

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1007

By: Cooksey

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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 exceptions for legislators returning to
17 certain employment; providing ballot title; and
18 directing filing.

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21 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
22 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

23 SECTION 1. The Secretary of State shall refer to the people for
24 their approval or rejection, as and in the manner provided by law,
the following proposed amendment to Section 23 of Article V of the
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
any office or commission in the State, which shall have been

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

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

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

13 D. The provisions of subsection B of this section shall not
14 prohibit a former member of the Legislature from returning to
15 employment with a common school district, a career technology
16 district or an institution within The Oklahoma State System of
17 Higher Education within the two-year period if the former member
18 returns to a teaching or instructional position with a former
19 employer that is a common school district, a career technology
20 district or an institution within The Oklahoma System of Higher
21 Education.

22 E. The provisions of subsection B of this section shall not
23 prohibit a former member of the Legislature from employment with the
24 National Guard or any reserve unit of the Armed Forces of the United

1 States, or other military or law enforcement position within the
2 two-year period.

3 F. No member shall receive any appointment from the Governor,
4 the Governor and Senate, or from the Legislature, during the term
5 for which ~~he~~ the member shall have been elected, ~~nor shall any.~~

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

13 H. The provisions of this section shall not prohibit a former
14 legislator from receiving the lawful compensation provided by law
15 upon election to another state office.

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

19 BALLOT TITLE
20 Legislative Referendum No. _____ State Question No. _____

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends Section 23 of Article 5 of the Oklahoma
23 Constitution. It would prohibit a former legislator from being
24 employed by a state governmental entity for two (2) years. It

1 would also prohibit a former legislator from receiving any form
2 of compensation, payment, or reimbursement from any state
3 governmental entity for two (2) years. The two (2) years is
4 counted from the time the legislator's term ends. Former
5 legislators could return to a job as a teacher or instructor if
6 they held that job previously. Former legislators could be
7 employed by the military or law enforcement. Former legislators
8 could receive retirement money and money paid into a retirement
9 plan. It would allow former legislators to be paid if elected
10 to another state office.

11 SHALL THE PROPOSAL BE APPROVED?

12 FOR THE PROPOSAL - YES _____

13 AGAINST THE PROPOSAL - NO _____

14 SECTION 3. The Chief Clerk of the House of Representatives,
15 immediately after the passage of this resolution, shall prepare and
16 file one copy thereof, including the Ballot Title set forth in
17 SECTION 2 hereof, with the Secretary of State and one copy with the
18 Attorney General.

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