

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 1023

BY: SMITH

AS INTRODUCED

AN ACT RELATING TO DISTRICT ATTORNEY DISTRICTS;

AMENDING 19 O.S. 1991, SECTION 215.1 AND 20 O.S. 1991, SECTIONS 22, 92.1, 92.2, 92.3, 92.4, 92.5, 92.6, 92.7, 92.9, 92.10, 92.11, 92.12, 92.13, 92.14, 92.15, 92.16, 92.17, 92.18, 92.19, 92.20, 92.21 AND 92.22, WHICH RELATE TO DISTRICT ATTORNEYS, JUDICIAL ADMINISTRATIVE DISTRICTS, AND DISTRICT COURT JUDICIAL DISTRICTS; CHANGING NUMBER AND SIZE OF CERTAIN DISTRICTS; REPEALING 20 O.S. 1991, SECTIONS 92.23, 92.24, 92.25, 92.26 AND 92.27, WHICH RELATE TO DISTRICT COURT JUDICIAL DISTRICTS; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 19 O.S. 1991, Section 215.1, is amended to read as follows:

Section 215.1 There is hereby created the office of District Attorney in the State of Oklahoma, which office shall be filled and in the same manner as now prevails for District Judge. Filing for said office shall be accomplished by filing with the State Election Board. There shall be one District Attorney for each of the District Court Judicial Districts as they are composed and exist on March 1, 1965, with the following exceptions. Provided, however,

~~that that part of Judicial District No. (14) which is Pawnee County shall be consolidated with Osage County to form District Attorney's District No. (10) and Judicial District No. (25) shall be consolidated with Judicial No. (19) for the purposes of this act; and, provided further, that District Court Judicial District No. (5) be divided into two District Attorney Districts, one composed of Caddo, Grady, Stephens and Jefferson Counties to be denominated District Attorney's District No. (6) and the other composed of Comanche and Cotton Counties, to be denominated District Attorney's District No. (5); and, that District Court Judicial District No. (4) shall be composed of Canadian, Kingfisher, Blaine, Garfield and Grant Counties to be denominated District Attorney's District No. (4) and the other composed of Alfalfa, Major, Dewey, Woodward and Woods Counties, to be denominated District Attorney's District No. (26); that District Court Judicial District No. (15) be divided into two District Attorneys' Districts, one composed of Muskogee County to be denominated District Attorney's District No. (15) and the other composed of Wagoner, Cherokee, Sequoyah and Adair Counties to be denominated District Attorney's District No. (27); that Creek and Okfuskee Counties shall be denominated as District Attorney's District No. (24); Okmulgee and McIntosh Counties shall be denominated as District Attorney's District No. (24-A); and Pittsburg and Haskell Counties shall be denominated as District Attorney's District No. (18); and Latimer and LeFlore Counties shall be denominated as District Attorney's District No. (16); and District Attorney's District No. (7) shall consist of Oklahoma County 1992.~~

SECTION 2. AMENDATORY 20 O.S. 1991, Section 22, is amended to read as follows:

Section 22. The state is hereby divided into twenty-one (21) judicial administrative districts ~~as follows:~~

~~Northeastern. District Court Judicial Districts, Numbers Ten (10), Eleven (11), Twelve (12), and Thirteen (13).~~

~~Southeastern. District Court Judicial Districts, Numbers Sixteen (16), Seventeen (17), Nineteen (19), and Twenty-five (25).~~

~~Oklahoma-Canadian Counties. District Court Judicial District, Number Seven (7).~~

~~Northwest-Panhandle. District Court Judicial Districts, Numbers One (1), Two (2), and Four (4).~~

~~South-Central. District Court Judicial Districts, Numbers Twenty (20), Twenty-one (21), and Twenty-two (22).~~

~~Tulsa-Pawnee Counties. District Court Judicial District, Number Fourteen (14).~~

~~East-Central. District Court Judicial Districts, Numbers Fifteen (15), Eighteen (18), and Twenty-four (24).~~

~~North-Central. District Court Judicial Districts, Numbers Eight (8), Nine (9), and Twenty-three (23).~~

