

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE

5 BILL NO. 775

By: Bass of the Senate

and

Inman of the House

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

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

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

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

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

22 2. Entered a plea of guilty or nolo contendere to such
23 misdemeanor involving embezzlement or felony under the laws of this
24 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;

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 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
11 04/01/2015 - DO PASS.