

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. 1805

By: Banz of the House

and

Justice of the Senate

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10                               COMMITTEE SUBSTITUTE

11       An Act relating to elections; amending 26 O.S. 2011,  
12       Sections 5-110 and 5-111, as last amended by Section  
13       1, Chapter 402, O.S.L. 2013 (26 O.S. Supp. 2014,  
14       Section 5-111), which relate to Declaration of  
15       Candidacy; providing for designation of nominee for  
16       office of Lieutenant Governor; providing for the  
17       filing of one Declaration of Candidacy by joint  
18       candidates for the offices of Governor and Lieutenant  
19       Governor; amending 26 O.S. 2011, Section 6-103, which  
20       relates to election ballots; providing for ballots  
21       for offices of Governor and Lieutenant Governor; and  
22       providing an effective date.

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

24               SECTION 1.       AMENDATORY       26 O.S. 2011, Section 5-110, is  
25       amended to read as follows:

26               Section 5-110.   A.   Declarations of Candidacy provided ~~herein~~  
27       for in this article must be filed with the secretary of the

1 appropriate election board no earlier than 8:00 a.m. on the second  
2 Wednesday of April of any even-numbered year and no later than 5:00  
3 p.m. on the next succeeding Friday. Such Declarations of Candidacy  
4 may be transmitted by United States mail, but in no event shall the  
5 secretary of any election board accept such Declarations after the  
6 time prescribed by law.

7 B. Each candidate for Governor shall designate the person who  
8 shall run as the nominee for Lieutenant Governor for the party. If  
9 the candidate for Governor is a member of a recognized political  
10 party, the nominee for Lieutenant Governor shall be of the same  
11 political party as the candidate for Governor. The joint candidates  
12 for the offices of Governor and Lieutenant Governor shall jointly  
13 file one Declaration of Candidacy and shall appear jointly on the  
14 ballot.

15 SECTION 2. AMENDATORY 26 O.S. 2011, Section 5-111, as  
16 last amended by Section 1, Chapter 402, O.S.L. 2013 (26 O.S. Supp.  
17 2014, Section 5-111), is amended to read as follows:

18 Section 5-111. A. Forms to be used for filing Declarations of  
19 Candidacy shall be prescribed by the Secretary of the State Election  
20 Board and shall contain the following information:

- 21 1. The name of the candidate as it shall appear on the ballot;
- 22 2. The legal name of the candidate;
- 23 3. The candidate's place of residence and mailing address;
- 24 4. The name of the office sought;

1       5. The candidate's date of birth;

2       6. The party affiliation of the candidate seeking political  
3 party nomination;

4       7. The precinct and county wherein the candidate is a  
5 registered voter;

6       8. An oath wherein the candidate swears or affirms that he or  
7 she is qualified to become a candidate for the office sought, and  
8 that, if elected, the candidate will be qualified to hold the  
9 office; and

10       9. Any additional information which the Secretary deems  
11 necessary.

12       B. If the candidate has ever been ultimately determined by a  
13 court of proper authority to be guilty of an offense specified in  
14 subsection A of Section 5-105a of this title or at the time of  
15 filing the Declaration of Candidacy is named in an outstanding  
16 warrant for arrest for such an offense, in this or any other state,  
17 the candidate shall provide the following information on a form  
18 prescribed by the Secretary of the State Election Board:

19       1. The name of the offense;

20       2. The date of conviction or issuance of the outstanding  
21 warrant; and

22       3. The county and state of conviction or issuance of the  
23 outstanding warrant.  
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1       The provisions of this subsection shall not apply to an offense  
2 for which the candidate has received a pardon.

3       C. A Declaration of Candidacy form must be signed by the  
4 candidate, and the signature must be properly notarized by a notary  
5 public or other person authorized by law to administer oaths. A  
6 Declaration of Candidacy form for the offices of Governor and  
7 Lieutenant Governor must be signed by both candidates, and the  
8 signatures must be properly notarized in the manner provided for in  
9 this subsection.

10       D. In addition to the information required by this section, a  
11 candidate may include a telephone number, email address and website  
12 address. Such additional information shall not be required of any  
13 candidate but if provided shall be made available to the public.

14       SECTION 3.       AMENDATORY       26 O.S. 2011, Section 6-103, is  
15 amended to read as follows:

16       Section 6-103. A. The State Election Board shall cause ballots  
17 to be printed for statewide Primary, Runoff Primary, General  
18 Elections and special elections at such time as to ~~insure~~ ensure  
19 delivery of said ballots to the several county election boards for  
20 distribution to the several precinct election boards prior to  
21 election day. Said board shall cause ballots to be printed for the  
22 following offices: Electors for President and Vice President;  
23 United States Senators; United States Representatives; state  
24 officers; Justices of the Supreme Court; Judges of the Court of

1 Criminal Appeals; Judges of the Court of Appeals; district judges  
2 and associate district judges; State Senators; State  
3 Representatives; district attorneys; county officers, and such other  
4 officers as required by law, in the order they appear in the  
5 statutes, and shall cause ballots to be printed for state questions.

6 B. The slate of the candidates for Governor and Lieutenant  
7 Governor shall be nominated and elected jointly by the casting of a  
8 single vote applicable to both offices. No candidate for Governor  
9 or Lieutenant Governor shall appear individually on a ballot for the  
10 office the candidate is seeking.

11 SECTION 4. This act shall become effective upon the approval by  
12 the people of this state of the constitutional amendment contained  
13 in House Joint Resolution No. 1011 of the 1st Session of the 55th  
14 Oklahoma Legislature.

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16 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/18/2015 - DO PASS,  
17 As Amended and Coauthored.  
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