

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1530 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Gary Banz \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1530

By: Banz

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to statutes and reports; providing  
9 for delegates to a Convention for proposing  
10 Amendments; defining terms; prohibiting delegates  
11 from performing certain acts; providing for recall  
12 for a violation; requiring delegates to take an oath;  
13 specifying oath; requiring the Legislature to perform  
14 certain duties; providing criminal penalty for  
15 violation of oath; providing for codification;  
16 providing an effective date; and declaring an  
17 emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 26.43 of Title 75, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. As used in this section:

23 1. "Article V convention" means a "Convention for proposing  
24 Amendments" as expressly provided in Article V of the United States  
of America Constitution;

1        2. "Article V application" means a joint resolution passed by  
2 the State Legislature of Oklahoma requiring Congress to call an  
3 Article V convention by setting the time and place;

4        3. "Delegate" or "alternate" means a person selected by the  
5 State Legislature of Oklahoma or any other method provided by law to  
6 represent the State of Oklahoma at an Article V convention;

7        4. "Legislative instructions" means instructions given by the  
8 State Legislature to delegates and alternates before and during an  
9 Article V convention; and

10       5. "Unauthorized amendment" means a proposed amendment that is  
11 outside the permitted subject matter or the permitted text of the  
12 application, as may be defined by any legislative instructions.

13       B. Nothing in this section authorizes the State of Oklahoma to  
14 participate in any Article V convention in which each of the states  
15 does not possess an equal vote.

16       C. No delegate from this state to an Article V convention shall  
17 have the authority to vote to allow consideration of, to consider,  
18 or to approve an unauthorized amendment for ratification to the  
19 United States of America Constitution. Any delegate casting a vote  
20 to allow consideration of, to consider, or to approve an  
21 unauthorized amendment shall be immediately recalled by the Speaker  
22 of the Oklahoma House of Representatives and the President Pro  
23 Tempore of the Oklahoma Senate and replaced by an alternate. Any  
24 such vote shall be null and void.

1 D. Every candidate for delegate or alternate from this state to  
2 the Article V convention shall be required to take the following  
3 oath:

4 "I do solemnly swear or affirm that to the best of my abilities,  
5 I will, as a delegate or alternate to an Article V convention,  
6 uphold the Constitution and laws of the United States of America and  
7 the State of Oklahoma. I will not vote to allow consideration of,  
8 to consider, or to approve any unauthorized amendment proposed for  
9 ratification to the United States of America Constitution.

10 E. The Oklahoma State Legislature shall certify in writing to  
11 the Article V convention the selection of delegates and alternates,  
12 the recall and replacement of any delegate with an alternate and the  
13 nullification of unauthorized votes cast by any delegate of this  
14 state.

15 F. Any delegate who violates the oath contained in this  
16 section, upon conviction, shall be guilty of a misdemeanor.

17 SECTION 2. This act shall become effective July 1, 2013.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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23 54-1-6900 SD 02/11/13  
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