

1 ENGROSSED SENATE
2 BILL NO. 783

By: Sykes of the Senate

3 and

4 Johnson of the House

5
6 [counties and county officers - providing for
7 publication of certain propositions - codification -
8 effective date]
9

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

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

14 A. When a county of this state is authorized to submit a
15 proposition for approval by the registered voters of the respective
16 county, whether by special election or otherwise, that will require
17 a ballot title, it shall be the duty, in addition to any other
18 duties required by law, of the county commissioners submitting the
19 measure to prepare and file one copy of the measure with the
20 district attorney of the county.

21 B. The county commissioners submitting the measure shall also
22 submit a suggested ballot title which shall be filed on a separate
23 sheet of paper and shall not be deemed part of the petition. The
24 suggested ballot title:

- 1 1. Shall not exceed two hundred (200) words;
- 2 2. Shall explain in basic words, which can be easily found in
3 dictionaries of general usage, the effect of the proposition;
- 4 3. Shall be written on the eighth-grade reading comprehension
5 level;
- 6 4. Shall not contain any words which have a special meaning for
7 a particular profession or trade not commonly known to the citizens
8 of this state;
- 9 5. Shall not reflect partiality in its composition or contain
10 any argument for or against the measure;
- 11 6. In tax-related propositions, the proposition shall detail
12 all known direct and indirect increases and decreases affecting the
13 tax code;
- 14 7. In tax-related propositions, the proposition shall use the
15 word "increase" when an increase in a tax may depend on the passage
16 or failure of the proposition;
- 17 8. Shall contain language which clearly states that a "yes"
18 vote is a vote in favor of the proposition and a "no" vote is a vote
19 against the proposition; and
- 20 9. Shall not contain language whereby a "yes" vote is, in fact,
21 a vote against the proposition and a "no" vote is, in fact, a vote
22 in favor of the proposition.
- 23 C. The district attorney of the county for which a measure has
24 been proposed shall review the filing required by subsections A and

1 B of this section for legal correctness. Within five (5) days, the
2 district attorney shall notify, in writing, the county commissioners
3 whether or not the proposed ballot title complies with applicable
4 laws.

5 D. A proposition subject to the provisions of this section
6 shall be published as provided in Section 383 of Title 19 of the
7 Oklahoma Statutes.

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

9 Passed the Senate the 2nd day of March, 2009.

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11 _____
12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2009.

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17 Presiding Officer of the House
18 of Representatives
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