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April 15, 2025

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2106

By: Osburn, Kerbs, Hays, West  
(Tammy), and Manger of the  
House

and

Paxton of the Senate

An Act relating to administration of elections; amending 26 O.S. 2021, Section 3-101, as amended by Section 2, Chapter 329, O.S.L. 2023 (26 O.S. Supp. 2024, Section 3-101), which relates to scheduling of elections; modifying permissible dates for certain elections; authorizing special elections called for certain purposes to be held on certain dates; specifying applicability of provisions; and providing an 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. 2024, 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.

1 B. Except as otherwise provided by law, no regular or special  
2 election ~~to fill an elective office~~ for any purpose shall be held by  
3 any county, school district, technology center school district,  
4 municipality, fire protection district, or other political  
5 subdivision authorized to call elections except as follows:

6 1. The second Tuesday of February in any year;

7 2. The first Tuesday of April in any year;

8 3. ~~The date of any regularly scheduled statewide state or~~  
9 ~~federal election in an even-numbered year;~~

10 4. The ~~second~~ third Tuesday of ~~September~~ June in an ~~odd-~~  
11 ~~numbered~~ any year;

12 5. ~~4.~~ The ~~second~~ fourth Tuesday of ~~November~~ August in an ~~odd-~~  
13 ~~numbered~~ any year; and

14 6. ~~5.~~ The ~~second~~ first Tuesday after the first Monday of ~~June~~  
15 ~~of an odd-numbered~~ November in any year ~~for a special election to~~  
16 ~~fill a vacancy.~~

17 C. ~~Except as otherwise provided by law or by Section 1 of this~~  
18 ~~act, no election for any purpose other than to fill an elective~~  
19 ~~office shall be held by any county, school district, technology~~  
20 ~~center school district, municipality, fire protection district or~~  
21 ~~other political subdivision authorized to call elections except on:~~

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

1 ~~a 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; and~~

4 6. The second Tuesday of December in an odd-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; provided, however, no more than~~  
9 one election called pursuant to this subsection on the December date  
10 may be held every four (4) years.

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

17 D. For a special election called by the Governor as authorized  
18 by law, the Governor shall be limited to the dates stated in  
19 subsection B of this section. Provided, however, if a vacancy has  
20 occurred in the office of United States Representative, State  
21 Senator, or State Representative, or in the event of a declared  
22 national or state emergency that requires a special election, the  
23 Governor may also call a special election as authorized by law on  
24 the following dates:

1. The second Tuesday of January in any year;
2. The first Tuesday of March in any year;
3. The first Tuesday of May in an odd-numbered year;
4. The second Tuesday of July in an odd-numbered year;
5. The second Tuesday of September in an odd-numbered year;
6. The first Tuesday of October in an odd-numbered year; and
7. The second Tuesday of December in any year.

E. Notwithstanding any other provision of law or any provision of a municipal charter, any municipality, school district, technology center district, county, rural fire protection district, or any other entity seeking to hold a regular or special election to be conducted by a county election board on the same date as a regular or special federal or state election, shall file the resolution calling for the election with the county election board secretary no later than seventy-five (75) days prior to the election date. A candidate filing period of three (3) days, if so required by the resolution, shall begin no later than ten (10) days following the deadline to file the resolution with the secretary of the county election board; provided, the filing period for such municipal office may be scheduled on the same dates as the filing period for state or federal office to be filled at such election.

F. Any school district, technology center district, municipality, including any municipality governed by charter, rural fire protection district, or any other entity seeking to hold a

1 special election for the purpose of filling a vacancy shall schedule  
2 a candidate filing period of three (3) days to begin not more than  
3 twenty (20) days following the date the resolution calling the  
4 election is required to be filed with the secretary of the county  
5 election board.

6 G. The provisions of this section shall apply to elections held  
7 after January 1, 2026.

8 SECTION 2. This act shall become effective November 1, 2025.

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
10 April 15, 2025 - DO PASS AS AMENDED BY CS  
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