

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1004

By: Condit

7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to Section 23 of
11 Article V of the Constitution of the State of
12 Oklahoma; modifying provisions related to certain
13 activity authorized for legislators; prohibiting
14 compensation, remuneration or reimbursement from
15 state governmental entities for prescribed period;
16 providing exception for legislators returning to
17 certain employment; providing ballot title; and
18 directing filing.

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
20 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

21 SECTION 1. The Secretary of State shall refer to the people for
22 their approval or rejection, as and in the manner provided by law,
23 the following proposed amendment to Section 23 of Article V of the
24 Constitution of the State of Oklahoma to read as follows:

Section 23. A. No member of the Legislature shall, during the
term for which ~~he~~ the member was elected, be appointed or elected to

1 any office or commission in the State, which shall have been
2 created, or the emoluments of which shall have been increased,
3 during ~~his~~ the term of office, ~~nor shall any member~~ to which the
4 member was elected.

5 B. Except as otherwise provided by this section, no former
6 member of the Legislature shall be employed by or receive any form
7 of compensation, payment or expense reimbursement from any state
8 governmental entity regardless of the source of revenue for a period
9 of two (2) years after the end of the term to which the member was
10 elected.

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

14 D. The provisions of subsection B of this section shall not
15 prohibit a former member of the Legislature from returning to
16 employment within the two-year period if the former member returns
17 to a position with a former employer, provided the salary of the
18 position is equal to or less than the salary when the former member
19 resigned the position and the former member shall not be eligible
20 for a raise in salary or a promotion for two (2) years.

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

24

1 F. Except as otherwise provided by subsection D of this
2 section, no member shall, during the term for which ~~he~~ the member
3 shall have been elected, or within two (2) years thereafter, be
4 interested, directly or indirectly, in any contract with the State,
5 or any county or other political subdivision ~~thereof~~, authorized by
6 law passed during the term for which ~~he~~ the member shall have been
7 elected.

8 G. The provisions of this section shall not prohibit a former
9 legislator from receiving the lawful compensation provided by law
10 upon election to another state office.

11 SECTION 2. The Ballot Title for the proposed Constitutional
12 amendment as set forth in SECTION 1 of this resolution shall be in
13 the following form:

14 BALLOT TITLE
15 Legislative Referendum No. _____ State Question No. _____

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure amends Section 23 of Article 5 of the Oklahoma
18 Constitution. It would prohibit a former legislator from being
19 employed by a state governmental entity for two (2) years. It
20 would also prohibit a former legislator from receiving any form
21 of compensation, payment, or reimbursement from any state
22 governmental entity for two (2) years. The two-year period is
23 counted from the time the legislator's term ends. Former
24 legislators could return to a job if they held that job

1 previously but they are not eligible for a raise or promotion
2 during the two (2) years. Former legislators could receive
3 retirement money and money paid into a retirement plan. This
4 measure would allow former legislators to be paid if elected to
5 another state office.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL - YES _____

8 AGAINST THE PROPOSAL - NO _____

9 SECTION 3. The Chief Clerk of the House of Representatives,
10 immediately after the passage of this resolution, shall prepare and
11 file one copy thereof, including the Ballot Title set forth in
12 SECTION 2 hereof, with the Secretary of State and one copy with the
13 Attorney General.

14
15 54-1-5305 LRB 01/13/13
16
17
18
19
20
21
22
23
24