

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2486

By: Cooksey

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to the Council on Judicial  
9 Complaints; amending 20 O.S. 2001, Sections 1653 and  
10 1654, which relate to membership, appointment, and  
11 tenure; increasing number of members; increasing  
12 number who shall be attorneys; increasing quorum  
13 requirement; providing for appointment by Governor;  
14 modifying tenure; and providing an effective date.

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

16 SECTION 1. AMENDATORY 20 O.S. 2001, Section 1653, is  
17 amended to read as follows:

18 Section 1653. A. ~~The~~ 1. Until January 1, 2009, the Council on  
19 Judicial Complaints shall consist of three (3) members, only two of  
20 whom shall be members of the Bar of the State of Oklahoma and only  
21 two of whom shall constitute a quorum. One member shall be  
22 appointed by the President Pro Tempore of the State Senate; one  
23 member shall be appointed by the Speaker of the Oklahoma House of  
24 Representatives; and one member shall be appointed by the President  
of the Oklahoma Bar Association.

1        2. Beginning January 1, 2009, the Council on Judicial  
2 Complaints shall consist of seven (7) members, only four of whom  
3 shall be members of the Bar of the State of Oklahoma and only four  
4 of whom shall constitute a quorum. Individuals who are members of  
5 the Council on December 31, 2008, shall retain their offices for the  
6 balance of their terms and shall be eligible for reappointment by  
7 their appointing authorities, subject to the limitation provided in  
8 subsection C of Section 1654 of this title. The initial  
9 appointments of the four additional members shall be made as  
10 follows, of whom no more than four of the total number of members  
11 constituting the Council shall be members of the Bar of the State of  
12 Oklahoma:

13            a. one member shall be appointed by the President Pro  
14            Tempore of the State Senate,

15            b. one member shall be appointed by the Speaker of the  
16            Oklahoma House of Representatives, and

17            c. two members shall be appointed by the Governor.

18 Thereafter, two members shall be appointed by the President Pro  
19 Tempore of the State Senate; two members shall be appointed by the  
20 Speaker of the Oklahoma House of Representatives; two members shall  
21 be appointed by the Governor; and one member shall be appointed by  
22 the President of the Oklahoma Bar Association.

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1 B. Members of the Council, during their terms of office, shall  
2 not be eligible for election or appointment to the Judicial  
3 Nominating Commission.

4 SECTION 2. AMENDATORY 20 O.S. 2001, Section 1654, is  
5 amended to read as follows:

6 Section 1654. A. Of the members first appointed to the Council  
7 on Judicial Complaints, one shall serve for three (3) years and  
8 until a successor shall be appointed and qualified; one shall serve  
9 for four (4) years and until a successor shall be appointed and  
10 qualified; and one shall serve for five (5) years and until a  
11 successor shall be appointed and qualified. The respective terms of  
12 the first members shall be determined by lot at the first meeting of  
13 the Council, and the results thereof shall be certified to the  
14 Secretary of State and to the appointing authority for each  
15 individual member.

16 B. Of the four additional members appointed to the Council in  
17 2009, two members shall serve for three (3) years and until a  
18 successor shall be appointed and qualified; one shall serve for four  
19 (4) years and until a successor shall be appointed and qualified;  
20 and one shall serve for five (5) years and until a successor shall  
21 be appointed and qualified. The respective terms of these members  
22 shall be determined by lot at the first meeting of the Council held  
23 after January 1, 2009, and the results thereof shall be certified to  
24 the Secretary of State and to the appointing authority for each

1 individual member. Thereafter, each appointee shall be appointed as  
2 provided in subsection A of Section 1653 of this title and serve for  
3 a term of five (5) years and until a successor is selected and  
4 qualified.

5 C. No person shall be eligible to serve more than two terms on  
6 the Council.

7 SECTION 3. This act shall become effective November 1, 2008.

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