

1 **SENATE FLOOR VERSION**

2 February 27, 2012

3 SENATE BILL NO. 1953

By: Nichols of the Senate

4 and

5 Stiles of the House

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8 An Act relating to judicial conduct; amending 20 O.S.
9 2011, Section 1404, which relates to grounds for
removal of judicial officer; updating language;
10 making language gender-neutral; requiring certain
report; and providing an effective date.

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

14 SECTION 1. AMENDATORY 20 O.S. 2011, Section 1404, is
15 amended to read as follows:

16 Section 1404. A. As used in this section, the term "judicial
17 officer" includes the judges of all courts created by the state or
18 municipalities of the state.

19 B. In addition to the causes specified in Section 1 of Article
20 VII-A, ~~Section 1~~ of the Oklahoma Constitution, the acts and
21 omissions enumerated below shall constitute grounds for the removal
22 by the Court on the Judiciary of a judicial officer from ~~his~~ office,
23 with or without disqualification to hold a judicial office in the
24 future:

1 1. The acceptance of a fee, or gratuity, other than that
2 specifically provided by law, for performing any act in a judicial
3 officer's capacity as a judge-; i

4 2. Continued willful failure of a judicial officer to comply
5 with rules and directives of the Supreme Court, the presiding judge
6 of his administrative district, or the chief judge of the judicial
7 district-; i

8 3. Participation by a judicial officer, while serving as such
9 officer or while a candidate for judicial office, in any partisan
10 political activity. But the term "partisan political activity-; r" i as
11 used herein, shall not include the attendance by a judicial officer
12 or by a candidate for a judicial office at a political gathering,
13 upon payment of a nominal admission fee, for the sole purpose of
14 campaigning in his own behalf for a judicial office-; i

15 4. Participation by a judicial officer, while serving as such
16 officer or while a candidate for a judicial office, in any election
17 campaign other than that for his own election to a judicial office-; i

18 5. A judicial officer becoming a candidate for any nonjudicial
19 office or for another judicial office whose term is to commence
20 before the expiration of his present term of office; provided that
21 no judge holding a nonelective judgeship shall become a candidate in
22 a race in which the incumbent seeks to retain an elective judicial
23 office unless he first resign his appointive judgeship-; i and
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1 6. A judicial officer, while serving as such officer or while a
2 candidate for a judicial office, making publicly known in his
3 campaign material or speeches, or knowingly permitting others to
4 make publicly known, either directly or by implication, his
5 political party affiliation.

6 C. Violation by a judicial officer of the Code of Judicial
7 Conduct as adopted by the Supreme Court of Oklahoma on July 15,
8 1974, or as may be thereafter amended, may constitute grounds for
9 the removal by the court on the judiciary of a judicial officer from
10 office, with or without disqualification to hold a judicial office
11 in the future.

12 D. Any judicial officer shall report to the Council on Judicial
13 Complaints any conduct that the officer believes may be a violation
14 of the Code of Judicial Conduct.

15 SECTION 2. This act shall become effective November 1, 2012.

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-21-12 - DO
17 PASS, As Coauthored.