STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE JOINT
RESOLUTION 1034 By: Hickman

AS INTRODUCED

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

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

SECTION 1. The Secretary of State shall refer to the people for 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 created, or the emoluments of which shall have been increased,

during ~~his~~ the term of office~~, nor shall any member~~ to which the member was elected.

B. Except as otherwise provided by this section, no former member of the Legislature shall be employed by or receive any form of compensation, payment or expense reimbursement from any state governmental entity regardless of the source of revenue until July 1 of the year following the end of the term of office.

C. The provisions of subsection B of this section shall not prohibit a former member of the Legislature from being appointed to the cabinet system of the Governor.

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

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

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

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

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

BALLOT TITLE

Legislative Referendum No. ____ State Question No. ____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Section 23 of Article 5 of the Oklahoma Constitution. It would prohibit a former legislator from being employed by a state governmental entity until July 1 of the year following the end of the term of office. It would also prohibit a former legislator from receiving any form of compensation, payment, or reimbursement from any state governmental entity until July 1 of the year following the end of the term of office. Former legislators could be appointed to the Governor's cabinet. Former legislators could receive retirement money and money paid into a retirement plan. This measure would allow former legislators to be paid if elected to another state office.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL — YES _____

AGAINST THE PROPOSAL — NO _____

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

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