

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1695

By: Dahm

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5
6 AS INTRODUCED

7 An Act relating to vacancies in office; amending 51
8 O.S. 2021, Section 10, which relates to appointments
9 for vacancies; modifying certain oath requirements;
10 updating statutory language; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 51 O.S. 2021, Section 10, is
14 amended to read as follows:

15 Section 10. A. All vacancies in state offices, except in
16 offices of the members of the Legislature and members of the House
17 of Representatives from Oklahoma in the Congress of the United
18 States of America, shall be filled by appointment by the Governor.

19 B. When a vacancy occurs in the office of district judge,
20 associate district judge, or judge of any intermediate appellate
21 court, the Governor shall, in filling such vacancy, utilize the
22 services of the Judicial Nominating Commission in the manner as
23 provided for in the filling of judicial offices under Section 4,
24 Article VII-B of the Oklahoma Constitution.

1 C. When a vacancy occurs in the office of a member of the
2 United States Senate from Oklahoma, the Governor shall, within
3 thirty (30) days of occurrence of the vacancy:

4 1. Appoint a person eligible to hold such office, who has been
5 a registered voter of the party of the predecessor in Oklahoma for
6 at least five (5) years preceding the date that the vacancy was
7 created, to serve in such office until a successor is elected; and

8 2. Call a special election, if necessary, to fill such vacancy,
9 as provided in Section 12-101 of Title 26 of the Oklahoma Statutes.

10 D. Prior to an appointment pursuant to paragraph 1 of
11 subsection C of this section, a person who is a prospective
12 appointee shall submit to the Secretary of State an oath affirming
13 that the person will ~~not file as a candidate for the office when it~~
14 ~~next appears on the ballot~~ adhere to the term limits as described in
15 Section 12A of Article II of the Oklahoma Constitution. The
16 Secretary of State shall prescribe the oath required by this
17 paragraph, and any oath submitted shall be public record and
18 published on the website of the Office of the Secretary of State.

19 E. All vacancies in county offices except the board of county
20 commissioners or except for any elective county office of any county
21 ~~in the State of Oklahoma~~ this state having a population of more than
22 six hundred thousand (600,000), according to the latest Federal
23 Decennial Census shall be filled by appointment by the board of
24 county commissioners. If such an appointment is made prior to the

1 prescribed filing period for county officers in accordance with the
2 provisions of Section 131 of Title 19 of the Oklahoma Statutes, the
3 county commissioners shall, at the time the appointment is made,
4 proclaim a special election to fill the balance of the unexpired
5 term, providing the balance of the term does not expire in the year
6 following the next succeeding general election. In making the
7 proclamation, the county commissioners shall establish the dates for
8 the filing period, primary election, runoff primary election and
9 general election to be the same as the next succeeding filing
10 period, primary election, runoff primary election and general
11 election for county officers. The appointee shall be eligible to
12 become a candidate at the special election, providing the appointee
13 is otherwise qualified. The office to be filled shall be printed on
14 the same ballot as other county offices.

15 SECTION 2. This act shall become effective November 1, 2024.

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