15) years ~~following~~ from the date of completion  
11       of his or her sentence or during the pendency of an appeal of such  
12       conviction or plea.

13       B. For purposes of this section, "date of completion of his or  
14       her sentence" shall mean:

15       1. The date a person has fulfilled the requirements and  
16       restrictions imposed by a court pursuant to a deferred sentence  
17       after a plea of guilty or nolo contendere;

18       2. The date a person has completed a sentence after conviction  
19       of a crime where a person did not fulfill the requirements and  
20       restrictions imposed by a court pursuant to a deferred sentence  
21       after a plea of guilty or nolo contendere;

22       3. The date a person has fulfilled the requirements and  
23       conditions of a suspended sentence;  
24

1        4. The date a person has completed a sentence after conviction  
2 of a crime where a person did not fulfill the requirements and  
3 restrictions imposed by a court pursuant to a suspended sentence; or

4        5. The date a person completes a sentence.

5        ~~B.~~ C. The provisions of this section shall not be construed to  
6 preclude a person who has received a pardon from being eligible for  
7 or from holding public office.

8        SECTION 2. This act shall become effective November 1, 2015.

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10        55-1-1433            CD            2/18/2016 3:56:30 PM