

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

No. 1

☐ COMMITTEE AMENDMENT

(Date)

I move to amend Senate Bill 1728 by substituting the attached floor substitute (Request #3648) for the title, enacting clause and entire body of the measure.

Submitted by:

Nathan Dahm
Senator Nathan Dahm

I hereby grant permission for the floor substitute to be adopted.

Garvin
Senator Garvin, Chair (required)

Stewart
Senator Stewart

Alvord
Senator Alvord

Bergstrom
Senator Bergstrom

Floyd
Senator Floyd

Hamilton
Senator Hamilton

Murdock
Senator Murdock

Rogers
Senator Rogers

Seinfeld
Senator Seinfeld

Weaver
Senator Weaver

Young
Senator Young

Treat
Senator Treat, President Pro Tempore

McCortney
Senator McCortney, Majority Floor Leader

Note: General Government committee majority requires six (6) members' signatures.

Dahm-MSBB-FA-SB1728
3/12/2024 11:02 AM

(Floor Amendments Only)

Date and Time Filed: 3-12-24

11:30am go

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 1728

By: Dahm of the Senate

and

Olsen of the House

FLOOR SUBSTITUTE

[elections - dates - filing period - effective date]

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

SECTION 1. AMENDATORY 26 O.S. 2021, Section 3-101, as amended by Section 2, Chapter 329, O.S.L. 2023 (26 O.S. Supp. 2023, 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~~ for any purpose 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. The second Tuesday of February in any year;

2. The first Tuesday of April in any year;

3. The date of any regularly scheduled ~~statewide~~ state or federal election ~~in an even-numbered year~~ as provided in Sections 1-101, 1-102, 1-103, and 20-101 of this title;

4. The second Tuesday of ~~September~~ August in an odd-numbered year;

5. The ~~second~~ first Tuesday after the first Monday of November in an odd-numbered year; and

6. The second Tuesday of June of an odd-numbered year for a special election to fill a vacancy.

Any political subdivision, as outlined in this subsection, that has declared a state of emergency may schedule a special election to take place on a date provided in subsection C of this section.

C. ~~Except as otherwise provided by law or by Section 1 of this act, no election for any purpose other than 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 on A~~ special election called by the Governor pursuant to law shall only be set on the following dates:

1. The second Tuesday of January, February, May, June, July, August, September, and October ~~and November~~ and the first Tuesday in March and April, and the first Tuesday after the first Monday of November in odd-numbered years; ~~provided, a municipality with a~~

1 ~~population in excess of two hundred fifty thousand (250,000)~~
2 ~~persons, according to the most recent Federal Decennial Census, may~~
3 ~~also hold an election on the second Tuesday of December in odd-~~
4 ~~numbered years, and~~

5 2. The second Tuesday of January and February, the first
6 Tuesday in ~~March and April, the third Tuesday in June, the fourth~~
7 ~~Tuesday in August, and the first Tuesday after the first Monday in~~
8 ~~November~~ of any even-numbered year, and the date of any regularly
9 scheduled statewide state or federal election as provided in
10 Sections 1-101, 1-102, 1-103, and 20-101 of this title.

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

17 E. Notwithstanding any other provision of law or any provision
18 of a municipal charter, any municipality, school district,
19 technology center district, county, rural fire protection district,
20 or any other entity seeking to hold a regular or special election to
21 be conducted by a county election board on the same date as a
22 regular or special federal or state election, shall file the
23 resolution calling for the election with the county election board
24 secretary no later than seventy-five (75) days prior to the election

1 date. A candidate filing period of three (3) days, if so required
2 by the resolution, shall begin no later than ten (10) days following
3 the deadline to file the resolution with the secretary of the county
4 election board; provided, the filing period for such municipal
5 office may be scheduled on the same dates as the filing period for
6 state or federal office to be filled at such election.

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

18 SECTION 2. This act shall become effective November 1, 2023.
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20 59-2-3648 MSBB 3/12/2024 11:44:39 AM
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