

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1007

By: Dank

5  
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State  
8 to refer to the people for their approval or  
9 rejection a proposed amendment to Section 34 of  
10 Article V of the Constitution of the State of  
11 Oklahoma; modifying voting procedures and  
12 requirements for legislation of the Oklahoma  
13 Legislature; providing for standing to contest the  
14 validity of law under certain circumstances;  
15 providing ballot title; and directing filing.

16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
17 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for  
19 their approval or rejection, as and in the manner provided by law,  
20 the following proposed amendment to Section 34 of Article V of the  
21 Constitution of the State of Oklahoma to read as follows:

22 Section 34. Every bill shall be read on three different days in  
23 each House, ~~and no bill shall become a law unless, on its final~~  
24 ~~passage, it be read at length,~~ and no law shall be passed unless  
upon a vote of a majority of all the members elected to each House  
in favor of such law; and the question, upon final passage, shall be

1 taken upon its last reading, and the yeas and nays and the time the  
2 vote commenced shall be entered upon the journal. No bill shall be  
3 voted on for final passage unless the full text of the final bill,  
4 in printed or electronic form, has been provided to each member of  
5 the voting House at least twenty-four (24) hours prior to the vote.  
6 The time the bill was laid upon the desk of the last member or  
7 electronically provided to all members shall be entered upon the  
8 journal. Each member of the voting House and any person affected by  
9 the law shall have, for two (2) years following passage, standing in  
10 the courts of this state to contest the validity of any law for a  
11 violation of a House of the twenty-four-hour requirement. The  
12 journal shall provide a rebuttable presumption of the time when the  
13 bill was provided to members and when the vote commenced.

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

17 BALLOT TITLE

18 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

19 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

20 This measure amends the Constitution. It amends Section 34 of  
21 Article 5. Section 34 provides the procedure for passing bills  
22 in the Legislature. This measure deletes the requirement that a  
23 bill be read at length before final passage. It requires that  
24 members receive a copy of the text of a bill 24 hours prior to a

1 vote on the bill. It requires that the time of receipt of the  
2 text of a bill by members be recorded in the journal of each  
3 House. It also requires the time at which the vote on a bill is  
4 started be recorded in the journals. It gives standing to  
5 persons to contest the validity of any law for a violation of  
6 the 24-hour requirement.

7 SHALL THE PROPOSAL BE APPROVED?

8 FOR THE PROPOSAL - YES \_\_\_\_\_

9 AGAINST THE PROPOSAL - NO \_\_\_\_\_

10 SECTION 3. The Chief Clerk of the House of Representatives,  
11 immediately after the passage of this resolution, shall prepare and  
12 file one copy thereof, including the Ballot Title set forth in  
13 SECTION 2 hereof, with the Secretary of State and one copy with the  
14 Attorney General.

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16 52-1-5255 SD 01/04/09  
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