

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1088

By: Grau

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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 57 of  
11 Article V of the Constitution of the State of  
12 Oklahoma; modifying provisions related to one subject  
13 requirement; providing for legislative approval of  
14 certain statement by simple majority; providing for  
15 effect of approval; providing ballot title; and  
16 directing filing.

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
18 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for  
20 their approval or rejection, as and in the manner provided by law,  
21 the following proposed amendment to Section 57 of Article V of the  
22 Constitution of the State of Oklahoma to read as follows:

23 Section 57. A. Every act of the Legislature shall embrace but  
24 one subject, which shall be clearly expressed in its title, except  
general appropriation bills, general revenue bills, and bills  
adopting a code, digest, or revision of statutes; and no law shall

1 be revived, amended, or the provisions thereof extended or  
2 conferred, by reference to its title only; but so much thereof as is  
3 revived, amended, extended, or conferred shall be re-enacted and  
4 published at length: Provided, That if any subject be embraced in  
5 any act contrary to the provisions of this section, such act shall  
6 be void only as to so much of the laws as may not be expressed in  
7 the title thereof.

8 B. An act of the Legislature which amends two or more sections  
9 of law in the same title of the Oklahoma Statutes or which contains  
10 both amendatory and new law provisions in the same title of the  
11 Oklahoma Statutes or which contains a combination of amendatory and  
12 new law provisions in more than one title of the Oklahoma Statutes  
13 shall be presumed to contain only one subject if the Legislature  
14 includes a statement or explanation of the logical connection  
15 between and among the amendatory or new law provisions and the  
16 statement or explanation receives a simple majority affirmative  
17 approval of both chambers of the Legislature upon final passage of  
18 such measure.

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

22 BALLOT TITLE  
23 Legislative Referendum No. \_\_\_\_ State Question No. \_\_\_\_

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

1 This measure amends the Oklahoma Constitution. It amends  
2 Section 57 of Article 5. Legislation is required by the  
3 Oklahoma Constitution to contain only a single subject. There  
4 are exceptions to this requirement. This measure would provide  
5 a way for the Legislature to write a statement of explanation  
6 that would be part of a bill or joint resolution. The statement  
7 could explain the way in which the sections of the legislation  
8 are logically related. If the Legislature approves this  
9 statement by a majority vote in both the House and the Senate,  
10 it would create a presumption that the legislation contained  
11 only one subject. A presumption means that someone who  
12 challenged legislation for violating the one subject requirement  
13 would have to prove by at least clear and convincing evidence  
14 that the legislation violated the requirement that it contain  
15 only one subject.

16 SHALL THE PROPOSAL BE APPROVED?

17 FOR THE PROPOSAL - YES \_\_\_\_\_

18 AGAINST THE PROPOSAL - NO \_\_\_\_\_

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

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