

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 965

By: Standridge

AS INTRODUCED

An Act relating to elections; amending 26 O.S. 2011, Section 3-101, as last amended by Section 1, Chapter 110, O.S.L. 2018 (26 O.S. Supp. 2020, Section 3-101), which relates to dates of elections held by political subdivisions; modifying dates upon which certain elections may be held; and providing an effective date.

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 1, Chapter 110, O.S.L. 2018 (26 O.S. Supp. 2020, 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 regular or special election ~~to fill an elective office~~ shall be held by any county, school district, technology center school district, municipality, fire protection district or other political subdivision authorized to call elections except as follows:

1        1. The second Tuesday of ~~February~~ March in any year other than  
2 a presidential election year;

3        2. The ~~first Tuesday of April in any year~~ date of the  
4 Presidential Preferential Primary election in a presidential  
5 election year, as set forth in Section 20-101 of this title;

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~~ June and the second Tuesday  
9 of August in an odd-numbered year; and

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

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

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

11        E. 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 of three (3) days, if so required  
20 by the resolution, shall begin no later than ten (10) days following  
21 the deadline to file the resolution with the secretary of the county  
22 election board; provided, the filing period for such municipal  
23 office may be scheduled on the same dates as the filing period for  
24 state or federal office to be filled at such election.

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

9 SECTION 2. This act shall become effective November 1, 2021.

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