STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1953 By: Nichols

AS INTRODUCED

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

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

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

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

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

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

2. Continued willful failure of a judicial officer to comply with rules and directives of the Supreme Court, the presiding judge of his administrative district, or the chief judge of the judicial district~~.~~;

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

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

5. A judicial officer becoming a candidate for any nonjudicial office or for another judicial office whose term is to commence before the expiration of his present term of office; provided that no judge holding a nonelective judgeship shall become a candidate in a race in which the incumbent seeks to retain an elective judicial office unless he first resign his appointive judgeship~~.~~; and

6. A judicial officer, while serving as such officer or while a candidate for a judicial office, making publicly known in his campaign material or speeches, or knowingly permitting others to make publicly known, either directly or by implication, his political party affiliation.

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

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

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

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