

Municipal Candidate Filing Packet for Charter Cities or Special Elections for Statutory Municipalities

WHERE TO FILE

County Election Board of the county wherein the municipality's central offices are located.

FILING PERIOD:

Contact the County Election Board of the county wherein the municipality's central offices are located.

DECLARATION OF CANDIDACY

A Municipal Candidate Declaration of Candidacy consists of the following documents, all of which are contained in this packet.

- Candidate Information and Oath page signed by candidate and notarized
- Criminal History Disclosure form signed by candidate, if required
- Qualifications and Requirements for Municipal Candidates page signed by candidate

CONTESTS OF CANDIDACY

Contests of Candidacy may be filed until 5:00 P.M., on the second day following the close of the filing period. Contests of Candidacy are filed with the County Election Board Secretary who accepted the Declaration of Candidacy.

GENERAL INSTRUCTIONS

1. No Declaration of Candidacy can be accepted if it is received by the County Election Board Secretary later than 5:00 P.M. on the last day of the filing period.
2. The Municipal Candidate Information and Oath form must be completely filled out, signed by the candidate, and notarized by a Notary Public or other person authorized to administer oaths.
3. The Qualifications and Requirements for Municipal Candidates form must be signed and dated by the candidate.
4. State law – ***Title 26 O.S. § 5-111*** – requires all candidates for elective office to disclose whether they have ever been convicted of a misdemeanor involving embezzlement or of a felony in Oklahoma or any other state and/or whether an arrest warrant is outstanding in connection with such misdemeanor or felony. Follow instructions on the Candidate Information and Oath form and fill out and file the Criminal History Disclosure form if necessary.
5. In contests of candidacy and in contests of election, the County Election Board Secretary is the constructive service agent for each candidate. By the act of filing a Declaration of Candidacy, each candidate is conclusively presumed to have accepted such constructive service.
6. A candidate's name will be printed on the ballot as it is entered on the first line of the Declaration of Candidacy; however, no candidate shall have any prefix, suffix, or title placed before or after the name. A candidate's full legal name also must be provided on the Declaration of Candidacy.
7. A candidate may withdraw by filing a written notice with the County Election Board Secretary before 5:00 P.M. on Friday following the close of the filing period. The notice must be signed by the candidate, whose signature must be notarized by a Notary Public or other person authorized to administer oaths.
8. Municipal candidates who file Declarations of Candidacy also may be required to register and file campaign finance reports with the City Clerk's office. A Statement of Organization for a candidate

committee may be filed at any time but must be filed within 10 days after a candidate has accepted or spent more than \$1,000 for his or her campaign. For more information, visit the Oklahoma Ethics Commission website at www.ethics.ok.gov; contact the Ethics Commission by e-mail at ethics@ethics.ok.gov; or by regular mail at State Capitol Building Room G27, Oklahoma City, OK 73105; or by phone at (405) 521-3451.

MUNICIPAL CANDIDATE FILING CHECKLIST

Use this checklist to complete and assemble all required Declaration of Candidacy pages before filing with the Secretary of the County Election Board.

| | | |
|--------------------------|---|---|
| <input type="checkbox"/> | <p>DECLARATION OF CANDIDACY</p> <p><input type="checkbox"/> Candidate Information and Oath Complete the Candidate Information and Oath page. The candidate must personally sign the Candidate Information and Oath and the candidate's signature must be notarized.</p> <p>See Candidate Information and Oath form on filing packet page 3.</p> | <p>REQUIRED for all candidates filing at the County Election Board for Municipal office.</p> |
| <input type="checkbox"/> | <p><input type="checkbox"/> Criminal History Disclosure Provide all requested information.</p> <p>See Criminal History Disclosure form on filing packet page 4.</p> | <p>REQUIRED <u>only</u> from a candidate who checks YES under Criminal History Disclosure on the Candidate Information and Oath form.</p> |
| <input type="checkbox"/> | <p><input type="checkbox"/> Qualifications and Requirements for Municipal Candidates pages Read, sign, and date appropriate Municipal Candidate Qualifications for the office sought. See pages 5-6.</p> | <p>REQUIRED for all candidates filing at the County Election Board for Municipal Office.</p> |



MUNICIPAL OFFICER DECLARATION OF CANDIDACY

Candidate Information and Oath

NOTICE: All information provided on this form will be made publicly available.
PLEASE TYPE OR PRINT

CANDIDATE INFORMATION

Candidate's name as it will appear on ballot:

Candidate's full legal name:

Date of birth:
(Month, Date, Year):

Title of Office Sought:
(include district office or ward number if applicable)

Name of Municipality:

