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SENATE FLOOR VERSION

February 25, 2015

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 775

By: Bass

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

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

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

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

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

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

3. Been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws 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.

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON RULES
6 February 25, 2015 - DO PASS AS AMENDED
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