

2010 FILING PACKET



For use by candidates for Federal, State, Legislative, Judicial and County offices

This filing packet has been prepared by the Oklahoma State Election Board for use by candidates filing for Federal, State, Legislative, Judicial and County offices during the June 7-9, 2010, filing period. The contents of the filing packet are listed below, together with the disposition of each item.

CANDIDATE FILING INSTRUCTIONS

These instructions have been prepared by the State Election Board to provide general information to candidates.



Retain for your use

QUALIFICATIONS FOR OFFICERS TO BE ELECTED IN 2010

Qualifications for officers to be elected in 2010 have been compiled by the State Election Board in this document; however, it is ultimately the responsibility of each candidate to determine whether he or she is qualified to file for a given office.



Retain for your use

DECLARATION OF CANDIDACY

The Declaration of Candidacy should be completed by the candidate and filed with the appropriate election board office (see *Candidate Filing Instructions*) during the June 7-9 filing period. The signature of the candidate must be notarized.



File with
appropriate
Election Board

VOLUNTARY FORM FOR NEWS MEDIA

Completion of the media form is voluntary, and its completion is not a requirement for becoming a candidate. If you complete the form, it will be made available to the news media at the time your Declaration of Candidacy is accepted.



Submit to
appropriate
Election Board

CANDIDATE FILING INSTRUCTIONS

2010 Primary, Runoff Primary and General Elections

Candidate Filing Period

Monday, June 7, 8:00 A.M. – 5:00 P.M.
 Tuesday, June 8, 8:00 A.M. – 5:00 P.M.
 Wednesday, June 9, 8:00 A.M. – 5:00 P.M.

Where to File

State Election Board — Candidates for United States Senator, United States Representative, Governor, Lieutenant Governor, State Auditor and Inspector, Attorney General, State Treasurer, Superintendent of Public Instruction, Commissioner of Labor, Insurance Commissioner, Corporation Commissioner, District Judge, Associate District Judge, District Attorney, State Senator and State Representative file Declarations of Candidacy with the State Election Board, State Capitol Building, Oklahoma City.

County Election Board — Candidates for County Assessor, County Treasurer and County Commissioner file Declarations of Candidacy with the County Election Board in the county in which candidates seek election.

Filing Fee or Petition

A cashier's check or certified check made payable to the Secretary of the State Election Board shall accompany the Declaration of Candidacy for Congressional, State, Judicial and Legislative offices. Cash cannot be accepted. The filing fees for offices filed with the Secretary of the State Election Board are as follows:

United States Senator \$1,000.00	Commissioner of Labor \$500.00
United States Representative 750.00	Insurance Commissioner 500.00
Governor 1,500.00	Corporation Commissioner 500.00
Lieutenant Governor 500.00	District Judge 200.00
State Auditor and Inspector 500.00	Associate District Judge 200.00
Attorney General 500.00	District Attorney 200.00
State Treasurer 500.00	State Senator 200.00
Superintendent of Public Instruction 500.00	State Representative 200.00

A cashier's check or certified check made payable to the Secretary of the County Election Board shall accompany the Declaration of Candidacy for county offices. Cash cannot be accepted. The filing fees for offices filed with the Secretary of the County Election Board are as follows:

County Assessor \$200.00	County Commissioner \$200.00
County Treasurer 200.00	

In lieu of a fee, a candidate may file a petition supporting his candidacy which is signed by five percent (5%) of the registered voters eligible to vote for him in the first election wherein his name could appear on the ballot.

Primary Election Tuesday, July 27	Runoff Primary Election Tuesday, August 24	General Election Tuesday, November 2
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Withdrawal of Candidacy

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

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 Election Board with whom the Declaration of Candidacy was filed, 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 Election Board with whom the Declaration of Candidacy was filed. 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.

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. Candidates may file for no more than one office at any election.
3. 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.
4. 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.
5. 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.
6. 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.
7. All candidates filing a Declaration of Candidacy with either the State Election Board or the County Election Board are subject to legal restrictions and disclosure requirements, the violation of which may result in criminal or civil liability. For information about these restrictions and requirements, contact the Ethics Commission, Room B-5, State Capitol Building, Oklahoma City, Oklahoma 73105 or at (405) 521-3451.

