

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE JOINT
RESOLUTION 29

By: Ford

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Article V of the Constitution of the State of Oklahoma by adding new sections to Article V to be designated as Sections 17B, 17C and 17D; setting term limitation on the number of years an elected or appointed county, municipal, or state official may serve in office; setting limitation on service at each level of government; stating certain exceptions; setting limitation on the number of years an appointed or elected district judge may serve in that level of the judicial branch of government; setting limitation on the number of years an appointed or elected appellate judge may serve in that level of the judicial branch of government; setting limitation on the number of years an appointed or elected judge on the Workers' Compensation Court may serve in that level of the judicial branch of government; stating certain exceptions; providing for approval of the Legislature to authorize that certain sections of the Constitution of the State of Oklahoma may be changed without a vote of the people; providing effective dates; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
2ND SESSION OF THE 48TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article V of the Constitution of the State of Oklahoma to read as follows:

Section 17B. Notwithstanding any other section of law, any elected official on the municipal, county or state level, except any member of the Legislature or the Governor, who is elected or appointed to office after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that

particular level of government. Years of service on any one of the three levels of government mentioned above need not be consecutive but the total accumulated number of years served on any one level of government shall not exceed twelve (12) years. The years served by any person elected or appointed to serve less than a full term to fill a vacancy in office shall not be included in the twelve-year limitation set forth herein; but no person who has completed twelve (12) years in office on any particular level shall thereafter be eligible to serve a partial term in that level of government. Any person who is serving a term in office or who has been elected or appointed to serve a term in office on the effective date hereof shall be entitled to complete his or her term and shall be eligible to serve an additional twelve (12) years thereafter. This section shall be effective on January 1, 2003.

Section 17C. Notwithstanding any other section of law, any district judge who is appointed, elected or retained after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that level of the judicial branch of government, any appellate judge who is appointed, elected or retained after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that level of the judicial branch of government and any judge on the Workers' Compensation Court who is appointed, elected or retained after the effective date of this amendment shall be eligible to serve no more than twelve (12) years in that level of the judicial branch of government. Years of service in any level of the judicial branch of government mentioned above need not be consecutive but the total accumulated number of years served on any one level of the judiciary shall not exceed twelve (12) years. The years served by any district judge, appellate judge, and any judge on the Workers' Compensation Court appointed, elected or retained to serve less than a full judicial term to fill a vacancy in office shall not be

included in the twelve-year limitation set forth herein; but no judge who has completed twelve (12) years in office shall thereafter be eligible to serve a partial term. Any judge who is serving a judicial term in office or who has been appointed, elected or retained to serve a term in office on the effective date hereof shall be entitled to complete his or her term and shall be eligible to serve an additional twelve (12) years thereafter. This section shall be effective on January 1, 2003.

Section 17D. Upon the approval of three-fourths (3/4) of the membership of the House of Representatives and three-fourths (3/4) of the membership of the Senate and after having been signed into law by the Governor, Sections 17A, 17B and 17C of the Oklahoma Constitution may be changed without being submitted to a vote of the people of the state. Any such bill shall not be subject to the emergency measure provision authorized in Section 58 of Article V and shall not become effective and be in force until ninety days after it has been approved by the Legislature, and acted on favorably by the Governor. This section shall be effective on January 1, 2007.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure adds new sections of law to the State Constitution. It adds Sections 17B, 17C, and 17D to Article 5. It provides that any elected county, municipal, or state official, district judge, appellate judge, or judge on the Workers' Compensation Court, with exception of the Legislature or the Governor, elected to office after the effective date of this amendment would be allowed to serve

no more that twelve (12) years in each level of government. Years served need not be consecutive. Time served by those appointed to serve less than a full term shall not be counted. No person who has completed a twelve-year term shall be allowed to serve a partial term. Those serving on the effective date or who have been elected or appointed to serve are allowed to serve an additional twelve (12) years. Upon a three-fourths vote of the membership of the Senate and the House of Representatives and being signed into law by the Governor, Sections 17A, 17B, 17C, and 17D may be changed without being submitted to a vote of the people.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

48-2-1819

JT

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