

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 1269

By: Smith of the Senate

and

Calvey of the House

An Act relating to officers; amending 51 O.S. 2001, Section 36.2A, which relates to loyalty oath or affirmation; updating reference; repealing 51 O.S. 2001, Sections 2 and 36.2, which relate to loyalty oath or affirmation; and providing an effective date.

AMENDMENT NO. 1. Page 2, line 3 1/2, insert a new Section 2 to read

"SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 36.2B of Title 51, unless there is created a duplication in numbering, reads as follows:

A. The oath or affirmation required by Section 36.1 of Title 51 of the Oklahoma Statutes, same being cumulative to the oath of office required by Section 1 of Article XV of the Oklahoma Constitution, shall be as follows:

I, _____, do solemnly swear (or affirm) that, consistent with my citizenship, I will support, obey and defend the Constitution of the United States and the Constitution of the State of Oklahoma, will not violate any of the provisions thereof, and will discharge the duties of my office or employment with fidelity.

I do further swear (or affirm) that I do not and will not advocate, indoctrinate, or incite others to action in furtherance of revolution, sedition, treason, or a program of sabotage, or the overthrow of the government of the United States or of the State of Oklahoma or a change in the form of government thereof by force, violence, or other unlawful means or the destruction of their citizens or their property, or knowingly be a party to such actions.

I do further swear (or affirm) that I will take up arms or render noncombatant service in the defense of the United States in time of war or national emergency, that is, if by valid law required.

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public, or other officer
authorized to administer oaths or
affirmations.

B. 1. If the oath specified in this section is declared unconstitutional by a court of competent jurisdiction, the oath contained in Section 36.2A of Title 51 of the Oklahoma Statutes shall be used.

2. If the oath specified in this section is challenged as unconstitutional and a restraining order is issued against the use of the oath during the pendency of the challenge, the oath contained in Section 36.2A of Title 51 of the Oklahoma Statutes shall be used."

and renumber subsequent sections
and amend title to conform

Passed the House of Representatives the 22nd day of April, 2004.

Presiding Officer of the House of
Representatives

Passed the Senate the _____ day of _____, 2004.

Presiding Officer of the Senate