

THE HOUSE OF REPRESENTATIVES
Thursday, April 9, 2009

Committee Substitute for
ENGROSSED
Senate Bill No. 783

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 783 - By: SYKES
of the Senate and JOHNSON 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:

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

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

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

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

20 C. The district attorney of the county for which a measure has been proposed shall
21 review the filing required by subsections A and B of this section for legal correctness.

1 Within five (5) days, the district attorney shall notify, in writing, the county
2 commissioners whether or not the proposed ballot title complies with applicable laws.

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

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

6 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 04-
7 08-09 - DO PASS, As Amended.