

QUALIFICATIONS FOR OFFICERS To Be Elected in 2008

Congressional Officers

U.S. SENATOR

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen. (*Article 1, Section 3, United States Constitution*)

U.S. REPRESENTATIVE

No Person shall be a Representative who shall not have attained to the age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen. (*Article 1, Section 2, United States Constitution*)

State Officers

No person shall be eligible to the office of Governor, Lieutenant Governor, Secretary of State, State Auditor and Inspector, Attorney General, State Treasurer or Superintendent of Public Instruction except a citizen of the United States of the age of not less than thirty-one (31) years and who shall have been ten (10) years next preceding his or her election, or appointment, a qualified elector of this state. (*Article 6, Section 3, Oklahoma Constitution*)

A. To file as a candidate for nomination by a political party to any state or county office, a person must have been a registered voter of that party for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. . . . Provided, this requirement shall not apply to a candidate for the nomination of a political party which attains recognition less than six (6) months preceding the first day of the filing period required by law. However, the candidate shall be required to have registered with the newly recognized party within fifteen (15) days after such party recognition.

B. To file as an independent candidate for any state or county office, a person must have been registered to vote as an independent for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. (*26 O.S.Supp.2006, §5-105*)

CORPORATION COMMISSIONER

The qualifications of such commissioners shall be as follows: To be resident citizens of this State for over two years next preceding the election, and qualified voters under the Constitution and laws, and not less than thirty years of age; nor shall such commissioners, or either of them, be, directly or indirectly, interested in any railroad, street railway, traction line, canal, steam boat, pipe line, car line, sleeping car line, car association, express line, telephone or telegraph line, operated for hire, in this State, or out of it, or any stock, bond, mortgage, security, or earnings of any such railroad, street railway, traction line, canal, steam boat, pipe line, car line, sleeping car line, car association, express line, telephone or telegraph line, compress or elevator companies; and if such Commissioner shall voluntarily become so interested, his

office shall become vacant; and if any Corporation Commissioner shall become so interested otherwise than voluntarily, he shall, within a reasonable time, divest himself of such interest; and failing to do this, his office shall become vacant. Nor shall any such commissioner hold any other office under the government of the United States, or of this State, or any other state government, and shall not, while such Commissioner, engage in any occupation or business inconsistent with his duties as such commissioner. (*Article 9, Section 16, Oklahoma Constitution*)

State Legislature

A. To file as a candidate for nomination by a political party to any state or county office, a person must have been a registered voter of that party for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. . . . Provided, this requirement shall not apply to a candidate for the nomination of a political party which attains recognition less than six (6) months preceding the first day of the filing period required by law. However, the candidate shall be required to have registered with the newly recognized party within fifteen (15) days after such party recognition.

B. To file as an independent candidate for any state or county office, a person must have been registered to vote as an independent for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. (*26 O.S.Supp.2006, §5-105*)

No person shall serve as a member of the Legislature who is, at the time of such service, an officer of the United States or State government, or is receiving compensation as such; nor shall any person be eligible to election to the Legislature, who has been adjudged guilty of a felony. (*Article 5, Section 18, Oklahoma Constitution*)

Members of the Senate shall be at least twenty-five years of age, and members of the House of Representatives twenty-one years of age at the time of their election. They shall be qualified electors in their respective counties or districts and shall reside in their respective counties or districts during their term of office. (*Article 5, Section 17, Oklahoma Constitution*)

To file as a candidate for the Senate in any senatorial district, a person must have been a registered voter in the district and a resident residing within such district for at least six (6) months immediately preceding the filing period prescribed by law. . . . Any member of the Senate whose district has been changed by a reapportionment may change residence with the intent of becoming qualified to seek reelection in such district in the first election applicable to such district following the reapportionment without thereby being deemed to have vacated his or her existing office. (*14 O.S.Supp.2006, §80*)

To file as a candidate for the House of Representatives in any representative district, a person must have been a registered voter in such district and a resident residing within such district for at least six (6) months immediately preceding the filing period prescribed by law. . . . Any member of the House of Representatives whose district has been changed by redistricting may change residence with the intent of becoming qualified to seek reelection in such district in the first election applicable to such district following redistricting without thereby being deemed to have vacated his or her existing office. (*14 O.S.Supp.2006, §108*)

County Officers

To file as a candidate for any county office, a person must have been a registered voter within the county for the six-month period immediately preceding the first day of the filing period prescribed by law. *(19 O.S.Supp.2006, §131.1)*

A. To file as a candidate for nomination by a political party to any state or county office, a person must have been a registered voter of that party for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. . . . Provided, this requirement shall not apply to a candidate for the nomination of a political party which attains recognition less than six (6) months preceding the first day of the filing period required by law. However, the candidate shall be required to have registered with the newly recognized party within fifteen (15) days after such party recognition.

B. To file as an independent candidate for any state or county office, a person must have been registered to vote as an independent for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state. *(26 O.S.Supp.2006, §5-105)*

COUNTY SHERIFF

Any person, otherwise qualified, who has been a resident of the State of Oklahoma for two (2) years, has been a registered voter of the party whose nomination he or she seeks, or a registered Independent, within the county from which such person seeks election for the six (6) months next preceding the first day of the filing period . . . is at least twenty-five (25) years of age next preceding the date of filing for office, possesses at least a high school education, shall be eligible to hold the office of county sheriff or to file therefor. Provided, however, in counties with populations of five hundred thousand (500,000) or more, the person seeking election shall also be a current certified peace officer in good standing. Within twelve (12) months of taking office, all newly elected or appointed sheriffs shall complete a sheriff's administrative school which has been developed by the Oklahoma Sheriff's Association and which has been approved by the Council on Law Enforcement Education and Training (CLEET). Failure to complete the sheriff's administrative school within the specified period shall preclude the new sheriff from obtaining CLEET certification. New sheriffs with prior CLEET certification, who fail to attend the sheriff's administrative school, shall have their CLEET certification revoked. Provided, however, the provisions of this section relating to qualifications shall not apply to any person serving as a county sheriff or to any person previously serving as county sheriff prior to the adoption of this statute. *(19 O.S.Supp.2006, §510)*

COUNTY COMMISSIONER

In order to file as a candidate for county commissioner in a county commissioner's district, the candidate must have been a qualified registered elector in that district for at least six (6) months immediately preceding the first day of the filing period prescribed by law. *(19 O.S.Supp.2006, §131 [D])*

Additional State, Legislature and County Officer Qualifications

A county officer shall be eligible to become a candidate for another county office or state office. *(19 O.S.Supp.2006, §131 [D])*

Any member of a municipal governing body, the city or town clerk, and the city marshal shall be eligible to become a candidate for a county or state office without resigning from the office held by the officer. *(11 O.S.Supp.2006, §8-110)*

A. A person who has been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States or who has entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony or who has been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws of this state or has entered a plea of guilty or nolo contendere to such crime shall not be eligible to be a candidate for or to be elected to any state, county, municipal, judicial or school office or any other elective office of any political subdivision of this state for a period of fifteen (15) years following completion of his sentence or during the pendency of an appeal of such conviction or plea.

B. The provisions of this section shall not be construed to preclude a person who has received a pardon from being eligible for or from holding public office. *(26 O.S. 2001, §5-105a)*

NOTICE: *These qualifications were compiled by the State Election Board as a public service. They were correct when printed but are subject to change. It is ultimately the responsibility of each candidate to determine whether he or she is qualified to file for a given office.*

10/07