

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1097

By: Condit and Dank

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to elections; requiring nonpartisan
10 elections for county sheriff; providing procedures;
11 amending 19 O.S. 2011, Section 510, which relates to
12 qualifications for county sheriff; modifying
13 qualifications; providing for codification; and
14 providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 5-103.1 of Title 26, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Beginning with the 2016 election cycle, elections for the
20 office of county sheriff shall be conducted on a nonpartisan basis.
21 Candidates for county sheriff shall file a Declaration of Candidacy
22 with the secretary of the county election board as provided in
23 Section 5-103 of Title 26 of the Oklahoma Statutes but shall not
24 declare a party affiliation.

1 B. If more than two candidates qualify to have their names
2 appear on the ballot for the office of county sheriff, the names of
3 all such candidates shall appear on the Primary Election ballot. If
4 no single candidate receives more than fifty percent (50%) of the
5 votes cast at the Primary Election, the names of the two candidates
6 receiving the highest number of votes at the Primary Election shall
7 appear on the General Election ballot.

8 C. If only two candidates qualify to have their names appear on
9 the ballot for the office of county sheriff, the names of both
10 candidates shall appear on the General Election ballot.

11 SECTION 2. AMENDATORY 19 O.S. 2011, Section 510, is
12 amended to read as follows:

13 Section 510. Any person, otherwise qualified, who has been a
14 resident of the State of Oklahoma for two (2) years, has been a
15 registered voter ~~of the party whose nomination he or she seeks, or a~~
16 ~~registered Independent,~~ and resides within the county from which
17 such person seeks election for the six (6) months next preceding the
18 first day of the filing period, ~~except in 2004, when such person~~
19 ~~must have been a qualified registered elector no later than December~~
20 ~~21, 2003,~~ is at least twenty-five (25) years of age next preceding
21 the date of filing for office, and possesses at least a high school
22 education, shall be eligible to hold the office of county sheriff or
23 to file therefor. Provided, however, in counties with populations
24 of five hundred thousand (500,000) or more, the person seeking

1 election shall also be a current certified peace officer in good
2 standing. Within twelve (12) months of taking office, all newly
3 elected or appointed sheriffs shall complete a sheriff's
4 administrative school which has been developed by the Oklahoma
5 ~~Sheriff's~~ Sheriffs' Association and which has been approved by the
6 Council on Law Enforcement Education and Training (CLEET). Failure
7 to complete the sheriff's administrative school within the specified
8 period shall preclude the new sheriff from obtaining CLEET
9 certification. New sheriffs with prior CLEET certification, who
10 fail to attend the sheriff's administrative school, shall have their
11 CLEET certification revoked. Provided, however, the provisions of
12 this section relating to qualifications shall not apply to any
13 person serving as a county sheriff or to any person previously
14 serving as county sheriff prior to the adoption of this statute.

15 SECTION 3. This act shall become effective November 1, 2015.

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17 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
18 02/05/2015 - DO PASS, As Amended and Coauthored.
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