

ENROLLED SENATE
BILL NO. 783

By: Sykes of the Senate

and

Johnson, Reynolds, Wright
(John), Tibbs and Ritze of
the House

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

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

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

A. When a county of this state is authorized to submit a
proposition for approval by the registered voters of the respective
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
measure to prepare and file one copy of the measure with the
district attorney of the county.

B. The county commissioners submitting the measure shall also
submit a suggested ballot title which shall be filed on a separate

sheet of paper and shall not be deemed part of the petition. The suggested ballot title:

1. Shall not exceed two hundred words;
2. Shall explain in basic words, which can be easily found in dictionaries of general usage, the effect of the proposition;
3. Shall be written on the eighth-grade reading comprehension level;
4. Shall not contain any words which have a special meaning for a particular profession or trade not commonly known to the citizens of this state;
5. Shall not reflect partiality in its composition or contain any argument for or against the measure;
6. In tax-related propositions, the proposition shall detail all known direct and indirect increases and decreases affecting the tax code;
7. In tax-related propositions, the proposition shall use the word "increase" when an increase in a tax may depend on the passage or failure of the proposition;
8. Shall contain language which clearly states that a "yes" vote is a vote in favor of the proposition and a "no" vote is a vote against the proposition; and
9. Shall not contain language whereby a "yes" vote is, in fact, a vote against the proposition and a "no" vote is, in fact, a vote in favor of the proposition.

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

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

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

Passed the Senate the 5th day of May, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2009.

Presiding Officer of the House
of Representatives