

EHJR 1056

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THE STATE SENATE
Monday, April 5, 2010

ENGROSSED
House Joint
Resolution No. 1056

ENGROSSED HOUSE JOINT RESOLUTION NO. 1056 - By: Duncan, Reynolds,
Coody, Tibbs, Derby, Kern, Terrill, Enns, Christian, Faught and
Moore of the House and Sykes of the Senate.

(proposed amendment to Section 1 of Article VII -
Constitution - Save Our State Amendment - uphold and adhere
to the law - ballot title -
filing)

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

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

Section 1. A. The judicial power of this State shall be vested
in the Senate, sitting as a Court of Impeachment, a Supreme Court,
the Court of Criminal Appeals, the Court on the Judiciary, the ~~State~~
~~Industrial Workers' Compensation~~ Court, the Court of Bank Review,
the Court of Tax Review, and such intermediate appellate courts as
may be provided by statute, District Courts, and such Boards,
Agencies and Commissions created by the Constitution or established

1 by statute as exercise adjudicative authority or render decisions in
2 individual proceedings. Provided that the Court of Criminal
3 Appeals, the ~~State Industrial~~ Workers' Compensation Court, the Court
4 of Bank Review and the Court of Tax Review and such Boards, Agencies
5 and Commissions as have been established by statute shall continue
6 in effect, subject to the power of the Legislature to change or
7 abolish said Courts, Boards, Agencies, or Commissions. Municipal
8 Courts in cities or incorporated towns shall continue in effect and
9 shall be subject to creation, abolition or alteration by the
10 Legislature by general laws, but shall be limited in jurisdiction to
11 criminal and traffic proceedings arising out of infractions of the
12 provisions of ordinances of cities and towns or of duly adopted
13 regulations authorized by such ordinances.

14 B. Subsection C of this section shall be known as the "Save Our
15 State Amendment".

16 C. The Courts provided for in subsection A of this section,
17 when exercising their judicial authority, shall uphold and adhere to
18 the law as provided in the United States Constitution, the Oklahoma
19 Constitution, the United States Code, federal regulations
20 promulgated pursuant thereto, established common law, and the
21 Oklahoma Statutes and rules promulgated pursuant thereto in making
22 judicial decisions. The courts shall not look to the legal precepts
23 of other nations or cultures. Specifically, the courts shall not

1 consider international law or Sharia Law. The provisions of this
2 subsection shall apply to all cases before the respective courts
3 including, but not limited to, cases of first impression.

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

7 BALLOT TITLE

8 Legislative Referendum No. _____ State Question No. _____

9 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

10 This measure amends the State Constitution. It would change a
11 section that deals with the courts of this state. It would make
12 courts rely on federal and state laws when deciding cases. It
13 would forbid courts from looking at international law or Sharia
14 Law when deciding cases.

15 SHALL THE PROPOSAL BE APPROVED?

16 FOR THE PROPOSAL – YES _____

17 AGAINST THE PROPOSAL – NO _____

18 SECTION 3. The Chief Clerk of the House of Representatives,
19 immediately after the passage of this resolution, shall prepare and
20 file one copy thereof, including the Ballot Title set forth in
21 SECTION 2 hereof, with the Secretary of State and one copy with the
22 Attorney General.

23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-30-10 – DO
24 PASS.