

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1737 _____
Of the printed Bill

Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Lewis Moore

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1737

By: Moore

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to the United States; declaring state responsibility under the Tenth Amendment to the Constitution of the United States; authorizing state intercession in certain circumstances; providing procedure for filing of action; authorizing the Legislature to hire outside counsel in certain circumstances; prohibiting certain acts; directing the deposit of certain funds; providing penalty; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 51 of Title 80, unless there is created a duplication in numbering, reads as follows:

A. This state endorses and is required to enforce the Tenth Amendment to the Constitution of the United States that provides that any power not delegated to Congress and not prohibited to the states is reserved to the states or the people. Therefore, in any

1 instance in which the Congress of the United States or any federal
2 agency in compliance with an Act of Congress exceeds the authority
3 of Congress granted in Section 8 of Article I of the Constitution of
4 the United States or granted by an amendment to the Constitution of
5 the United States, the State of Oklahoma may intercede on behalf of
6 all Oklahoma citizens and Oklahoma businesses. If the Attorney
7 General fails to file an action pursuant to this subsection, the
8 Legislature may hire outside counsel to proceed with the action.

9 B. No state agency, entity or political subdivision is
10 authorized to act upon any federal request or action of any kind not
11 expressly provided for in the United States Constitution.

12 C. No state agency, political subdivision of the state, or
13 contractor or other entity acting on behalf of the state or a
14 political subdivision shall request federal assistance, legal,
15 regulatory or administrative help, in any form, to include money in
16 the form of grants, loans of any kind, matching funds or
17 reimbursements from any government subdivision outside of the
18 authority of the State of Oklahoma without approval of the State
19 Legislature and knowledge of the U.S. Senators representing the
20 State of Oklahoma.

21 D. Any state agency, political subdivision of the state, or
22 contractor or other entity acting on behalf of the state or a
23 political subdivision already receiving money from any government
24 subdivision outside of the authority of the State of Oklahoma shall

1 deposit the money with the State Treasurer's office and report the
2 transaction to the Office of Management and Enterprise Services and
3 the U.S. Senators representing the State of Oklahoma as of the date
4 this act becomes law and shall include funds received as of January
5 1, 2009.

6 E. Violation of this section by any state officer, state
7 employee, or contractor or other entity acting on behalf of the
8 state shall constitute a misdemeanor and shall result in a fine of
9 Five Hundred Dollars (\$500.00) for each violation. In addition, any
10 violation by a state officer or officer of a political subdivision
11 shall result in loss of office; any violation by a state employee or
12 an employee of a political subdivision shall result in loss of
13 employment; and any violation by a contractor or other entity acting
14 on behalf of the state or a political subdivision shall result in
15 the termination of the contract or agreement between the contractor
16 or entity and the state or political subdivision.

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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22 55-1-6841 SD 02/17/15
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