~~Southwestern. District Court Judicial Districts, Numbers Three (3), Five (5), and Six (6). with the number of authorized districts to be as provided in Sections 3 through 23 of this act.~~

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.1 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 1. The counties of Cimarron, Texas, Beaver, Harper and Woodward.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.2 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 2. The counties of Ellis, Roger Mills, Beckham, Harmon, Greer, Washita, Custer and Dewey.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.3 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 3. The counties of Jackson, Tillman, Kiowa, Grady and Caddo.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.4 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 4. The counties of Woods, Major, Alfalfa, Grant and Garfield.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.5 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 5. The counties of Comanche and Cotton.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.6 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 6. The counties of Blaine, Kingfisher and Canadian.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.7 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 7. The county of Oklahoma.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.8 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 8. The counties of Cleveland, McClain and Garvin.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.9 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 9. The counties of Jefferson, Stephens, Love, Carter and Murray.

SECTION 12. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.10 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 10. The counties of Johnston, Marshall, Bryan, Atoka and Coal.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.11 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 11. The counties of Choctaw, Pushmataha, McCurtain, LeFlore, Latimer and Haskell.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.12 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 12. The counties of Pittsburg and McIntosh.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.13 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 13. The counties of Pottawatomie, Pontotoc, Seminole and Hughes.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.14 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 14. The counties of Logan, Paine and Lincoln.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.15 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 15. The counties of Kay, Noble, Osage and Pawnee.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.16 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 16. The counties of Creek, Okmulgee and Okfuskee.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.17 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 17. The counties of Muskogee and Wagoner.

SECTION 20. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.18 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 18. The county of Tulsa.

SECTION 21. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.19 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 19. The counties of Sequoyah, Cherokee, Adair and Delaware.

SECTION 22. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.20 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 20. The counties of Washington, Nowata, Craig and Ottawa.

SECTION 23. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 22.21 of Title 20, unless there is created a duplication in numbering, reads as follows:

District No. 21. The counties of Rogers and Mayes.

SECTION 24. AMENDATORY 20 O.S. 1991, Section 92.1, is amended to read as follows:

Section 92.1 The state is hereby divided into ~~twenty-six (26)~~ twenty-one (21) district court judicial districts with the number of authorized districts and district judges to be as provided in Sections ~~2~~ 25 through ~~27~~ 44 of this act. Each district shall have one court clerk to be elected at large.

SECTION 25. AMENDATORY 20 O.S. 1991, Section 92.2, is amended to read as follows:

Section 92.2 District No. 1. The counties of Cimarron, Texas, Beaver ~~and~~, Harper and Woodward. Said district shall have one district judge to be nominated and elected at large.

SECTION 26. AMENDATORY 20 O.S. 1991, Section 92.3, is amended to read as follows:

Section 92.3 District No. 2. The counties of Ellis, Roger Mills, Custer, Beckham, Greer, Washita, Dewey and Harmon. Said district shall have one district judge to be nominated and elected at large.

SECTION 27. AMENDATORY 20 O.S. 1991, Section 92.4, is amended to read as follows:

Section 92.4 District No. 3. The counties of ~~Washita,~~ Kiowa, Jackson, Grady, Caddo and Tillman. Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Jackson, Tillman or Kiowa County; and one candidate to be nominated and elected at large and a legal resident of Grady or Caddo County.

SECTION 28. AMENDATORY 20 O.S. 1991, Section 92.5, is amended to read as follows:

Section 92.5 District No. 4. The counties of ~~Dewey, Blaine, Kingfisher,~~ Garfield, Major, ~~Woodward,~~ Woods, Alfalfa and Grant. Said district shall have ~~three (3)~~ two district judges to be nominated and elected as follows: A one candidate ~~for office No. 1 shall~~ to be nominated and elected at large and a legal resident of ~~Dewey, Grant, Garfield,~~ Woods, Major, ~~Woodward~~ or Alfalfa County; and one candidate ~~for office No. 2 shall~~ to be nominated and elected at large and a legal resident of ~~Blaine, Kingfisher,~~ Garfield ~~or Grant County;~~ ~~and a candidate for office No. 3 shall be nominated and elected at large and a legal resident of Garfield County.~~

