

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2106

By: Osburn

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to elections; amending 26 O.S. 2021,
9 Section 3-101, as amended by Section 2, Chapter 329,
10 O.S.L. 2023 (26 O.S. Supp. 2024, Section 3-101),
11 which relates to dates of elections held by political
12 subdivisions; modifying dates upon which certain
13 elections may be held; updating statutory reference;
14 updating statutory language; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY 26 O.S. 2021, Section 3-101, as
18 amended by Section 2, Chapter 329, O.S.L. 2023 (26 O.S. Supp. 2024,
19 Section 3-101), is amended to read as follows:

20 Section 3-101. A. No election required to be conducted by any
21 county election board shall be scheduled for a day other than
22 Tuesday.

23 B. Except as otherwise provided by law, no regular or special
24 election ~~to fill an elective office~~ for any purpose shall be held by
any county, school district, technology center school district,

1 municipality, fire protection district or other political
2 subdivision authorized to call elections except as follows:

- 3 1. The second Tuesday of February in any year;
- 4 2. The first Tuesday of April in any year;
- 5 3. ~~The date of any regularly scheduled statewide state or~~
6 ~~federal election in an even-numbered year;~~

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

9 ~~5.~~ 4. The ~~second~~ fourth Tuesday of ~~November~~ August in an ~~odd-~~
10 ~~numbered~~ any year; and

11 ~~6.~~ 5. The ~~second~~ first Tuesday after the first Monday of ~~June~~
12 ~~of an odd-numbered year for a special election to fill a vacancy~~
13 November in any year.

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

- 19 1. ~~The second Tuesday of January, February, May, June, July,~~
20 ~~August, September, October and November and the first Tuesday in~~
21 ~~March and April in odd-numbered years; provided, a municipality with~~
22 ~~a population in excess of two hundred fifty thousand (250,000)~~
23 ~~persons, according to the most recent Federal Decennial Census, may~~

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1 ~~also hold an election on the second Tuesday of December in odd-~~
2 ~~numbered years; and~~

3 ~~2. The second Tuesday of January and February, the first~~
4 ~~Tuesday in March and April, the third Tuesday in June, the fourth~~
5 ~~Tuesday in August, and the first Tuesday after the first Monday in~~
6 ~~November of any even-numbered year.~~

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

13 D. For a special election called by the Governor pursuant to
14 law, the Governor shall be limited to the dates stated in subsection
15 B of this section. Provided, if a vacancy has occurred in the
16 office of United States Representative, State Senator, or State
17 Representative, or in the event of a declared national or state
18 emergency that requires a special election, the Governor may also
19 use the following dates for a special election called pursuant to
20 law:

- 21 1. The second Tuesday of January of any year;
- 22 2. The first Tuesday of March of any year;
- 23 3. The first Tuesday of May of an odd-numbered year;
- 24 4. The second Tuesday of July of any year;

1 5. The second Tuesday of September of an odd-numbered year;

2 6. The first Tuesday of October of an odd-numbered year; and

3 7. The first Tuesday of December of any year.

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

18 F. Any school district, technology center district,
19 municipality, including any municipality governed by charter, rural
20 fire protection district or any other entity seeking to hold a
21 special election for the purpose of filling a vacancy shall schedule
22 a candidate filing period of three (3) days to begin not more than
23 twenty (20) days following the date the resolution calling the
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1 election is required to be filed with the secretary of the county
2 election board.

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

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