

1 STATE OF OKLAHOMA

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

3 SENATE BILL 783

By: Sykes

4  
5 AS INTRODUCED

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

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

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

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

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

5 1. Shall not exceed two hundred (200) words;

6 2. Shall explain in basic words, which can be easily found in  
7 dictionaries of general usage, the effect of the proposition;

8 3. Shall be written on the eighth-grade reading comprehension  
9 level;

10 4. Shall not contain any words which have a special meaning for  
11 a particular profession or trade not commonly known to the citizens  
12 of this state;

13 5. Shall not reflect partiality in its composition or contain  
14 any argument for or against the measure;

15 6. In tax-related propositions, the proposition shall detail  
16 all known direct and indirect increases and decreases affecting the  
17 tax code;

18 7. In tax-related propositions, the proposition shall use the  
19 word "increase" when an increase in a tax may depend on the passage  
20 or failure of the proposition;

21 8. Shall contain language which clearly states that a "yes"  
22 vote is a vote in favor of the proposition and a "no" vote is a vote  
23 against the proposition; and  
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1 9. Shall not contain language whereby a "yes" vote is, in fact,  
2 a vote against the proposition and a "no" vote is, in fact, a vote  
3 in favor of the proposition.

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

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

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

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15 52-1-545 CD 3/6/2009 6:46:45 AM

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