NOTICE: *These instructions were prepared 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 for himself the requirements for becoming a candidate for public office.*

QUALIFICATIONS FOR OFFICERS To Be Elected in 2010

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.2008, §5-105*)

STATE AUDITOR AND INSPECTOR

The State Auditor and Inspector must have had at least three years' experience as an expert accountant; his duties shall be, without notice to such treasurer, to examine the state and all county treasurers' books, accounts and cash on hand or in bank at least twice each year, and publish his report as to every such treasurer once each year. For the purpose of such examination he shall take complete possession of such treasurer's office. He shall also prescribe a uniform system of bookkeeping for the use of all treasurers. The State Auditor and Inspector shall perform such other duties and have such other powers as may be prescribed by law. (*Article 6, Section 19, Oklahoma Constitution*)

INSURANCE COMMISSIONER

There shall be elected by the qualified electors of the State, at the first general election, a chief officer of said department, who shall be styled "The Insurance Commissioner," whose term of office shall be four years: Provided, That the first term of the Insurance Commissioner so elected, shall expire at the time of the expiration of the term of office of the first Governor elected. Said Insurance Commissioner shall be at least twenty-five years of age and well versed in insurance matters. (*Article 6, Section 23, Oklahoma Constitution*)

The Insurance Commissioner of the State of Oklahoma shall be at least twenty-five (25) years of age and a resident of the State of Oklahoma for at least five (5) years, and have had at least five (5) years' experience in the insurance industry in administration, sales, servicing or regulation. The Insurance Commissioner shall not be financially interested, directly or indirectly, in any insurer, agency, or insurance transaction except as a policyholder or claimant under a policy. (*36 O.S. 2001, §302*)

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*)

DISTRICT ATTORNEY

On or after July 1, 1990, any person, otherwise qualified, who has been a resident of the state for two (2) years, the district three (3) months, a duly licensed attorney for five (5) years, and at least twenty-eight (28) years of age, prior to the date of filing for the office, shall be eligible to hold the office of district attorney. The district attorney shall reside in the district from which he was elected during his term of office. (*19 O.S. 2001, §215.2*)

The district attorney shall be ineligible to be a candidate for any office which has a term any portion of which is the same as the term for which he was elected. (*19 O.S. 2001, §215.8*)

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.2008, §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.2008, §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.2008, §108)*

Judicial Officers

DISTRICT JUDGE and ASSOCIATE DISTRICT JUDGE

Each District Judge shall have had prior to election or appointment, a minimum of four years' experience as a licensed practicing attorney, or as a judge of a court of record, or both, within the State of Oklahoma; shall be a qualified elector of the respective district; and shall have such additional qualifications as may be prescribed by statute. Each Associate District Judge shall be an attorney licensed to practice in the State of Oklahoma and an elector in the County at the time of filing; and they shall have such additional qualifications as prescribed by statute. Both District Judges and Associate District Judges shall continue to be licensed attorneys while in office. (*Article 7, Section 8[g], Oklahoma Constitution*)

No person shall be eligible for appointment to, or for election to, the office of associate district judge unless he has had a minimum of two (2) years of experience as a licensed practicing attorney, or as judge of a court of record, or a combination thereof, within the State of Oklahoma. Provided that this section shall not apply to any person who held the office of associate district judge on or before July 15, 1974. (*20 O.S. 2001, §121.1*)

To file as a candidate for the office of district judge or associate district judge, one must have been a registered voter and actual resident of the appropriate county for at least six (6) months prior to the first day of the filing period. Should no one file for any such office, and should a vacancy thereby created be filled by appointment according to law, there shall be no such residency or durational registration requirement imposed on the appointee, providing said appointee is otherwise qualified, nor shall any person appointed to fill a vacancy in the office of district judge or associate district judge be required to comply with such residency or durational registration requirement in becoming a candidate for a full term following such appointment. No one who has been removed from judicial office or who has resigned from office pending disciplinary proceedings shall qualify to file as a candidate for judicial office. (*20 O.S. 2001, §92i*)

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.2008, §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.2008, §5-105*)

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. 2008, §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. 2008, §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. 2008, §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.*

10/09

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

SEAL

Signature of Notary Public or Officer Authorized to Administer Oath

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 _____