SECTION 29. AMENDATORY 20 O.S. 1991, Section 92.6, is amended to read as follows:

Section 92.6 District No. 5. The counties of Comanche, ~~Stephens,~~ and Cotton ~~and Jefferson.~~ Said district shall have ~~five~~ ~~(5)~~ four district judges to be nominated and elected as follows: ~~Candidates for office Nos. 1 and 4~~ two candidates to be nominated and elected at large and legal residents of Comanche or Cotton

~~County; a candidate for office No. 2 to be nominated and elected at large and a legal resident of Stephens or Jefferson County; and candidates for office Nos. 3 and 5~~ and two candidates to be nominated and elected at large and legal residents of Comanche County.

SECTION 30. AMENDATORY 20 O.S. 1991, Section 92.7, is amended to read as follows:

Section 92.7 District No. 6. The counties of ~~Grady and Caddo Blaine, Kingfisher and Canadian.~~ Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Canadian County; and one candidate to be nominated and elected at large and a legal resident of Blaine, Kingfisher or Canadian County.

SECTION 31. AMENDATORY 20 O.S. 1991, Section 92.9, is amended to read as follows:

Section 92.9 District No. 8. The counties of ~~Noble and Kay Cleveland, McClain and Garvin.~~ Said district shall have ~~one~~ three district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: candidates for office Nos. 1 and 3 shall be nominated and elected at large and legal residents of Cleveland County; a candidate for office No. 2 shall be nominated and elected at large and a legal resident of Garvin or McClain County.

SECTION 32. AMENDATORY 20 O.S. 1991, Section 92.10, is amended to read as follows:

Section 92.10 District No. 9. The counties of ~~Logan and Payne Jefferson, Stephens, Love, Carter and Murray.~~ Said district shall have ~~one~~ three district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Carter County; one candidate to be nominated and elected at large and a legal resident of Stephens or

Jefferson County; and one candidate to be nominated and elected at large and a legal resident of Love, Murray or Carter County.

SECTION 33. AMENDATORY 20 O.S. 1991, Section 92.11, is amended to read as follows:

Section 92.11 District No. 10. The ~~county~~ counties of ~~Osage~~ Johnston, Marshall, Bryan, Atoka and Coal. Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Bryan County; and one candidate to be nominated and elected at large and a legal resident of Johnston, Marshall, Atoka or Coal County.

SECTION 34. AMENDATORY 20 O.S. 1991, Section 92.12, is amended to read as follows:

Section 92.12 District No. 11. The counties of ~~Washington and Nowata~~ Choctaw, Pushmataha, McCurtain, Haskell, Latimer and LeFlore. Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Choctaw, Pushmataha or McCurtain County; and one candidate to be nominated and elected at large and a legal resident of LeFlore, Haskell or Latimer County.

SECTION 35. AMENDATORY 20 O.S. 1991, Section 92.13, is amended to read as follows:

Section 92.13 District No. 12. The counties of ~~Rogers, Mayes and Craig~~ Pittsburg and McIntosh. Said district shall have ~~two (2)~~ one district ~~judges~~ judge to be nominated and elected at large.

SECTION 36. AMENDATORY 20 O.S. 1991, Section 92.14, is amended to read as follows:

Section 92.14 District No. 13. The counties of ~~Ottawa and Delaware~~ Pottawatomie, Pontotoc, Hughes and Seminole. Said district shall have ~~one~~ four district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and

elected at large and a legal resident of Pottawatomie County; one candidate to be nominated and elected at large and a legal resident of Pontotoc County; one candidate to be nominated and elected at large and a legal resident of Seminole or Hughes County; and one candidate to be nominated and elected at large and a legal resident of Seminole County.

SECTION 37. AMENDATORY 20 O.S. 1991, Section 92.15, is amended to read as follows:

Section 92.15 District No. 14. The counties of ~~Tulsa and Pawnee~~ Logan, Paine and Lincoln. Said district shall have ~~thirteen~~ ~~(13)~~ two district judges to be nominated as follows: ~~Candidates for office Nos. 1 through 4 and 6 through 13~~ one candidate to be nominated and elected at large and a ~~from and~~ legal residents of ~~Tulsa, and~~ resident of Payne or Logan County; and one candidate for ~~office No. 5~~ to be nominated and elected at large ~~from~~ and a legal resident of ~~Pawnee~~, ~~all of whom shall be elected at large~~ Lincoln County.

