

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1751

By: Crosswhite Hader and **Fugate**
of the House

and

Rader of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to elections; amending 26 O.S. 2011,
12 Section 5-111, as last amended by Section 1, Chapter
13 402, O.S.L. 2013 (26 O.S. Supp. 2020, Section 5-111),
14 which relates to declaration of candidacy forms;
15 modifying information on form; providing for civil
16 penalty; and providing an effective date.

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

18 SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-111, as
19 last amended by Section 1, Chapter 402, O.S.L. 2013 (26 O.S. Supp.
20 2020, Section 5-111), is amended to read as follows:

21 Section 5-111. A. Forms to be used for filing Declarations of
22 Candidacy shall be prescribed by the Secretary of the State Election
23 Board and shall contain the following information:

- 24 1. The name of the candidate as it shall appear on the ballot;

- 1 2. The legal name of the candidate;
- 2 3. The candidate's place of residence and mailing address;
- 3 4. The name of the office sought;
- 4 5. The candidate's date of birth;
- 5 6. The party affiliation of the candidate seeking political
- 6 party nomination and the date the candidate registered as a voter of
- 7 the political party;
- 8 7. The voter registration identification number of the
- 9 candidate and the precinct and county wherein the candidate is a
- 10 registered voter;
- 11 8. An oath wherein the candidate swears or affirms that he or
- 12 she resides at the current address listed on the Declaration of
- 13 Candidacy form and is qualified to become a candidate for the office
- 14 sought, and that, if elected, the candidate will be qualified to
- 15 hold the office; and
- 16 9. Any additional information which the Secretary deems
- 17 necessary.
- 18 B. If the candidate has ever been ultimately determined by a
- 19 court of proper authority to be guilty of an offense specified in
- 20 subsection A of Section 5-105a of this title or at the time of
- 21 filing the Declaration of Candidacy is named in an outstanding
- 22 warrant for arrest for such an offense, in this or any other state,
- 23 the candidate shall provide the following information on a form
- 24 prescribed by the Secretary of the State Election Board:

- 1 1. The name of the offense;
- 2 2. The date of conviction or issuance of the outstanding
- 3 warrant; and
- 4 3. The county and state of conviction or issuance of the
- 5 outstanding warrant.

6 The provisions of this subsection shall not apply to an offense
7 for which the candidate has received a pardon.

8 C. A Declaration of Candidacy form must be signed by the
9 candidate, and the signature must be properly notarized by a notary
10 public or other person authorized by law to administer oaths.

11 D. In addition to the information required by this section, a
12 candidate may include a telephone number, email address and website
13 address. Such additional information shall not be required of any
14 candidate but if provided shall be made available to the public.

15 E. Any candidate that provides an address on the Declaration of
16 Candidacy form other than his or her principal residence shall be
17 subject to a civil penalty issued by the State Election Board of not
18 more than Two Hundred Dollars (\$200.00) and shall be paid to the
19 authority conducting the election.

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

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22 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
23 02/11/2021 - DO PASS, As Amended and Coauthored.

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