

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1973

By: Ford

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5
6 AS INTRODUCED

7 An Act relating to elections; amending 26 O.S. 2011,
8 Section 5-126, which relates to hearing of contest of
9 candidacy; requiring recusal of board member for
10 conflict of interest; amending 26 O.S. 2011, Section
11 5-128, which relates to declaration of candidacy;
12 modifying time for amending of declaration; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 5-126, is
16 amended to read as follows:

17 Section 5-126. The petition may be heard without formal
18 pleadings being filed in answer or reply thereto. The election
19 board with whom the petition is filed shall have the authority to
20 issue subpoenas and compel the attendance of witnesses and the
21 production of evidence. Such election board shall have the
22 authority to receive the testimony of witnesses under oath, said
23 oath to be administered by the secretary of the board. Any member
24 of the board shall recuse himself or herself from voting on any
matter involving a conflict of interest. At the conclusion of the

1 hearing, the board shall render its decision and the vote of the
2 individual members in writing. The decision of such board shall in
3 all cases be final.

4 SECTION 2. AMENDATORY 26 O.S. 2011, Section 5-128, is
5 amended to read as follows:

6 Section 5-128. ~~If said contestee's~~ A Declaration of Candidacy
7 may be amended or corrected to conform to law, ~~the election board~~
8 ~~may order the same to be done, if the board determines such~~
9 ~~amendment or correction to be proper at the time of its order or~~
10 ~~decision~~ only during the filing period prescribed by Section 5-110
11 of this title.

12 SECTION 3. This act shall become effective November 1, 2019.

14 57-1-6927 LRB 1/2/19