

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1106

By: Cleveland of the House

and

Standridge of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to elections; amending 26 O.S. 2011,
12 Section 3-101, as last amended by Section 11, Chapter
13 210, O.S.L. 2016 (26 O.S. Supp. 2016, Section 3-101),
 which relates to election dates; modifying dates for
 certain elections; and providing an effective date.

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

17 SECTION 1. AMENDATORY 26 O.S. 2011, Section 3-101, as
18 last amended by Section 11, Chapter 210, O.S.L. 2016 (26 O.S. Supp.
19 2016, Section 3-101), is amended to read as follows:

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

23 B. Except as otherwise provided by law, no regular or special
24 election ~~to fill an elective office~~ for any purpose shall be held by

1 any county, school district, technology center school district,
2 municipality or other political subdivision authorized to call
3 elections except as follows:

4 1. The second Tuesday of February in any year;

5 2. The first Tuesday of April in any year;

6 3. The date of any regularly scheduled statewide state or
7 federal election in an even-numbered year;

8 4. The second Tuesday of September in an odd-numbered year; and

9 5. The second Tuesday of November in an odd-numbered year.

10 C. ~~Except as otherwise provided by law, no election for any~~
11 ~~purpose other than to fill an elective office shall be held by any~~
12 ~~county, school district, technology center school district,~~
13 ~~municipality or other political subdivision authorized to call~~
14 ~~elections except on~~ A special election called by the Governor to
15 fill a vacancy in an elective office may be held on the following
16 dates:

17 1. The second Tuesday of January, February, May, June, July,
18 August, September, October and November and the first Tuesday in
19 March and April in odd-numbered years; ~~provided, a municipality with~~
20 ~~a population in excess of two hundred fifty thousand (250,000)~~
21 ~~persons, according to the most recent Federal Decennial Census, may~~
22 ~~also hold an election on the second Tuesday of December in odd-~~
23 ~~numbered years; and~~

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

5 D. A municipality with a population in excess of five hundred
6 thousand (500,000) persons, according to the most recent Federal
7 Decennial Census, may hold an election on the second Tuesday of
8 December in odd-numbered years.

9 E. In the event that a regular or special election date occurs
10 on an official state holiday, the election shall be scheduled for
11 the next following Tuesday. In the event that any day of a
12 candidate filing period occurs on a Saturday, Sunday or any official
13 state holiday, that day of the filing period shall be scheduled for
14 the next business day.

15 ~~E.~~ F. Notwithstanding any other provision of law or any
16 provision of a municipal charter, any municipality, school district,
17 technology center district, county, rural fire protection district,
18 or any other entity seeking to hold a regular or special election to
19 be conducted by a county election board on the same date as a
20 regular or special federal or state election, shall file the
21 resolution calling for the election with the county election board
22 secretary no later than seventy-five (75) days prior to the election
23 date. A candidate filing period of three (3) days, if so required
24 by the resolution, shall begin no later than ten (10) days following

1 the deadline to file the resolution with the secretary of the county
2 election board; provided, the filing period for such municipal
3 office may be scheduled on the same dates as the filing period for
4 state or federal office to be filled at such election.

5 ~~F.~~ G. Any school district, technology center district,
6 municipality, including any municipality governed by charter, rural
7 fire protection district or any other entity seeking to hold a
8 special election for the purpose of filling a vacancy shall schedule
9 a candidate filing period of three (3) days to begin not more than
10 twenty (20) days following the date the resolution calling the
11 election is required to be filed with the secretary of the county
12 election board.

13 SECTION 2. This act shall become effective November 1, 2017.
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15 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
16 03/01/2017 - DO PASS, As Amended and Coauthored.
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