

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE JOINT
RESOLUTION 1037

By: Calvey

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new Section 3A to Article VII, the repeal of Sections 1, 2, 3, 4, 5, 6 and 7 of Article VII-B of the Constitution of the State of Oklahoma and the repeal of Section 3 of Article VII of the Constitution of the State of Oklahoma; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND SESSION OF THE 55TH 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 the Constitution of the State of Oklahoma by adding a new Section 3A to Article VII thereof, to read as follows:

Section 3A. Beginning in the general election in 2018 and in every other general election thereafter, the voters shall elect for a four-year term all nine Justices of the Supreme Court, all nine

1 Judges of the Court of Criminal Appeals, and all twelve Judges of
2 the Court of Civil Appeals at a nonpartisan election, in a manner
3 provided by statute. In the event of a judicial vacancy at any
4 level, the Governor shall, by appointment, fill such vacancy until
5 the next election for state officers, and at such election the
6 vacancy for the unexpired term shall be filled by a nonpartisan
7 election in a manner provided by statute. Qualifications for
8 candidacy for judicial positions shall be established by statute.
9 The Judicial Nominating Commission is hereby abolished. If any
10 court of competent jurisdiction shall rule that a Justice or Judge
11 whose term has not expired by the general election of 2018 is
12 entitled to finish said term notwithstanding this provision, the
13 remainder of this provision shall remain in full force and effect.

14 SECTION 2. The Secretary of State shall refer to the people for
15 their approval or rejection, as and in the manner provided by law,
16 the repeal of Sections 1, 2, 3, 4, 5, 6 and 7 of Article VII-B of
17 the Constitution of the State of Oklahoma and Section 3 of Article
18 VII of the Constitution of the State of Oklahoma which relate to
19 judicial selection.

20 SECTION 3. The Ballot Title for the proposed Constitutional
21 amendments as set forth in SECTIONS 1 and 2 of this resolution shall
22 be in the following form:

23 BALLOT TITLE

24 Legislative Referendum No. _____ State Question No. _____

1 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

2 This resolution amends the Oklahoma Constitution. It changes
3 the way Justices and Judges of the Supreme Court, Court of
4 Criminal Appeals and Court of Civil Appeals are selected.
5 Currently these Justices and Judges are nominated by a judicial
6 nominating committee, with final selection by the Governor from
7 a list submitted by the Governor. The amendment would change
8 the selection method. These offices would be filled in
9 nonpartisan elections in the same manner that district judges
10 are now selected. The terms of office would be four years.

11 SHALL THE PROPOSAL BE APPROVED?

12 FOR THE PROPOSAL - YES _____

13 AGAINST THE PROPOSAL - NO _____

14 SECTION 4. 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 3 hereof, with the Secretary of State and one copy with the
18 Attorney General.

19
20 55-2-7870 SD 12/07/15
21
22
23
24