

1 ENGROSSED SENATE
2 BILL NO. 775

By: Bass of the Senate

3 and

4 Inman of the House

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

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

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

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

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

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

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

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

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

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

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

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

19 3. The date a person has fulfilled the requirements and
20 conditions of a suspended sentence;

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

24 5. The date a person completes a sentence.

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

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

Passed the Senate the 11th day of March, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2015.

Presiding Officer of the House
of Representatives