

ACCEPTED

12/22/23

OFFICE OF ADMINISTRATIVE RULES

OKLAHOMA SECRETARY OF STATE

DOCKET# 23-1020 OAR/cert CN

**TITLE 230. STATE ELECTION BOARD
CHAPTER 20. CANDIDATE FILING**

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 3. Filing Candidacy for Federal, State, County, and Other Elective Office

Part 1. When, Where, and How to File Candidacy for Elective Office

230:20-3-4. Forms for filing Declaration of Candidacy for federal, state, county, school district, and statutory municipal offices prescribed by Secretary of the State Election Board [AMENDED]

Part 7. State and County Election Board Procedures for Receiving, Reviewing, and Accepting Declarations of Candidacy

230:20-3-33. Filing fees and petitions for federal, state, and county offices [AMENDED]

230:20-3-37. Receiving, reviewing, and accepting Declarations of Candidacy [AMENDED]

Subchapter 5. Contests of Candidacy

230:20-5-5. Date for hearing contest [AMENDED]

230:20-5-6. Notice to contestee [AMENDED]

230:20-5-7. Contest of candidacy hearing [AMENDED]

230:20-5-10. Contestee may answer [AMENDED]

230:20-5-11. Burden of proof on petitioner [NEW]

SUMMARY:

Proposed amendments to this Chapter are the result of new legislation requiring a Voter Registration Verification Form to be made part of Declarations of Candidacy. Additionally, the burden of proof for contests of candidacy has been added back to the rules consistent with the legal advice from the Attorney General's Office on the required burden for these evidentiary hearings.

AUTHORITY:

Rulemaking authority is granted by Title 26 O.S., Section 2-107, to the Secretary of the State Election Board.

COMMENT PERIOD:

Persons may submit written comments through February 15, 2024 to Rachel Rogers at:

Mailing Address: State Election Board, P. O. Box 53156, Oklahoma City, OK 73152.

Email: rachel.rogers@elections.ok.gov. Physical Address: Room G28, State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City.

PUBLIC HEARING:

A public hearing has not been scheduled; however, pursuant to 75 O.S., Section 303(B)(9), "persons may demand a hearing" by writing Rachel Rogers at State Election Board, P. O. Box 53156, Oklahoma City, OK 73152 or by email at rachel.rogers@elections.ok.gov and received no later than 5:00 p.m. on February 15, 2024.

REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

N/A

COPIES OF PROPOSED RULES:

Copies of the proposed amendments are available in the office of the State Election Board, Room G28, State Capitol Building, Oklahoma City, and on the State Election Board website.

RULE IMPACT STATEMENT:

Pursuant to 75 O.S., §303(D), a rule impact statement is being prepared and will be available for review no later than January 31, 2024 at the above addresses.

CONTACT PERSON:

Rachel A. Rogers, Director of Policy and Legal Affairs, State Election Board. (405) 521-6962.
rachel.rogers@elections.ok.gov

ADDITIONAL INFORMATION:

N/A