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February 25, 2015

SENATE JOINT
RESOLUTION NO. 31

By: Sykes of the Senate

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Oklahoma Constitution by adding a new Section 9A to Article II; establishing full force and effect of certain statutes; providing for validity of changes in methods of execution; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to the Oklahoma Constitution by adding a new Section 9A to Article II to read as follows:

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, initiative or referendum. Any method of execution shall be allowed, unless prohibited by the United States Constitution. Methods of execution may be designated by the Legislature. A sentence of death shall not be reduced on the basis that a method of execution is

1 invalid. In any case in which an execution method is declared
2 invalid, the death sentence shall remain in force until the sentence
3 can be lawfully executed by any valid method. The death penalty
4 provided for under such statutes shall not be deemed to be, or to
5 constitute, the infliction of cruel or unusual punishments, nor
6 shall such punishment be deemed to contravene any other provision of
7 this Constitution.

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

11 BALLOT TITLE

12 Legislative Referendum No. _____ State Question No. _____

13 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

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

19 SHALL THE PROPOSAL BE APPROVED?

20 FOR THE PROPOSAL — YES _____

21 AGAINST THE PROPOSAL — NO _____

22 SECTION 3. The President Pro Tempore of the Senate shall,
23 immediately after the passage of this resolution, prepare and file
24 one copy thereof, including the Ballot Title set forth in SECTION 2

hereof, with the Secretary of State and one copy with the Attorney
General.

COMMITTEE REPORT BY: COMMITTEE ON RULES
February 25, 2015 - DO PASS