

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 962

6 By: Treat and Bullard

7 An Act relating to school district elections;
8 amending 26 O.S. 2011, Sections 13A-103, as amended
9 by Section 1, Chapter 9, O.S.L. 2018 and 13A-105 (26
10 O.S. Supp. 2020, Section 13A-103), which relate to
11 election dates and declaration of candidacy;
12 modifying permissible dates for certain elections;
13 modifying dates for filing for certain office; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 26 O.S. 2011, Section 13A-103, as
17 amended by Section 1, Chapter 9, O.S.L. 2018 (26 O.S. Supp. 2020,
18 Section 13A-103), is amended to read as follows:

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

24 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~~

1 September of each odd-numbered year, ~~except in any year when a~~
2 ~~Presidential Preferential Primary is held in February, then the~~
3 ~~election shall be held on the same day as the Presidential~~
4 ~~Preferential Primary~~ and on the fourth Tuesday of August in each
5 even-numbered year.

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

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

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

24

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

4 SECTION 2. AMENDATORY 26 O.S. 2011, Section 13A-105, is
5 amended to read as follows:

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

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

COMMITTEE REPORT BY: COMMITTEE ON RULES
February 24, 2021 - DO PASS AS AMENDED

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