

1 ENGROSSED HOUSE
2 BILL NO. 2686

By: Grau of the House

3 and

4 Holt of the Senate
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7 An Act relating to civil procedure; providing
8 procedure for certain claims or challenges to state
9 statute; requiring ruling by a panel of judges, with
10 exception; requiring written opinion; providing for
assumption of original jurisdiction by the Supreme
Court; providing for codification; and providing an
effective date.
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 990.6 of Title 12, unless there
16 is created a duplication in numbering, reads as follows:

17 A. 1. Any claim or challenge as to the constitutionality of a
18 state statute shall be considered and ruled upon by a panel of at
19 least three district judges of the judicial district in which the
20 case is pending. The panel shall include the district judge
21 assigned to the case and additional district judges assigned
22 randomly. If the case has not been assigned to a district judge,
23 the panel of district judges shall be assigned randomly. All other
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1 issues in the case may be considered and determined by the assigned
2 judge.

3 2. If the judicial district in which the case is pending does
4 not include at least three district judges, associate district
5 judges may serve on the panel. If a three-judge panel still cannot
6 be formed, the panel shall consist of two judges.

7 3. If the district judge or panel finds a state statute to be
8 unconstitutional, the finding must be made by written opinion.

9 B. The provisions of this section shall not preclude the
10 Supreme Court from assuming original jurisdiction pursuant to
11 Section 4 of Article VII of the Oklahoma Constitution.

12 SECTION 2. This act shall become effective November 1, 2014.

13 Passed the House of Representatives the 10th day of March, 2014.

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Presiding Officer of the House
of Representatives

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18 Passed the Senate the ____ day of _____, 2014.

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Presiding Officer of the Senate

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