

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 323

By: Paxton

COMMITTEE SUBSTITUTE

An Act relating to elections; amending 26 O.S. 2011, Sections 5-112 and 20-102, which relate to petitions and filing fees; modifying requirements for petition accompanying declaration of candidacy; modifying amount of fees to file as candidate for certain offices; providing procedure for adjustment of fees; specifying duties of Secretary of State Election Board; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-112, is amended to read as follows:

Section 5-112. A. A declaration of candidacy must be accompanied by ~~a~~:

1. A petition supporting a candidate's filing signed by four
~~percent (4%) of the registered voters eligible to vote for a~~
~~candidate in the first election wherein the candidate's name could~~
~~appear on the ballot, as reflected by the latest January 15~~
~~registration report~~ not fewer than two percent (2%) of the number of

1 registered voters in the district, county or state, as appropriate
2 for the office sought; or by a

3 2. A cashier's check or certified check in the amount of Two
4 Hundred Dollars (\$200.00) for candidates filing with the Secretary
5 of the State Election Board or the secretary of a county election
6 board; provided, however, such cashier's check or certified check
7 shall be in the amount of One Thousand Five Hundred Dollars
8 (\$1,500.00) for candidates for Governor, One Thousand Dollars
9 (\$1,000.00) for candidates for United States Senator and Seven
10 Hundred Fifty Dollars (\$750.00) for candidates for the United States
11 Congress, and Five Hundred Dollars (\$500.00) for candidates for
12 Lieutenant Governor, Corporation Commission, Attorney General, State
13 Auditor and Inspector, State Superintendent of Public Instruction,
14 State Treasurer, Commissioner of Insurance and Commissioner of Labor
15 as follows:

16 a. for candidates for Governor, Two Thousand Dollars
17 (\$2,000.00),

18 b. for candidates for United States Senator, Two Thousand
19 Dollars (\$2,000.00),

20 c. for candidates for United States Congress, One
21 Thousand Dollars (\$1,000.00),

22 d. for candidates for Lieutenant Governor, Corporation
23 Commission, Attorney General, State Auditor and
24 Inspector, State Superintendent of Public Instruction,

State Treasurer, Commissioner of Insurance and
Commissioner of Labor, One Thousand Dollars
(\$1,000.00),

e. for candidates for the State Senate or State House of
Representatives, Five Hundred Dollars (\$500.00),

f. for candidates for District Judge or Associate
District Judge, Five Hundred Dollars (\$500.00),

g. for candidates for District Attorney, Five Hundred
Dollars (\$500.00), and

h. for candidates for county office, Three Hundred
Dollars (\$300.00).

Provided, the Secretary of the State Election Board shall update
the amounts of the filing fees set forth in this subsection in 2027,
according to the percent difference between the price index for the
twelve (12) months preceding the beginning of the calendar year
during which the adjustment is made and the price index for 2017.
Thereafter, the Secretary shall update such amounts every ten (10)
years according to the percent difference between the price index
for the twelve (12) months preceding the beginning of the calendar
year during which the adjustment is made and the price index for the
year when the most recent preceding adjustment was made. If the
adjusted amount is not a multiple of One Hundred Dollars (\$100.00),
the fee shall be rounded to the nearest multiple of One Hundred
Dollars (\$100.00). For purposes of this section, "price index"

1 shall mean the average over a calendar year of the Consumer Price
2 Index (all items – United States city average) published monthly by
3 the Bureau of Labor Statistics. The adjusted fees shall be
4 published on the website of the State Election Board and shall be
5 otherwise communicated as the Secretary determines appropriate.

6 B. A filing fee received by the Secretary of the State Election
7 Board shall be deposited in the State Election Board Revolving Fund
8 created pursuant to Section 3-107 of this title. A filing fee
9 received by a secretary of a county election board shall be
10 deposited in the County Election Board Special Depository Account
11 authorized by Section 3-108 of this title.

12 SECTION 2. AMENDATORY 26 O.S. 2011, Section 20-102, is
13 amended to read as follows:

14 Section 20-102. A. Candidates for the nomination for President
15 of the United States shall file with the Secretary of the State
16 Election Board. Such candidates shall be members of political
17 parties recognized under the laws of the State of Oklahoma and shall
18 have filed a statement of candidacy with the Federal Election
19 Commission and shall have raised and expended not less than Five
20 Thousand Dollars (\$5,000.00) for ~~said~~ the office. The candidates
21 shall be required to swear an oath or affirm that they meet the
22 aforementioned qualifications, and their signatures shall be
23 witnessed by a notary public. Such filing beginning at 8:00 a.m. on
24 the first Monday in December and ending at 5:00 p.m. on the next

1 succeeding Wednesday, or at a time prescribed by the State Election
2 Board for a Presidential Preferential Primary to be held on a date
3 other than the first Tuesday in March. A statement of candidacy
4 must be accompanied by a petition supporting a candidate's filing
5 signed by one percent (1%) of the registered voters in each
6 congressional district eligible to vote for a candidate or one
7 thousand (1,000) registered voters in each congressional district
8 eligible to vote for a candidate, whichever is less, as reflected by
9 the latest January 15 registration report; or by a cashier's check
10 or certified check in the amount of ~~Two Thousand Five Hundred~~
11 ~~Dollars (\$2,500.00)~~ Five Thousand Dollars (\$5,000.00). The State
12 Election Board shall cause the names of all candidates who have
13 filed within the proper time to be printed on the official ballots.
14 The ballots shall be prepared as provided for by law. Voters shall
15 be restricted to one vote for the candidate of his or her choice of
16 the political party in which the voter is registered.

17 B. Each page of a petition supporting a candidate's filing
18 shall identify the county and the congressional district, and shall
19 contain the names of registered voters in only one congressional
20 district and in only one county.

21 C. Each page of a petition supporting a candidate's filing
22 shall be verified. Verification shall be made in substantial
23 compliance with the provisions of Section 6 of Title 34 of the
24 Oklahoma Statutes.

SECTION 3. This act shall become effective November 1, 2017.

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