

THE HOUSE OF REPRESENTATIVES
Monday, March 3, 2008

Committee Substitute for
House Bill No. 2486

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2486 - By: COOKSEY of the House.

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

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

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

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

9 2. Beginning January 1, 2009, the Council on Judicial Complaints shall consist of
10 seven (7) members, only four of whom shall be members of the Bar of the State of
11 Oklahoma and only four of whom shall constitute a quorum. Individuals who are

1 members of the Council on December 31, 2008, shall retain their offices for the balance of
2 their terms and shall be eligible for reappointment by their appointing authorities,
3 subject to the limitation provided in subsection C of Section 1654 of this title. The initial
4 appointments of the four additional members shall be made as follows, of whom no more
5 than four of the total number of members constituting the Council shall be members of
6 the Bar of the State of Oklahoma:

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

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

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

12 Thereafter, two members shall be appointed by the President Pro Tempore of the State
13 Senate; two members shall be appointed by the Speaker of the Oklahoma House of
14 Representatives; two members shall be appointed by the Governor; and one member
15 shall be appointed by the President of the Oklahoma Bar Association.

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

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

20 Section 1654. A. Of the members first appointed to the Council on Judicial
21 Complaints, one shall serve for three (3) years and until a successor shall be appointed
22 and qualified; one shall serve for four (4) years and until a successor shall be appointed

1 and qualified; and one shall serve for five (5) years and until a successor shall be
2 appointed and qualified. The respective terms of the first members shall be determined
3 by lot at the first meeting of the Council, and the results thereof shall be certified to the
4 Secretary of State and to the appointing authority for each individual member.

5 B. Of the four additional members appointed to the Council in 2009, two members
6 shall serve for three (3) years and until a successor shall be appointed and qualified; one
7 shall serve for four (4) years and until a successor shall be appointed and qualified; and
8 one shall serve for five (5) years and until a successor shall be appointed and qualified.
9 The respective terms of these members shall be determined by lot at the first meeting of
10 the Council held after January 1, 2009, and the results thereof shall be certified to the
11 Secretary of State and to the appointing authority for each individual member.

12 Thereafter, each appointee shall be appointed as provided in subsection A of Section 1653
13 of this title and serve for a term of five (5) years and until a successor is selected and
14 qualified.

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,
18 dated 02-28-08 - DO PASS, As Amended.