

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 HOUSE JOINT
4 RESOLUTION 1040

By: Murphey

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6
7 AS INTRODUCED

8 An Act directing the Secretary of State to refer to
9 the people for their approval or rejection a proposed
10 amendment to Section 2 of Article VII of the
11 Constitution of the State of Oklahoma; limiting
12 period of time a person may serve as Supreme Court
13 Justice; providing ballot title; and directing
14 filing.

15 SECTION 1. The Secretary of State shall refer to the people for
16 their approval or rejection, as and in the manner provided by law,
17 the following proposed amendment to Section 2 of Article VII of the
18 Constitution of the State of Oklahoma to read as follows:

19 Section 2. The Supreme Court shall consist of nine Justices
20 until the number shall be changed by statute and each Justice shall
21 be from a separate district of the State. Each district shall
22 remain as presently constituted until otherwise provided by Statute.
23 The terms of office of the Justices of the Supreme Court shall be
24 six years and shall commence on the second Monday of January

1 following their election. Those appointed or elected to fill
2 vacancies shall assume office immediately upon qualifying for the
3 office. No person shall be eligible to serve as a Justice of the
4 Supreme Court for more than twelve years, which need not be
5 consecutive. Years served filling a partial term shall not be
6 included in the twelve-year limitation, but no person who has
7 completed twelve years as a Supreme Court Judge shall be eligible to
8 serve a partial term. Any Justice serving on January 1, 2017, shall
9 be eligible to serve his or her existing term and an additional
10 twelve years. Each Justice, at the time of his election or
11 appointment, shall have attained the age of thirty years, shall have
12 been a qualified elector in the district for at least one year
13 immediately prior to the date of filing or appointment, and shall
14 have been a licensed practicing attorney or judge of a court of
15 record, or both, in Oklahoma for five years preceding his election
16 or appointment and shall continue to be a duly licensed attorney
17 while in office to be eligible to hold the office. The Justices
18 shall choose from among their members a Chief Justice and a Vice
19 Chief Justice.

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

23 BALLOT TITLE

24 Legislative Referendum No. _____ State Question No. _____

1 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

2 This measure amends the Oklahoma Constitution. It provides term
3 limits for Justices of the Supreme Court. The limit would be
4 twelve years. Years served filling a partial term would not
5 count against the twelve-year limit, but no one who has served
6 twelve years could be appointed to fill a partial term.

7 SHALL THE PROPOSAL BE APPROVED?

8 FOR THE PROPOSAL - YES _____

9 AGAINST THE PROPOSAL - NO _____

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

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