SECTION 38. AMENDATORY 20 O.S. 1991, Section 92.16, is amended to read as follows:

Section 92.16 District No. 15. The counties of ~~Wagoner, Cherokee, Adair, Muskogee and Sequoyah~~ Kay, Noble, Osage and Pawnee. Said district shall have ~~four~~ ~~(4)~~ two district judges to be nominated and elected as follows: ~~Candidates for office Nos. 1 and 4 shall~~ one candidate to be nominated and elected at large and a legal ~~residents~~ resident of ~~Muskogee~~ Osage or Pawnee County; ~~a~~ and one candidate ~~for office No. 2 shall~~ to be nominated and elected at large and a legal resident of ~~Wagoner~~ Kay or ~~Cherokee~~ Noble County; ~~and a candidate for office No. 3 shall be nominated and elected at large and a legal resident of Adair or Sequoyah County.~~

SECTION 39. AMENDATORY 20 O.S. 1991, Section 92.17, is amended to read as follows:

Section 92.17 District No. 16. The counties of ~~Haskell,~~
~~LeFlore and Latimer~~ Creek, Okmulgee and Okfuskee. Said district shall have ~~one~~ five district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Okfuskee County; two candidates to be nominated and elected at large and legal residents of Okmulgee County; and two candidates to be nominated and elected at large and legal residents of Creek County.

SECTION 40. AMENDATORY 20 O.S. 1991, Section 92.18, is amended to read as follows:

Section 92.18 District No. 17. The counties of ~~Pushmataha,~~
~~McCurtain and Choctaw~~ Muskogee and Wagoner. Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Muskogee County, and one candidate to be nominated and elected at large and a legal resident of Wagoner County.

SECTION 41. AMENDATORY 20 O.S. 1991, Section 92.19, is amended to read as follows:

Section 92.19 District No. 18. The ~~counties~~ county of ~~McIntosh~~
~~and Pittsburg~~ Tulsa. Said district shall have ~~one~~ thirteen district ~~judge~~ judges to be nominated and elected at large.

SECTION 42. AMENDATORY 20 O.S. 1991, Section 92.20, is amended to read as follows:

Section 92.20 District No. 19. The ~~county~~ counties of ~~Bryan~~
Sequoyah, Cherokee, Adair and Delaware. Said district shall have ~~one~~ two district ~~judge~~ judges to be nominated and elected ~~at large~~ as follows: one candidate to be nominated and elected at large and a legal resident of Cherokee or Delaware County, and one candidate to be nominated and elected at large and a legal resident of Adair or Sequoyah County.

SECTION 43. AMENDATORY 20 O.S. 1991, Section 92.21, is amended to read as follows:

Section 92.21 District No. 20. The counties of ~~Love, Carter, Murray, Johnston and Marshall~~ Washington, Nowata, Craig and Ottawa. Said district to have two ~~(2)~~ district judges to be nominated and elected as follows: ~~One~~ one candidate to be nominated and elected at large and a legal resident of ~~Carter~~ Washington or Nowata County, and one candidate to be nominated and elected at large and a legal resident of ~~Love, Murray, Johnston or Marshall~~ Ottawa or Craig County.

SECTION 44. AMENDATORY 20 O.S. 1991, Section 92.22, is amended to read as follows:

Section 92.22 District No. 21. The counties of ~~Garvin, McClain and Cleveland~~ Rogers and Mayes. Said district to have ~~three (3)~~ two district judges ~~nominated as follows: Candidates for office Nos. 1 and 3 shall~~ to be nominated and elected at large and ~~legal residents of Cleveland County, and a candidate for office No. 2 shall be~~ nominated and elected at large and a legal resident of Garvin or McClain County.

SECTION 45. REPEALER 20 O.S. 1991, Sections 92.23, 92.24, 92.25, 92.26 and 92.27, are hereby repealed.

SECTION 46. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1294

KS