

CANDIDATE FILING INSTRUCTIONS

Special Election for the State House of Representatives District 1

SPECIAL ELECTION DATES

Primary Election Tuesday, November 8, 2011

General Election Tuesday, February 14, 2012

In the event that a Special Primary Election is not necessary, the Special General Election shall be held on November 8, 2011.

CANDIDACY FILING PERIOD

Monday, August 22, 2011, 8:00 A.M. to 5:00 P.M.

Tuesday, August 23, 2011, 8:00 A.M. to 5:00 P.M.

Wednesday, August 24, 2011, 8:00 A.M. to 5:00 P.M.

WITHDRAWAL OF CANDIDACY

A candidate may withdraw from the Primary Election by filing a written notice with the Secretary of the State Election Board on or before 5:00 P.M. on Friday following the close of the filing period. A candidate may withdraw from the General Election by filing a written notice on or before 5:00 P.M. on the Friday following the Primary Election. Forms for withdrawal may be obtained from the Secretary of the State Election Board.

WHERE TO FILE

Oklahoma State Election Board, Room B-6, State Capitol Building, Oklahoma City

DECLARATION OF CANDIDACY

The Declaration of Candidacy must be filed with the State Election Board during the candidacy filing period.

FILING FEE

A cashier's check or certified check made payable to the Secretary of the State Election Board in the amount of two hundred dollars (\$200.00) must accompany the Declaration of Candidacy. Cash cannot be accepted.

In lieu of a fee a candidate may file a petition supporting his candidacy which is signed by four percent (4%) of the registered voters eligible to vote for him in the first election wherein his name could appear on the ballot.

CONTESTS OF CANDIDACY

Any candidate may contest the candidacy of any other candidate for the same office by filing a written petition with the Secretary of the State Election Board before 5:00 P.M. on Friday following the close of the filing period. The petition must be accompanied by a cashier's check or certified check in the amount of \$250.00, payable to the Secretary of the State Election Board. Cash cannot be accepted. Should the contestee desire to respond to the petition, he also must post a deposit in the same manner as the petitioner, except that the deposit may be posted at the time of his appearance at the scheduled hearing.

CONTESTS OF ELECTION

A candidate may contest an election in which he was a candidate by filing with the Secretary of the State Election Board a written petition before 5:00 P.M. Friday following the election. The petition must be accompanied by a cashier's check or certified check made payable to the Secretary of the State Election Board in the appropriate amount. Cash cannot be accepted. The State Election Board can provide information about the appropriate amount of the deposit to accompany a recount or irregularities petition.

GENERAL INFORMATION

1. Candidates may file for the nomination of a political party only if said party is recognized by the laws of the State of Oklahoma.
2. To become a candidate for office and have his name appear on a ballot, a person must file a Declaration of Candidacy prescribed by the Secretary of the State Election Board, accompanied by either a filing fee in the amount specified by the laws of the State of Oklahoma, or a petition bearing the required number of signatures of registered voters.
3. The Declaration of Candidacy must be completely filled out, signed by the candidate and notarized by a Notary Public or other person authorized to administer oaths.
4. A candidate's name will be printed on the ballot the way he signs the Declaration of Candidacy; however, no candidate shall have any prefix, suffix or title placed before or after his name. The name at the top of the Declaration of Candidacy should be exactly the same as the candidate's signature.
5. In contests of candidacy, the Secretary of the Election Board with whom the Declaration of Candidacy was filed is the constructive service agent for each candidate who has filed with him. By the act of filing his Declaration of Candidacy, each candidate is conclusively presumed to have accepted such constructive service.
6. All candidates filing a Declaration of Candidacy with the State Election Board have legal obligations under the Ethics Commission Act. To learn the nature of those obligations, contact the Ethics Commission, Room B-5A, State Capitol Building, Oklahoma City, Oklahoma 73105 or at (405) 521-3451.

QUALIFICATIONS

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.2010, §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 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.2010, §108*)

ADDITIONAL QUALIFICATIONS

A county officer shall be eligible to become a candidate for another county office or state office. *(19 O.S.Supp.2010, §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.2010, §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: *This information was compiled by the State Election Board as a public service. It was correct when printed but is 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.*

07/11

DECLARATION OF CANDIDACY

PLEASE TYPE OR PRINT

Name of Candidate as It Will Appear on Ballot

Title of Office Sought (including district, office or ward number if applicable)

Candidate's Address of Residence – Street, City

Candidate's Mailing Address – Street or Box, City, State, ZIP

Party Candidate _____ Independent Judicial
Name of Political Party

I am a registered voter in _____
Precinct County

Date of Birth _____
Month, Day, Year

I, the undersigned, do hereby solemnly swear or affirm that the abovementioned facts are true and correct and that I am fully qualified to become a candidate for the office which I seek and that I will be fully qualified to hold said office, if elected.

Signature of Candidate (as it appears at the top of this form)

State of _____ County of _____

Subscribed and sworn to before me _____
Date

My commission expires _____ Commission number _____
Date

Signature of Notary Public or Officer Authorized to Administer Oath

SEAL

Title of Officer (Notary Public or Other Officer)

Voluntary Form for News Media

You are not required to complete this form in order to become a candidate for office. If you elect to complete this form, it will be distributed to the news media by the election board at the time your Declaration of Candidacy is accepted.

Date _____

Name _____

Office Sought _____ Political Affiliation _____

Home Address _____ Home Phone _____

City _____ ZIP _____

E-mail Address _____ Cell Phone _____

Website _____

Date of Birth _____ Age _____

Place of Birth _____

Parents' Names (Include mother's maiden name) _____

Brothers and Sisters (Include cities of residence) _____

Business Name _____

Business Address _____ Business Phone _____

City _____ ZIP _____

Current Occupation/Profession _____

Currently Employed by (Dates) _____

Previously Employed by (Dates) _____

Education (Where; When; Degree, if any) _____

Name _____

Previous Races Run (Dates, outcomes) _____

Previous Governmental/Political Party Experience _____

Memberships in Professional, Civic, Military and Other Organizations _____

Honors, Awards, etc. _____

Marital Status _____

Spouse's Name (If wife, maiden name) _____

Names and Ages of Children _____

Spouse's Current Occupation/Profession (Dates) _____

Spouse Currently Employed by (Dates) _____

Spouse Previously Employed by (Dates) _____

Campaign Headquarters Phone _____

Campaign Consultant's Name _____

Advertising Consultant's Name _____

Campaign Manager's Name _____

Campaign Manager's Occupation/Employer _____

Campaign Manager's Business Phone _____

Campaign Manager's Home Phone _____

Campaign Treasurer's Name _____

Campaign Treasurer's Occupation/Employer _____

Campaign Treasurer's Business Phone _____

Campaign Treasurer's Home Phone _____