

1 **SENATE FLOOR VERSION**

2 February 26, 2020

3 SENATE BILL NO. 1283

By: Stanislawski of the Senate

4 and

5 Nollan of the House

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7
8 An Act relating to school district elections;
9 amending 26 O.S. 2011, Section 13A-110, as last
10 amended by Section 1, Chapter 356, O.S.L. 2016 (26
11 O.S. Supp. 2019, Section 13A-110), which relates to
vacancies; requiring placement of appointees to
certain vacancies on ballot for next succeeding
election; and providing an effective date.

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

15 SECTION 1. AMENDATORY 26 O.S. 2011, Section 13A-110, as
16 last amended by Section 1, Chapter 356, O.S.L. 2016 (26 O.S. Supp.
17 2019, Section 13A-110), is amended to read as follows:

18 Section 13A-110. A. Vacancies for members of the board of
19 education of every school district or technology center school
20 district shall be filled by appointment by the board.

21 B. Except as provided for in subsection D of this section,
22 persons appointed to fill such vacancies ~~in the first half of the~~
23 ~~term of office for the board position~~ shall serve only until the
24 next succeeding election, at which time the office which they hold

1 shall be placed on the ballot for the balance of the unexpired term.
2 Vacancies filled by appointment following the delivery of the
3 resolution calling for regular elections to the secretary of the
4 county election board shall be filled until the regular elections
5 the following year. Persons elected to fill unexpired terms shall
6 begin those terms at the next regular meeting of the board of
7 education following the election. ~~Persons appointed to fill such~~
8 ~~vacancies after the first half of the term of office for the board~~
9 ~~position shall serve for the balance of the unexpired term.~~

10 C. Except as provided for in subsection D of this section, no
11 person shall be appointed to a board of education who does not meet
12 the eligibility qualifications needed to be a candidate for such
13 position as provided for in Section 13A-106 of this title and
14 Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma
15 Statutes.

16 D. If after the filing period is closed no candidate for an
17 open position on a board of education of a school district has filed
18 and therefore a vacancy is created, the vacancy shall be filled by
19 appointment by the board. Persons appointed to fill such vacancies
20 shall not be required to reside in the board or election district
21 but shall be required to reside in the school district and to meet
22 the other eligibility qualifications needed to be a candidate for
23 the position as provided for in Section 13A-106 of this title and
24 Sections 5-110, 5-110.1 and 5-113 of Title 70 of the Oklahoma

1 Statutes. Persons appointed to fill vacancies as provided for in
2 this subsection shall be eligible to serve only for the balance of
3 the term.

4 E. If the board of education does not fill the vacancy by
5 appointment within sixty (60) days of the date the board declared
6 the seat vacant, the board of education shall call a special
7 election to fill the vacancy for the unexpired term. The special
8 election shall be called on a date established by subsection B of
9 Section 3-101 of this title, and the special filing period shall be
10 scheduled as required in subsection D of Section 13A-109 of this
11 title.

12 SECTION 2. This act shall become effective November 1, 2020.

13 COMMITTEE REPORT BY: COMMITTEE ON RULES
14 February 26, 2020 - DO PASS

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