

3 Senate Joint
4 Resolution No. 51

5 SENATE JOINT RESOLUTION NO. 51 - By: NICHOLS and BURRAGE of the
6 Senate and BLACKWELL of the House.

7 A Joint Resolution directing the Secretary of State to refer
8 to the people for their approval or rejection a proposed
9 amendment to Section 18 of Article II of the Constitution of
10 the State of Oklahoma; allowing Attorney General to apply to
11 convene certain grand juries; establishing jurisdiction of
12 specified grand juries; requiring Legislature to enact
13 certain laws; providing ballot title; and directing filing.

14 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
15 2ND SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

16 SECTION 1. The Secretary of State shall refer to the people for
17 their approval or rejection, as and in the manner provided by law,
18 the following proposed amendment to Section 18 of Article II of the
19 Constitution of the State of Oklahoma to read as follows:

20 Section 18. A grand jury shall be composed of twelve (12)
21 persons, any nine (9) of whom concurring may find an indictment or
22 true bill. A grand jury shall be convened upon the order of a
23 district judge upon his own motion; or such grand jury shall be
24 ordered by a district judge upon the filing of a petition therefor
25 signed by qualified electors of the county equal to the number of
26 signatures required to propose legislation by a county by initiative

1 petition as provided in Section 5 of Article V of the Oklahoma
2 Constitution, with the minimum number of required signatures being
3 five hundred (500) and the maximum being five thousand (5,000); and
4 further providing that in any calendar year in which a grand jury
5 has been convened pursuant to a petition therefor, then any
6 subsequent petition filed during the same calendar year shall
7 require double the minimum number of signatures as were required
8 hereunder for the first petition; or ~~such~~ the Attorney General of
9 the State of Oklahoma may apply to convene either a single-county
10 grand jury or a multicounty grand jury or both. A single-county
11 grand jury shall be ordered convened upon the filing of a verified
12 application by the Attorney General of the State of Oklahoma who
13 shall have authority to conduct the single-county grand jury in
14 investigating ~~crimes~~ all character and grades of crime which are
15 alleged to have been committed in ~~said~~ that county or involving
16 multicounty criminal activities; when. A multicounty grand jury
17 shall be ordered convened upon the filing of a verified application
18 by the Attorney General of the State of Oklahoma who shall have
19 authority to conduct the multicounty grand jury in investigating all
20 character and grades of crime which are alleged to have been
21 committed in any one county or in more than one county of the State
22 of Oklahoma. When so assembled ~~such~~ a single-county grand jury
23 shall have power to inquire into and return indictments for all

1 character and grades of crime in that county. A multicounty grand
2 jury shall have power to inquire into and return indictments for all
3 character and grades of crime in one county or in more than one
4 county of the State of Oklahoma. All other provisions of the
5 Constitution or the laws of this state in conflict with the
6 provisions of this constitutional amendment are hereby expressly
7 repealed.

8 The Legislature shall enact laws to implement the provisions of
9 this constitutional amendment and to prevent corruption in making,
10 filing, circulating and submitting petitions calling for convening a
11 grand jury.

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

15 BALLLOT TITLE

16 Legislative Referendum No. _____ State Question No. _____

17 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

18 This measure amends Section 18 of Article 2 of the Oklahoma
19 Constitution. The measure seeks to clarify existing law. The
20 measure applies to grand juries. It allows the Attorney General
21 to apply for a single-county grand jury or a multicounty grand
22 jury or both. A single-county grand jury may investigate
23 criminal activity which occurs in that county. A single-county

1 grand jury may return indictments for all types of crimes which
2 occur in that county. A multicounty grand jury may also
3 investigate criminal activity. That activity may occur in one
4 county or in more than one county. Under the measure, a
5 multicounty grand jury may return indictments for all types of
6 crimes. Those crimes may occur in one county or more than one
7 county. The Legislature is to pass laws to carry out this
8 section.

9 SHALL THE PROPOSAL BE APPROVED?

10 FOR THE PROPOSAL - YES _____

11 AGAINST THE PROPOSAL - NO _____

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

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-19-08 - DO
18 PASS, As Coauthored.