Candidate's Residence Address:
(Street, City, State, Zip)

Candidate's Mailing Address:
(Street, City, State, Zip)

I am a registered voter in precinct # _____ in the County of _____

Optional Information:

Phone number:

Email Address:

Website:

CRIMINAL HISTORY DISCLOSURE AND OATH

CRIMINAL DISCLOSURE:

Have you been convicted, pled guilty or nolo contendere, or otherwise been determined by a court of proper authority in Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony under the laws of this state or of the United States? YES NO

Have you been named in an outstanding warrant for arrest for a misdemeanor involving embezzlement or a felony in this or any other state or of the United States? YES NO

If you answer **YES** to either of these questions, you are required to fill out and sign the Criminal History Disclosure form and include it in your Declaration of Candidacy.

I, the undersigned, swear or affirm that the information provided in this Declaration of Candidacy is true and correct, that I have read and signed the Candidate Qualifications for the office that I seek, that I am fully qualified to become a candidate for said office, and that I will be fully qualified to hold said office, if elected.

Signature of Candidate _____

NOTARY

State of _____ County of _____

Subscribed and sworn before me _____, 20_____

SEAL

My Commission expires _____ Commission Number _____

Signature of Notary Public or Officer Authorized to Administer Oath

Title of Officer (Notary Public or Other Officer)

Oklahoma Declaration of Candidacy Criminal History Disclosure

Candidate's Name: _____ Title of office sought: _____

If you have been convicted, pled guilty or nolo contendere, or otherwise been determined by a court of proper authority in Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony under the laws of this state or of the United States, or if at this time you are named in an outstanding warrant for arrest for a misdemeanor involving embezzlement or for a felony in the State of Oklahoma or in another state, you are required to complete this Criminal History Disclosure form.

Name of offense

Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

Time prescribed in original judgement and sentence or deferral of sentence

County and State of conviction, plea, or deferral or issuance of outstanding warrant

Name of offense

Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

Time prescribed in original judgement and sentence or deferral of sentence

County and State of conviction, plea, or deferral or issuance of outstanding warrant

Name of offense

Date of conviction, plea of guilty or nolo contendere, or deferral of sentence or date of issuance of outstanding warrant

Time prescribed in original judgement and sentence or deferral of sentence

County and State of conviction, plea, or deferral or issuance of outstanding warrant

X _____ Date: _____

Candidate's Signature

Use additional copies of this form if more space is required. Page ____ of ____

Candidates for Elective Municipal Office Qualifications and Requirements

The following requirements and qualifications are set forth in the *Oklahoma Statutes* and apply to all candidates for elective municipal office in all Towns, Aldermanic Cities, Strong Mayor-Council Cities, and Council-Manager Cities. Charter Cities may include additional qualifications or requirements in their Charters.

Title 11 O.S., Section 8-101 – Qualifications for Elected Office

A municipal elected official shall be a resident and a registered voter of the municipality in which he serves, and all councilmembers or trustees from wards shall be actual residents of their respective wards. If an elected official ceases to be a resident of the municipality, he shall thereupon cease to be an elected official of that municipality.

Title 11 O.S., Section 8-102 – Term of Office

Unless otherwise provided for by law, the term of office of an elected municipal official shall be four (4) years. The term of office of an elected official shall begin at 12:00 noon on the second Monday following the general municipal election, and such official shall serve until his successor is elected and qualified. If a newly elected official does not qualify within thirty (30) days after his term of office begins, the office shall become vacant and shall be filled in the manner provided by law. In order to complete the unexpired term, the office of an official who is holding over shall be filled at the next general election in compliance with the provisions of Sections 16-101 through 16-213 of this Title.

Title 11 O.S., Section 8-103 – Oath of Office

Any officer, elected or appointed, before entering upon the duties of his office, shall take and subscribe to the oath or affirmation of office prescribed by the *Oklahoma Constitution*. The oath or affirmation shall be filed in the office of the municipal clerk.

Title 11 O.S., Section 8-105 – Certain Officers to Give Bond

The municipal governing body shall require the municipal treasurer, any officer or employee designated by ordinance to sign municipal warrants or municipal checks, and any other officers and employees as the governing body may designate by ordinance, to give bond for the faithful performance of his duties within ten (10) days after his election or appointment, in such amount and form as the governing body shall prescribe. The municipality shall pay the premiums on such bonds.

