

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1359

By: Merrick

AS INTRODUCED

An Act relating to school district elections; amending 26 O.S. 2011, Sections 13A-103 and 13A-105, which relate to election dates and declaration of candidacy; modifying permissible dates for certain elections; modifying dates for filing for certain office; and providing an effective date.

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 13A-103, is amended to read as follows:

Section 13A-103. A. 1. The general election of members of the board of education of every school district and technology center school district shall be conducted on the ~~first~~ second Tuesday of ~~April~~ November of each odd-numbered year, and on the first Tuesday after the first Monday of November in each even-numbered year.

2. The primary election of members of the board of education of every school district and technology center school district, if necessary, shall be conducted on the second Tuesday in ~~February~~ September of each odd-numbered year, ~~except in any year when a Presidential Preferential Primary is held in February, then the~~

1 ~~election shall be held on the same day as the Presidential~~  
2 ~~Preferential Primary~~ and on the fourth Tuesday of August in each  
3 even-numbered year.

4 3. If only two candidates qualify to have their names appear on  
5 the ballot, the names of both candidates shall appear on the ballot  
6 at the board of education general election.

7 4. If more than two candidates qualify to have their names  
8 appear on the ballot, the names of all such candidates shall appear  
9 on the ballot at the board of education primary election. A  
10 candidate receiving more than fifty percent (50%) of the votes cast  
11 in the board of education primary election shall be elected to the  
12 office. If no candidate receives more than fifty percent (50%) of  
13 the votes cast in the board of education primary election, then the  
14 two candidates with the highest number of votes shall appear on the  
15 ballot at the board of education general election.

16 B. Elections on the question of making a levy or levies for  
17 schools under Section 9, Section 9B or Section 10 of Article X of  
18 the Oklahoma Constitution shall be held on the second Tuesday in  
19 February of each year, except in any year when a Presidential  
20 Preferential Primary is held in February, then the election shall be  
21 held on the same day as the Presidential Preferential Primary.

22 C. The board of education of every school district or  
23 technology center school district may call a special election for  
24 the purpose of voting on any matter or question authorized by law.

1       SECTION 2.       AMENDATORY       26 O.S. 2021, Section 13A-105, is  
2 amended to read as follows:

3       Section 13A-105. Candidates for member of the board of  
4 education of every school district or technology center school  
5 district shall file declarations of candidacy in the same place and  
6 with the same officials as candidates for county office. The  
7 declaration of candidacy to be signed by the candidate shall have an  
8 attachment to be signed by the candidate listing the requirements of  
9 a candidate for election or reelection to a school board as set  
10 forth in Sections 13A-106 and 5-105a of this title and Sections 5-  
11 110, 5-110.1, and 5-113 of Title 70 of the Oklahoma Statutes, and  
12 the candidate shall swear or affirm that he or she is eligible to  
13 run for the office or serve in the office if elected. Candidates  
14 shall file no earlier than 8:00 a.m. on the ~~first Monday~~ second  
15 Wednesday in ~~December~~ April through no later than 5:00 p.m. on the  
16 ~~following Wednesday~~ next succeeding Friday. For school districts  
17 and technology center school districts located in more than one  
18 county, filing may be either in the county wherein supervision of  
19 the district is located or in the county where the candidate  
20 resides.

21       SECTION 3. This act shall become effective January 1, 2023.

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