

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT
4 RESOLUTION 1019

By: McPeak

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 entering or
16 returning to employment with a common school district, a career
17 technology district or an institution within The Oklahoma State
18 System of Higher Education within the two-year period.

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

22 F. Except as otherwise provided by subsection D of this
23 section, no member shall, during the term for which ~~he~~ the member
24 shall have been elected, or within two (2) years thereafter, be

1 interested, directly or indirectly, in any contract with the State,
2 or any county or other political subdivision ~~thereof~~, authorized by
3 law passed during the term for which ~~he~~ the member shall have been
4 elected.

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

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

11 BALLOT TITLE

12 Legislative Referendum No. _____ State Question No. _____

13 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

14 This measure amends Section 23 of Article 5 of the Oklahoma
15 Constitution. It would prohibit a former legislator from being
16 employed by a state governmental entity for two (2) years. It
17 would also prohibit a former legislator from receiving any form
18 of compensation, payment, or reimbursement from any state
19 governmental entity for two (2) years. The two-year period is
20 counted from the time the legislator's term ends. Former
21 legislators could be employed by certain schools within the two-
22 year period. Former legislators could receive retirement money
23 and money paid into a retirement plan. This measure would allow
24

1 former legislators to be paid if elected to another state
2 office.

3 SHALL THE PROPOSAL BE APPROVED?

4 FOR THE PROPOSAL - YES _____

5 AGAINST THE PROPOSAL - NO _____

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

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12 54-1-6640 LRB 01/15/13
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