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February 11, 2015

**AS AMENDED**

SENATE BILL NO. 428

By: Crain

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[ elections - dates upon which elections may be held
- effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 26 O.S. 2011, Section 3-101, as last amended by Section 20, Chapter 15, O.S.L. 2013 (26 O.S. Supp. 2014, Section 3-101), is amended to read as follows:

Section 3-101. A. No election required to be conducted by any county election board shall be scheduled for a day other than Tuesday.

B. Except as otherwise provided by law, no special election shall be held by any county, school district, technology center school district, municipality or other entity authorized to call elections except on:

1. The second Tuesday of ~~January~~, February, May, June, July, August, September, October and November and the first Tuesday in March and April in odd-numbered years; provided, a municipality with a population in excess of two hundred fifty thousand (250,000)

1 persons, according to the most recent federal decennial census, may  
2 also hold an election on the second Tuesday of December in odd-  
3 numbered years; and

4 2. The second Tuesday of ~~January and~~ February, the first  
5 Tuesday in March and April, the last Tuesday in June, the fourth  
6 Tuesday in August, and the first Tuesday after the first Monday in  
7 November of any even-numbered year.

8 C. In the event that a regular or special election date occurs  
9 on an official state holiday, the election shall be scheduled for  
10 the next following Tuesday.

11 D. Notwithstanding any other provision of law or any provision  
12 of a municipal charter, any municipality, school district,  
13 technology center district, county, rural fire protection district,  
14 or any other entity seeking to hold a regular or special election to  
15 be conducted by a county election board on the same date as a  
16 regular or special federal or state election, shall file the  
17 resolution calling for the election with the county election board  
18 secretary no later than seventy-five (75) days prior to the election  
19 date. A candidate filing period, if so required by the resolution,  
20 shall begin no later than ten (10) days following the deadline to  
21 file the resolution with the secretary of the county election board;  
22 provided, the filing period for such municipal office may be  
23 scheduled on the same dates as the filing period for state or  
24 federal office to be filled at such election.

SECTION 2. This act shall become effective January 1, 2016.

COMMITTEE REPORT BY: COMMITTEE ON RULES  
February 11, 2015 - DO PASS AS AMENDED