

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE JOINT
4 RESOLUTION 1072

By: Ritze

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 1 of
10 Article VIII of the Constitution of the State of
11 Oklahoma; modifying persons who are subject to
12 impeachment; providing ballot title; and directing
13 filing.

14 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
15 2ND SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

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

20 Section 1. The Governor and other elective state officers,
21 including the Justices of the Supreme Court, and district judges and
22 associate district judges, shall be liable and subject to
23 impeachment for willful neglect of duty, corruption in office,
24 habitual drunkenness, incompetency, or any offense involving moral

1 turpitude committed while in office. All elected state officers,
2 including Justices of the Supreme Court and Judges of the Court of
3 Criminal Appeals, and district judges and associate district judges,
4 shall be automatically suspended from office upon their being
5 declared guilty of a felony by a court of competent jurisdiction and
6 their pay and allowances, otherwise payable to such official, shall
7 be withheld during the period of such suspension. In the event such
8 verdict of guilty is reversed by a court of competent jurisdiction
9 on appeal, such accumulated pay and allowances which have been
10 withheld shall be paid to such official and he shall be
11 automatically reinstated in office to serve the remaining part of
12 the term for which he was elected. Such official shall not be
13 entitled to any pay or allowances for a period of time after the
14 term of office would otherwise have expired and he shall not be
15 entitled to reinstatement in office after the expiration of the term
16 for which he was elected. Whenever any Justice of the Supreme Court
17 or Judge of the Court of Criminal Appeals is suspended by reasons of
18 this section, the Governor shall be authorized to appoint a
19 temporary Justice or Judge to serve during the period of such
20 suspension and such temporary Justice or Judge shall be paid for his
21 services the compensation allowed for such regular Justice or Judge.

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the State Constitution. It deals with removing state officers from office. The method to start the process is called impeachment. Now, state officers come under this process. The change that would be made would add more persons to the process. District judges and associate district judges would be added.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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

52-2-8476 SD 01/10/10