

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1026

By: Tadlock

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5
6 AS INTRODUCED

7 An Act relating to elections; requiring nonpartisan
8 elections for county sheriff; providing procedures;
9 amending 19 O.S. 2011, Section 510, as amended by
10 Section 1, Chapter 258, O.S.L. 2017 (19 O.S. Supp.
11 2018, Section 510), which relates to qualifications
12 for county sheriff; modifying qualifications;
13 providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 5-103.1 of Title 26, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Beginning with the 2018 election cycle, elections for the
20 office of county sheriff shall be conducted on a nonpartisan basis.
21 Candidates for county sheriff shall file a Declaration of Candidacy
22 with the secretary of the county election board as provided in
23 Section 5-103 of Title 26 of the Oklahoma Statutes but shall not
24 declare a party affiliation.

B. If more than two candidates qualify to have their names
appear on the ballot for the office of county sheriff, the names of

1 all such candidates shall appear on the Primary Election ballot. If
2 no single candidate receives more than fifty percent (50%) of the
3 votes cast at the Primary Election, the names of the two candidates
4 receiving the highest number of votes at the Primary Election shall
5 appear on the General Election ballot.

6 C. If only two candidates qualify to have their names appear on
7 the ballot for the office of county sheriff, the names of both
8 candidates shall appear on the General Election ballot.

9 SECTION 2. AMENDATORY 19 O.S. 2011, Section 510, as
10 amended by Section 1, Chapter 258, O.S.L. 2017 (19 O.S. Supp. 2018,
11 Section 510), is amended to read as follows:

12 Section 510. Any person, otherwise qualified, who has been a
13 resident of the State of Oklahoma for two (2) years, has been a
14 registered voter ~~of the party whose nomination he or she seeks, or a~~
15 ~~registered Independent,~~ and resides within the county from which
16 such person seeks election for the six (6) months next preceding the
17 first day of the filing period, is at least twenty-five (25) years
18 of age next preceding the date of filing for office, possesses at
19 least a high school education and has served as a duly certified
20 peace officer, in a full-time capacity, for a period of four (4)
21 years or more prior to the date of filing for the office of county
22 sheriff, shall be eligible to hold the office of county sheriff or
23 to file therefor. Within twelve (12) months of taking office, all
24 newly elected or appointed sheriffs shall complete a sheriff's

1 administrative school which has been developed by the Oklahoma
2 Sheriffs' Association and ~~which has been~~ approved by the Council on
3 Law Enforcement Education and Training (CLEET). Failure to complete
4 the sheriff's administrative school within the specified period
5 shall preclude the new sheriff from obtaining CLEET certification.
6 New sheriffs with prior CLEET certification, who fail to attend the
7 sheriff's administrative school, shall have their CLEET
8 certification revoked. Provided, however, the provisions of this
9 section relating to qualifications shall not apply to any person
10 ~~servin~~g who has served as a county sheriff or to any person
11 ~~previously~~ serving as county sheriff prior to the adoption of this
12 statute.

13 For purposes of this section, "peace officer" shall mean a full-
14 time duly appointed or elected officer who is paid for working more
15 than twenty-five (25) hours per week and whose duties are to
16 preserve the public peace, protect life and property, prevent crime,
17 serve warrants, and enforce state, federal or military laws and
18 local ordinances of this state or any political subdivision thereof.

19 SECTION 3. This act shall become effective November 1, 2019.
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21 57-1-5084 LRB 12/04/18
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