

ENGROSSED HOUSE  
BILL NO. 1902

By: Bastin, Vaughn and Toure  
of the House

and

Herbert of the Senate

( courts - amending 20 O.S., Sections 92.8a, 92.15a and 122  
- additional district judge - effective date -  
emergency )

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

SECTION 1. AMENDATORY Section 2, Chapter 362, O.S.L.  
1993 (20 O.S. Supp. 1994, Section 92.8a), is amended to read as  
follows:

Section 92.8a District Court Judicial District No. 7 shall have  
~~fourteen (14)~~ fifteen district judges. ~~For elections held in 1994,~~  
~~district judges shall be nominated and elected as follows:~~  
~~candidates for office Nos. 1 and 9 shall be nominated and elected~~  
~~from and be legal residents of electoral Division No. 1, candidates~~  
~~for office Nos. 3 and 10 shall be nominated and elected from~~  
~~electoral Division No. 2, candidates for office Nos. 2 and 11 shall~~  
~~be nominated and elected from electoral Division No. 3, candidates~~  
~~for office Nos. 4 and 12 shall be nominated and elected from~~  
~~electoral Division No. 4, and candidates for office Nos. 5, 6, 7, 8,~~  
~~13 and 14 shall be nominated and elected at large. A candidate for~~  
~~an office elected from electoral Division No. 2, 3 or 4 shall be a~~  
~~legal resident of the respective division or serving as a district~~

~~judge in the district court judicial district at the time of filing a declaration of candidacy.~~

For elections held after 1994, district judges shall be nominated and elected as follows: candidates for office Nos. 1 and 9 shall be nominated and elected from and be legal residents of electoral Division No. 1, candidates for office Nos. 3 and 10 shall be nominated and elected from and be legal residents of electoral Division No. 2, candidates for office Nos. 2 and 11 shall be nominated and elected from and be legal residents of electoral Division No. 3, candidates for office Nos. 4 and 12 shall be nominated and elected from and be legal residents of electoral Division No. 4, and candidates for office Nos. 5, 6, 7, 8, 13 ~~and~~, 14 and 15 shall be nominated and elected at large.

SECTION 2. AMENDATORY 20 O.S. 1991, Section 122, as amended by Section 27, Chapter 335, O.S.L. 1992 (20 O.S. Supp. 1994, Section 122), is amended to read as follows:

Section 122. The number of special judges that may be appointed in each judicial administrative district shall be determined as follows:

1. A special judge shall be appointed on the basis of one special judge for each county within the administrative district with a population of at least twenty-four thousand (24,000), as determined by the 1960 Federal Decennial Census. An additional special judge shall be appointed for each additional fifty thousand (50,000) in population in a county within the administrative district, as determined by the 1960 Federal Decennial Census. Such appointment may be made from any county in the administrative district. Such appointments shall be made by the district judges in their respective judicial administrative districts. Any judge of a special sessions court shall be one of the special judges for the balance of his term and shall be within the number prescribed for said district.

2. In addition to the special judges that may be appointed pursuant to the provisions of paragraph 1 of this section, there shall be:

- a. one (1) special judge appointed in the Northwest-Panhandle Judicial Administrative District comprised of District Court Judicial Districts Numbers One (1), Two (2) and Four (4), to serve in Custer County;
- b. ~~one (1)~~ four special ~~judge~~ judges appointed in the Oklahoma-Canadian Counties Judicial Administrative District comprised of District Court Judicial District Number Seven (7); and
- c. ~~two (2)~~ four special judges appointed in the Tulsa-Pawnee Counties Judicial Administrative District comprised of District Court Judicial District Number Fourteen (14).

3. If a vacancy occurs in the office of associate district judge, or if an associate district judge becomes unable to perform the duties of his office, as determined by the presiding judge of the judicial administrative district, a special judge may be appointed within the judicial administrative district to hold office for the duration of said vacancy or incapacity. After the vacancy is filled, or after the associate district judge becomes able to perform the duties of his office, the special judge shall have the power to act in regard to any case which he has already tried, but the presiding judge of the judicial administrative district may transfer such a case to any other judge in the judicial administrative district.

4. The Chief Justice of the Supreme Court may authorize the appointment of such additional special judges as may be necessary for the proper administration of justice. Such additional special judges shall be appointed after application by a majority of the

district judges of a judicial administrative district, stating the reason why an additional special judge is needed. Such additional judges need not be based upon population figures.

SECTION 3. AMENDATORY Section 5, Chapter 362, O.S.L. 1993 (20 O.S. Supp. 1994, Section 92.15a), is amended to read as follows:

Section 92.15a District Court Judicial District No. 14 shall have ~~thirteen (13)~~ fourteen district judges. ~~For elections held in 1994, district judges shall be nominated and elected as follows: one judge shall be nominated and elected from electoral Division No. 1, one judge shall be nominated and elected from electoral Division No. 2, one judge shall be nominated and elected from and be a legal resident of electoral Division No. 3, one judge shall be nominated and elected from electoral Division No. 4, one judge shall be nominated and elected from electoral Division No. 5, one judge shall be nominated from and be a legal resident of Pawnee County and shall be elected at large, and the remaining judges shall be nominated from and be legal residents of Tulsa County and shall be elected at large. A candidate for an office elected from electoral Division No. 1, 2, 4 or 5 shall be a legal resident of the respective division or serving as a district judge in the district court judicial district at the time of filing a declaration of candidacy.~~

For elections held after 1994, district judges shall be nominated and elected as follows: one judge shall be nominated and elected from and be a legal resident of electoral Division No. 1, one judge shall be nominated and elected from and be a legal resident of electoral Division No. 2, one judge shall be nominated and elected from and be a legal resident of electoral Division No. 3, one judge shall be nominated and elected from and be a legal resident of electoral Division No. 4, one judge shall be nominated and elected from and be a legal resident of electoral Division No. 5, one judge shall be nominated from and be a legal resident of

Pawnee County and shall be elected at large, and the remaining judges shall be nominated from and be legal residents of Tulsa County and shall be elected at large.

SECTION 4. This act shall become effective July 1, 1995.

SECTION 5. 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.

Passed the House of Representatives the 14th day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate