

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 ENGROSSED SENATE
5 BILL NO. 1403

By: Quinn of the Senate

and

Lepak of the House

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9 An Act relating to elections; amending 26 O.S. 2011,
10 Section 3-101, as last amended by Section 11, Chapter
11 210, O.S.L. 2016 (26 O.S. Supp. 2017, Section 3-101),
12 which relates to general administration; expanding
13 language relating to certain election requirements;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 26 O.S. 2011, Section 3-101, as
17 last amended by Section 11, Chapter 210, O.S.L. 2016 (26 O.S. Supp.
18 2017, Section 3-101), is amended to read as follows:

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

22 B. Except as otherwise provided by law, no regular or special
23 election to fill an elective office shall be held by any county,
24 school district, technology center school district, municipality,

1 fire protection district or other political subdivision authorized
2 to call elections except as follows:

- 3 1. The second Tuesday of February in any year;
- 4 2. The first Tuesday of April in any year;
- 5 3. The date of any regularly scheduled statewide state or
6 federal election in an even-numbered year;
- 7 4. The second Tuesday of September in an odd-numbered year; and
- 8 5. The second Tuesday of November in an odd-numbered year.

9 C. Except as otherwise provided by law, no election for any
10 purpose other than to fill an elective office shall be held by any
11 county, school district, technology center school district,
12 municipality, fire protection district or other political
13 subdivision authorized to call elections except on:

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

21 2. The second Tuesday of January and February, the first
22 Tuesday in March and April, the last Tuesday in June, the fourth
23 Tuesday in August, and the first Tuesday after the first Monday in
24 November of any even-numbered year.

1 D. In the event that a regular or special election date occurs
2 on an official state holiday, the election shall be scheduled for
3 the next following Tuesday. In the event that any day of a
4 candidate filing period occurs on a Saturday, Sunday or any official
5 state holiday, that day of the filing period shall be scheduled for
6 the next business day.

7 E. Notwithstanding any other provision of law or any provision
8 of a municipal charter, any municipality, school district,
9 technology center district, county, rural fire protection district,
10 or any other entity seeking to hold a regular or special election to
11 be conducted by a county election board on the same date as a
12 regular or special federal or state election, shall file the
13 resolution calling for the election with the county election board
14 secretary no later than seventy-five (75) days prior to the election
15 date. A candidate filing period of three (3) days, if so required
16 by the resolution, shall begin no later than ten (10) days following
17 the deadline to file the resolution with the secretary of the county
18 election board; provided, the filing period for such municipal
19 office may be scheduled on the same dates as the filing period for
20 state or federal office to be filled at such election.

21 F. Any school district, technology center district,
22 municipality, including any municipality governed by charter, rural
23 fire protection district or any other entity seeking to hold a
24 special election for the purpose of filling a vacancy shall schedule

1 a candidate filing period of three (3) days to begin not more than
2 twenty (20) days following the date the resolution calling the
3 election is required to be filed with the secretary of the county
4 election board.

5 SECTION 2. This act shall become effective November 1, 2018.

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7 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/10/2018 - DO PASS.
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