

1 ENGROSSED HOUSE  
JOINT  
2 RESOLUTION NO. 1028

By: Morrisette, Hamilton and  
Holland of the House

3  
4 and

Rice of the Senate  
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8 A Joint Resolution directing the Secretary of State  
to refer to the people for their approval or  
9 rejection a proposed amendment to Section 23 of  
Article V of the Constitution of the State of  
10 Oklahoma; modifying provisions related to certain  
activity authorized for legislators; prohibiting  
11 compensation, remuneration or reimbursement from  
state governmental entities for prescribed period for  
12 former legislators and statewide officials; providing  
exception for retirement benefits or distributions  
13 from certain retirement plans for former legislators  
and statewide officials; providing exception for  
14 legislators and statewide officials returning to  
certain employment; authorizing employment of former  
15 legislators and statewide officials by certain  
political subdivisions; authorizing former  
16 legislators to serve in the Governor's Executive  
Cabinet; authorizing former legislators to receive  
17 compensation if elected to another public office;  
providing ballot title; and directing filing.  
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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
22 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

23 SECTION 1. The Secretary of State shall refer to the people for  
24 their approval or rejection, as and in the manner provided by law,

1 the following proposed amendment to Section 23 of Article V of the  
2 Constitution of the State of Oklahoma to read as follows:

3 Section 23. A. No member of the Legislature shall, during the  
4 term for which he ~~the member~~ was elected, be appointed or elected to  
5 any office or commission in the State, which shall have been  
6 created, or the emoluments of which shall have been increased,  
7 during ~~his~~ the term of office, ~~nor shall any member~~ to which the  
8 member was elected.

9 B. Except as otherwise provided by this section, no former  
10 member of the Legislature or former statewide elected official shall  
11 be employed by or receive any form of compensation, remuneration or  
12 expense reimbursement from any state governmental entity for a  
13 period of two (2) years after the end of the term to which the  
14 member or former statewide elected official was elected.

15 C. The provisions of subsection B of this section shall not be  
16 applicable to retirement benefit payments or distributions from a  
17 governmental tax-qualified retirement plan.

18 D. The provisions of subsection B of this section shall not  
19 prohibit a former member of the Legislature or former statewide  
20 elected official from returning to employment with a common school  
21 district, a career technology district or an institution within The  
22 Oklahoma State System of Higher Education within the two-year period  
23 if the former member or former statewide elected official returns to  
24 a teaching or instructional position with a former employer that is

1 a common school district, a career technology district or an  
2 institution within The Oklahoma System of Higher Education and the  
3 former member or former statewide elected official was employed in  
4 such position for at least three (3) years prior to the date as of  
5 which the member was elected to either the Oklahoma House of  
6 Representatives or the Oklahoma State Senate or the applicable  
7 statewide office.

8 E. No member shall receive any appointment from the Governor,  
9 the Governor and Senate, or from the Legislature, during the term  
10 for which ~~he~~ the member shall have been elected, ~~nor shall any.~~

11 F. No member or former statewide elected official shall, during  
12 the term for which ~~he~~ the member or statewide elected official shall  
13 have been elected, or within two (2) years thereafter, be  
14 interested, directly or indirectly, in any contract with the State,  
15 or, except with respect to the employment authorized pursuant to  
16 subsection D or subsection G of this section, in any contract with  
17 any county or other political subdivision thereof, authorized by law  
18 passed during the term for which ~~he~~ the member or statewide elected  
19 official shall have been elected.

20 G. The provisions of this section shall not prohibit a former  
21 legislator or statewide elected official from being employed by a  
22 county, city, town, or other political subdivision within the two-  
23 year period after the end of the term to which the legislator or  
24 statewide elected official was elected.



1 needs to have had the job for three (3) years before they become  
2 a lawmaker. Lawmakers could return to a job as a teacher with a  
3 school district. Lawmakers could return to a job as an  
4 instructor with a career technology district. Lawmakers could  
5 return to a job as an instructor with a college or university.  
6 Former lawmakers could be employed by a county. Former  
7 lawmakers could be paid if elected to another office. Former  
8 lawmakers could serve in the Governor's Cabinet. Former  
9 lawmakers could be employed by a city or town. Former lawmakers  
10 could be employed by another local government entity. This  
11 measure would also apply to former state officials.

12 SHALL THE PROPOSAL BE APPROVED?

13 FOR THE PROPOSAL - YES \_\_\_\_\_

14 AGAINST THE PROPOSAL - NO \_\_\_\_\_

15 SECTION 3. The Chief Clerk of the House of Representatives,  
16 immediately after the passage of this resolution, shall prepare and  
17 file one copy thereof, including the Ballot Title set forth in  
18 SECTION 2 hereof, with the Secretary of State and one copy with the  
19 Attorney General.  
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1 Passed the House of Representatives the 17th day of March, 2011.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2011.

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9 Presiding Officer of the Senate