

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 670

By: Henry of the Senate

and

6 Toure of the House

7  
8  
9  
10 COMMITTEE SUBSTITUTE

11 An Act relating to courts; creating the Judicial  
12 Election Commission; stating purpose; providing for  
13 membership and appointment; limiting terms of  
14 members; providing for appointment to fill vacancy;  
15 providing for selection of officers; providing for  
16 meetings; stating quorum; providing for reimbursement  
17 of certain expenses; providing for supplies and  
18 staff; exempting Commission from compliance with the  
19 Oklahoma Sunset Law, the Oklahoma Open Meeting Act,  
20 and the Oklahoma Open Records Act; stating powers and  
21 duties; prohibiting district attorneys and assistant  
22 district attorneys from being candidates for office  
23 of district judge or associate district judge while  
24 serving as district attorney or assistant district  
25 attorney; providing for codification; and providing  
26 an effective date.

27  
28  
29  
30  
31  
32 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 1641 of Title 20, unless there  
is created a duplication in numbering, reads as follows:

A. There is hereby created the Judicial Election Commission to  
evaluate ethical conduct in campaigns for judicial office.

B. The Judicial Election Commission shall be comprised of  
fifteen (15) members, nine of whom shall be lawyers who are active  
members in good standing of the Oklahoma Bar Association, none of  
whom shall reside in the same judicial administrative district, and  
six shall be non-lawyers. For the purposes of this section, a non-

1 lawyer shall be a person who neither holds a law degree nor is  
2 licensed to practice law in any state. All lawyer members shall be  
3 appointed by the President of the Oklahoma Bar Association with the  
4 approval of the Board of Governors of the Oklahoma Bar Association.  
5 Non-lawyer members shall be appointed as follows: two members shall  
6 be appointed by the President Pro Tempore of the Senate; two members  
7 shall be appointed by the Speaker of the House of Representatives;  
8 and two members shall be appointed by the Governor. All initial  
9 appointments shall be made prior to November 1, 1999.

10 C. Of the members first appointed to the Judicial Election  
11 Commission, three lawyer and two non-lawyer members shall serve for  
12 three (3) years and until a successor shall be appointed and  
13 qualified; three lawyer and two non-lawyer members shall serve for  
14 two (2) years and until a successor shall be appointed and  
15 qualified; and three lawyer and two non-lawyer members shall serve  
16 for one (1) year and until a successor shall be appointed and  
17 qualified. The respective terms of the first members shall be  
18 determined by lot at the first meeting of the Commission, and the  
19 results shall be certified to the Secretary of State and to the  
20 appointing authority for each individual member. Thereafter, each  
21 appointee shall serve for a term of three (3) years and until a  
22 successor is appointed and qualified. No person shall be eligible  
23 to serve more than two terms on the Commission. Vacancies shall be  
24 filled in the same manner as provided in this subsection.

25 D. The Commission shall elect a chair and other officers as  
26 deemed necessary for the performance of their duties from among its  
27 members to serve a two (2) year term. The Commission shall hold  
28 meetings not less than once every year and additional meetings as  
29 called by the chair as may be required for the proper discharge of  
30 its duties. A simple majority of the Commission shall constitute a  
31 quorum.  
32

1 E. Members of the Commission shall receive no compensation for  
2 serving on the Commission, but shall be reimbursed for necessary  
3 travel expenses incurred in the performance of their duties pursuant  
4 to the State Travel Reimbursement Act.

5 F. The Oklahoma Bar Association shall provide office supplies  
6 and personnel as may be necessary to assist the Commission.

7 G. The Commission shall not be subject to the provisions of the  
8 Oklahoma Sunset Law, the Oklahoma Open Meeting Act, or the Oklahoma  
9 Open Records Act.

10 H. The Commission shall, in its discretion:

11 1. Receive written complaints, which must be signed and  
12 verified, or otherwise receive information factually indicating a  
13 violation of a provision of Canon 5 of the Code of Judicial Conduct,  
14 as amended, during the course of a campaign for judicial office;

15 2. Conduct an investigation relating to a complaint;

16 3. Request an advisory opinion relating to the conduct of a  
17 complaint from the Judicial Ethics Advisory Panel; or

18 4. Refer a complaint to the General Counsel of the Oklahoma Bar  
19 Association or the Council on Judicial Complaints, if the Commission  
20 determines the allegations of the complaint warrant further  
21 investigation or intervention.

22 SECTION 2. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 215.41 of Title 19, unless there  
24 is created a duplication in numbering, reads as follows:

25 A district attorney or an assistant district attorney shall not  
26 file as a candidate for district judge or associate district judge  
27 while serving as a district attorney or an assistant district  
28 attorney, respectively.

29 SECTION 3. This act shall become effective November 1, 1999.

30  
31 47-1-6816 SD 6/11/15  
32