Title 11 O.S., Section 8-106 – Nepotism

No elected or appointed official or other authority of the municipal government shall appoint or elect any person related by affinity or consanguinity within the third degree to any governing body member or to himself or, in the case of a plural authority, to any one of its members to any office or position of profit in the municipal government. The provisions of this section shall not prohibit an officer or employee already in the service of the municipality from continuing in such service or from promotion therein. A person may hold more than one office or position in a municipal government as the governing body may ordain. A member of the governing body shall not receive compensation for service in any municipal office or position other than his elected office.

Title 11 O.S., Section 16-106 – Unopposed Candidates in General Election

Any candidate who is unopposed for an office in a general municipal election shall be deemed elected and certified; and his name shall not appear on the general election ballot. If there is only one candidate for each of the offices which are to be filled at the election, and no questions are to be voted upon at the election, the general municipal election shall not be held.

Title 11 O.S., Section 16-110 – Filing as a Candidate in a Nonpartisan Municipal Election

A candidate may have his or her name printed upon the nonpartisan general municipal election ballot as candidate for any office to be filled at the election. To become a candidate, a declaration of candidacy must be filed with the county election board no earlier than 8:00 a.m. on the first Monday in February and no later than 5:00 p.m. on the next succeeding Wednesday. A candidate must also be a registered voter at an address within the municipality, or of the ward where the office is from a ward for at least six (6) months prior to filing a declaration of candidacy. Filing as a candidate in a nonpartisan municipal election or voting for such candidate shall not affect one's party affiliation or regularity.

Title 26 O.S., Section 4-110.1(D) – Submitting Voter Registration Applications

D. Registration for candidate filing or party affiliation purposes occurs at the earliest time the completed voter registration application is received at the State Election Board, any county election board, any agency designated to accept voter registration applications or any Motor License Agent as part of a driver license or identification card application provided that the application subsequently is approved by the secretary of the county election board for the county of the applicant's residence; or, in the case of mail applications, registration for candidate filing or party affiliation purposes shall occur at the time when the completed voter registration application is postmarked provided that the application subsequently is approved by the secretary of the county election board for the county of the applicant's residence; or, in the case of a mail application received without a postmark, registration for candidate filing or party affiliation purposes shall occur at the earliest time when the completed application is received by the State Election Board or any county election board provided that the application is subsequently approved by the secretary of the county election board for the county of the applicant's residence.

Towns: The following qualifications apply to candidates for Town Board of Trustees.

Title 11 O.S., Section 12-103 - Qualifications of Trustees

The trustees who are nominated from wards shall be actual residents of their respective wards. Removal of a trustee from the ward for which he was elected shall not cause a vacancy in the office of that trustee.

Title 11 O.S., Section 12-103.1 - Nomination and Election of at Large Trustees - Ordinance - Petition

A. The board of trustees may, by ordinance, provide for the nomination and election at large of the trustees of a statutory town board of trustees form of government; provided, however, that such ordinance shall not become effective until sixty (60) days following the date of its publication. After the ordinance becomes effective, the requirement that trustees of a town be residents of and nominated from wards shall not apply.

Statutory Cities: The following qualifications, as indicated below, apply to Councilmember candidates in Aldermanic, Strong-Mayor-Council, and Council-Manager cities in Oklahoma.

Title 11 O.S., Section 9-103 (Aldermanic City) – Qualifications of Governing Body Members

The governing body members shall be residents and registered voters of the city, and the councilmembers from wards shall be actual residents of their respective wards. Removal of a councilmember from the ward for which he was elected shall cause a vacancy in the office of that councilmember.

Title 11 O.S., Section 10-103 (Council-Manager City) – Qualifications of Councilmembers

The councilmembers shall be residents and registered voters of the city. The councilmembers from wards shall be actual residents of their respective wards at the time of their candidacy and election; but removal of a councilmember from one ward to another within the city after his election, or a change in ward boundaries, shall not disqualify him from completing the term for which he was elected.

Title 11 O.S., Section 11-103 (Strong Mayor-Council City) – Qualifications of Governing Body Members

The governing body members shall be residents and registered voters of the city. The councilmembers from wards shall be actual residents of their respective wards at the time of their candidacy and election; but removal of a councilmember from one ward to another within the city after his election, or a change in ward boundaries, shall not disqualify him from completing the term for which he was elected.

Charter Cities: Cities governed by charter may have established additional and/or unique qualifications and requirements for candidates for municipal offices. Any such additional candidate qualifications and requirements for an elected municipal office in a charter city are described in the election resolution. If the charter is silent in regard to candidate qualifications and requirements, then the provisions of state law apply to such candidates.

By my signature below, I indicate that I have read these qualifications and requirements, that I am eligible to be a candidate for the office I seek, and, if elected, I am eligible to serve in such office.

Name of Candidate (print or type)

Signature of Candidate

Date