

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 HOUSE BILL 2686

By: Grau

7 AS INTRODUCED

8 An Act relating to civil procedure; providing
9 procedure for certain claims or challenges to state
10 statute; requiring ruling by a panel of judges, with
11 exception; requiring written opinion; providing for
 assumption of original jurisdiction by the Supreme
 Court; providing for codification; and providing an
 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 990.6 of Title 12, unless there
17 is created a duplication in numbering, reads as follows:

18 A. 1. Any claim or challenge as to the constitutionality of a
19 state statute shall be considered and ruled upon by a panel of at
20 least three district judges of the judicial district in which the
21 case is pending. The panel shall include the district judge
22 assigned to the case and additional district judges assigned
23 randomly. If the case has not been assigned to a district judge,
24 the panel of district judges shall be assigned randomly. All other

1 issues in the case may be considered and determined by the assigned
2 judge.

3 2. If the judicial district in which the case is pending does
4 not include at least three district judges, associate district
5 judges may serve on the panel. If a three-judge panel still cannot
6 be formed, the panel shall consist of two judges.

7 3. If the district judge or panel finds a state statute to be
8 unconstitutional, the finding must be made by written opinion.

9 B. The provisions of this section shall not preclude the
10 Supreme Court from assuming original jurisdiction pursuant to
11 Section 4 of Article VII of the Oklahoma Constitution.

12 SECTION 2. This act shall become effective November 1, 2014.

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14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/19/2014 - DO
15 PASS.

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UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.