

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 ENGROSSED SENATE

5 JOINT

6 RESOLUTION NO. 33

By: Fields and Sykes of the
Senate

and

Enns of the House

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10 A Joint Resolution directing the Secretary of State
11 to refer to the people for their approval or
12 rejection a proposed amendment to Section 12 of
13 Article II of the Oklahoma Constitution; providing
14 that certain provision not be construed to prohibit
15 certain military service; allowing Legislature to
16 enact implementing laws; providing ballot title; and
17 directing filing.

18 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
19 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for
21 their approval or rejection, as and in the manner provided by law,
22 the following proposed amendment to Section 12 of Article II of the
23 Oklahoma Constitution to read as follows:

24 Section 12. No member of Congress from this State, or person
 holding any office of trust or profit under the laws of any other
 State, or of the United States, shall hold any office of trust or

1 profit under the laws of this State; provided, neither the
2 provisions of this section nor any other provision of this
3 Constitution or state law shall be construed to prohibit the
4 following officeholders from holding at the same time any other
5 office of trust or profit:

6 1. Officers and enlisted members of the National Guard;

7 2. Officers and enlisted members of the National Guard Reserve;

8 3. Officers of the Officers Reserve Corps of the United States;

9 4. Enlisted members of the Organized Reserves of the United
10 States; and

11 5. Officers and enlisted members of the Oklahoma State Guard
12 and any other active militia or military force organized under state
13 law.

14 The Legislature shall have the power to enact laws to further
15 implement the provisions of this section.

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

19 BALLOT TITLE

20 Legislative Referendum No. _____ State Question No. _____

21 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

22 This measure amends Section 12 of Article 2 of the state

23 Constitution. This section prohibits the holding of more than

24 one office at the same time. It applies to certain offices.

1 This measure would not allow the law to be construed to keep
2 some people from holding two offices at the same time. It would
3 apply to officers and enlisted members of the National Guard,
4 and the National Guard Reserve. It would also apply to the
5 Oklahoma State Guard and any other active militia or military
6 force organized under state law. It would also apply to
7 officers of the Officers Reserve Corps of the United States and
8 enlisted members of the Organized Reserves of the United States.
9 The Legislature could pass laws to put these changes in place.

10 SHALL THE PROPOSAL BE APPROVED?

11 FOR THE PROPOSAL — YES _____

12 AGAINST THE PROPOSAL — NO _____

13 SECTION 3. The President Pro Tempore of the Senate shall,
14 immediately after the passage of this resolution, prepare and file
15 one copy thereof, including the Ballot Title set forth in SECTION 2
16 hereof, with the Secretary of State and one copy with the Attorney
17 General.

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19 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/10/2014 - DO PASS.
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