

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 ENGROSSED SENATE
5 JOINT
6 RESOLUTION NO. 31

By: Sykes of the Senate

and

Christian 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 the Oklahoma
13 Constitution by adding a new Section 9A to Article
14 II; establishing full force and effect of certain
15 statutes; providing for validity of changes in
16 methods of execution; 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 55TH 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 the Oklahoma Constitution by
23 adding a new Section 9A to Article II to read as follows:

24 Section 9A. All statutes of this state requiring, authorizing,
imposing or relating to the death penalty are in full force and
effect, subject to legislative amendment or repeal by statute,

1 initiative or referendum. Any method of execution shall be allowed,
2 unless prohibited by the United States Constitution. Methods of
3 execution may be designated by the Legislature. A sentence of death
4 shall not be reduced on the basis that a method of execution is
5 invalid. In any case in which an execution method is declared
6 invalid, the death sentence shall remain in force until the sentence
7 can be lawfully executed by any valid method. The death penalty
8 provided for under such statutes shall not be deemed to be, or to
9 constitute, the infliction of cruel or unusual punishments, nor
10 shall such punishment be deemed to contravene any other provision of
11 this Constitution.

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

15 BALLOT TITLE

16 Legislative Referendum No. _____ State Question No. _____

17 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

18 This measure adds a new section to the Oklahoma Constitution. It
19 adds Section 9A of Article 2. It states that all death penalty
20 statutes are in effect. It states that methods of execution can
21 be changed. It states that the death penalty is not cruel and
22 unusual punishment.

23 SHALL THE PROPOSAL BE APPROVED?

24 FOR THE PROPOSAL — YES _____

1 AGAINST THE PROPOSAL — NO _____

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

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8 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/01/2015 - DO PASS.
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