

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 783

By: Sykes of the Senate

and

6 Johnson of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to counties and county officers;
11 requiring county commissioners to make certain
12 filings; providing requirements of certain ballot
13 titles; requiring the district attorney to make
14 certain legal determination; requiring response to be
15 in writing; providing for publication of certain
16 propositions; providing for codification; and
17 providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 388 of Title 19, unless there is
21 created a duplication in numbering, reads as follows:

22 A. When a county of this state is authorized to submit a
23 proposition for approval by the registered voters of the respective
24 county, whether by special election or otherwise, that will require
a ballot title, it shall be the duty, in addition to any other
duties required by law, of the county commissioners submitting the

1 measure to prepare and file one copy of the measure with the
2 district attorney of the county.

3 B. The county commissioners submitting the measure shall also
4 submit a suggested ballot title which shall be filed on a separate
5 sheet of paper and shall not be deemed part of the petition. The
6 suggested ballot title:

7 1. Shall not exceed two hundred words;

8 2. Shall explain in basic words, which can be easily found in
9 dictionaries of general usage, the effect of the proposition;

10 3. Shall be written on the eighth-grade reading comprehension
11 level;

12 4. Shall not contain any words which have a special meaning for
13 a particular profession or trade not commonly known to the citizens
14 of this state;

15 5. Shall not reflect partiality in its composition or contain
16 any argument for or against the measure;

17 6. In tax-related propositions, the proposition shall detail
18 all known direct and indirect increases and decreases affecting the
19 tax code;

20 7. In tax-related propositions, the proposition shall use the
21 word "increase" when an increase in a tax may depend on the passage
22 or failure of the proposition;

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1 8. Shall contain language which clearly states that a "yes"
2 vote is a vote in favor of the proposition and a "no" vote is a vote
3 against the proposition; and

4 9. Shall not contain language whereby a "yes" vote is, in fact,
5 a vote against the proposition and a "no" vote is, in fact, a vote
6 in favor of the proposition.

7 C. The district attorney of the county for which a measure has
8 been proposed shall review the filing required by subsections A and
9 B of this section for legal correctness. Within five (5) days, the
10 district attorney shall notify, in writing, the county commissioners
11 whether or not the proposed ballot title complies with applicable
12 laws.

13 D. A proposition subject to the provisions of this section
14 shall be published as provided in Section 383 of Title 19 of the
15 Oklahoma Statutes.

16 SECTION 2. This act shall become effective November 1, 2009.

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18 52-1-7718 LRB 04/07/09

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