

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2106

By: Osburn and Kerbs of the
House

and

Paxton of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

23 Section 3-101. A. No election required to be conducted by any
24 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 year for a special election to fill a vacancy~~
16 November in any year.

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 second Tuesday of December in odd-~~
4 ~~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.~~

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

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

- 23 1. The second Tuesday of January of any year;
24 2. The first Tuesday of March of any year;

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

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

20 F. Any school district, technology center district,
21 municipality, including any municipality governed by charter, rural
22 fire protection district or any other entity seeking to hold a
23 special election for the purpose of filling a vacancy shall schedule
24 a candidate filing period of three (3) days to begin not more than

1 twenty (20) days following the date the resolution calling the
2 election is required to be filed with the secretary of the county
3 election board.

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

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6 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated
7 03/06/2025 - DO PASS, As Amended and Coauthored.
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